



Office Use Only

Application Number:

Private Bag 752, Memorial Ave

Kaikohe 0440, New Zealand

Freephone: 0800 920 029

Phone: (09) 401 5200

Fax: (09) 401 2137

Email: ask.us@fndc.govt.nz

Website: www.fndc.govt.nz

APPLICATION FOR RESOURCE CONSENT OR FAST-TRACK RESOURCE CONSENT

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA))

(If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Form 9)

Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges – both available on the Council's web page.

1. Pre-Lodgement Meeting

Have you met with a Council Resource Consent representative to discuss this application prior to lodgement? Yes / No

2. Type of Consent being applied for (more than one circle can be ticked):

- ☒ Land Use ☐ Fast Track Land Use* ☐ Subdivision ☐ Discharge
☐ Extension of time (s.125) ☐ Change of conditions (s.127) ☐ Change of Consent Notice (s.221(3))
☐ Consent under National Environmental Standard (e.g. Assessing and Managing Contaminants in Soil)
☐ Other (please specify) _____

***The fast track for simple land use consents is restricted to consents with a controlled activity status and requires you provide an electronic address for service.**

3. Would you like to opt out of the Fast Track Process?

Yes / No

4. Applicant Details:

Name/s: Arawai Limited

Electronic Address for Service (E-mail):

Phone Numbers:

Postal Address:
(or alternative method
of service under
section 352 of the Act)

Post Code: _____

5. Address for Correspondence: Name and address for service and correspondence (if using an Agent write their details here).

Name/s: Sanson & Associates Limited - c/- Steven Sanson

Electronic Address for Service (E-mail):

Phone Numbers:

Postal Address:
(or alternative method
of service under
section 352 of the Act)

Post Code: 0247

All correspondence will be sent by email in the first instance. Please advise us if you would prefer an alternative means of communication.

6. Details of Property Owner/s and Occupier/s: Name and Address of the Owner/Occupiers of the land to which this application relates (where there are multiple owners or occupiers please list on a separate sheet if required)

Name/s: Refer Record of Title

Property Address/
Location: 4554 State Highway 10, Aurere

7. Application Site Details:

Location and/or Property Street Address of the proposed activity:

Site Address/
Location: 4554 State Highway 10, Aurere

Legal Description: Okokori B Block Val Number:

Certificate of Title: NA46C/958
Please remember to attach a copy of your Certificate of Title to the application, along with relevant consent notices and/or easements and encumbrances (search copy must be less than 6 months old)

Site Visit Requirements:

Is there a locked gate or security system restricting access by Council staff? Yes / ~~No~~

Is there a dog on the property? Yes / ~~No~~

Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details. **This is important to avoid a wasted trip and having to re-arrange a second visit.**

There is a gate restricting access to the site. Please call Pete (project manager) 021 906 737 to arrange site visit

8. Description of the Proposal:

New application to support the Whare Whetu building on the site.

9. Would you like to request Public Notification

~~Yes~~/No

10. Other Consent required/being applied for under different legislation (more than one circle can be ticked):

- ☐ Building Consent (BC ref # if known) ☐ Regional Council Consent (ref # if known)
- ☐ National Environmental Standard consent ☐ Other (please specify)

11. National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health:

The site and proposal may be subject to the above NES. In order to determine whether regard needs to be had to the NES please answer the following (further information in regard to this NES is available on the Council's planning web pages):

Is the piece of land currently being used or has it historically ever been used for an activity or industry on the Hazardous Industries and Activities List (HAIL) ☐ yes ☒ no ☐ don't know

Is the proposed activity an activity covered by the NES? (If the activity is any of the activities listed below, then you need to tick the 'yes' circle). ☐ yes ☒ no ☐ don't know

- ☐ Subdividing land ☐ Changing the use of a piece of land
- ☐ Disturbing, removing or sampling soil ☐ Removing or replacing a fuel storage system

12. Assessment of Environmental Effects:

Every application for resource consent must be accompanied by an Assessment of Environmental Effects (AEE). This is a requirement of Schedule 4 of the Resource Management Act 1991 and an application can be rejected if an adequate AEE is not provided. The information in an AEE must be specified in sufficient detail to satisfy the purpose for which it is required. Your AEE may include additional information such as Written Approvals from adjoining property owners, or affected parties.

Please attach your AEE to this application.

13. Billing Details:

This identifies the person or entity that will be responsible for paying any invoices or receiving any refunds associated with processing this resource consent. Please also refer to Council's Fees and Charges Schedule.

Name/s: (please write all names in full)

Arawai Limited (C/- Peter Phillips)

Email:

Postal Address:

Phone Numbers:

Fees Information: An instalment fee for processing this application is payable at the time of lodgement and must accompany your application in order for it to be lodged. Please note that if the instalment fee is insufficient to cover the actual and reasonable costs of work undertaken to process the application you will be required to pay any additional costs. Invoiced amounts are payable by the 20th of the month following invoice date. You may also be required to make additional payments if your application requires notification.

Declaration concerning Payment of Fees: I/we understand that the Council may charge me/us for all costs actually and reasonably incurred in processing this application. Subject to my/our rights under Sections 357B and 358 of the RMA, to object to any costs, I/we undertake to pay all and future processing costs incurred by the Council. Without limiting the Far North District Council's legal rights if any steps (including the use of debt collection agencies) are necessary to recover unpaid processing costs I/we agree to pay all costs of recovering those processing costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company in signing this application I/we are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

Name: Peter Phillips (please print)

Signature:  (signature of bill payer – **mandatory**) Date: 13 May 2024

14. Important Information:

Note to applicant

You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.

You may apply for 2 or more resource consents that are needed for the same activity on the same form.

You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

Fast-track application

Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement. A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

Privacy Information:

Once this application is lodged with the Council it becomes public information. Please advise Council if there is sensitive information in the proposal. The information you have provided on this form is required so that your application for consent pursuant to the Resource Management Act 1991 can be processed under that Act. The information will be stored on a public register and held by the Far North District Council. The details of your application may also be made available to the public on the Council's website, www.fndc.govt.nz. These details are collected to inform the general public and community groups about all consents which have been issued through the Far North District Council.

Declaration: The information I have supplied with this application is true and complete to the best of my knowledge.

Name:

Signature:

(A signature is not required if the application is made by electronic means)

Checklist (please tick if information is provided)

- ☐ Payment (cheques payable to Far North District Council)
- ☐ A current Certificate of Title (Search Copy not more than 6 months old)
- ☐ Copies of any listed encumbrances, easements and/or consent notices relevant to the application
- ☐ Applicant / Agent / Property Owner / Bill Payer details provided
- ☐ Location of property and description of proposal
- ☐ Assessment of Environmental Effects
- ☐ Written Approvals / correspondence from consulted parties
- ☐ Reports from technical experts (if required)
- ☐ Copies of other relevant consents associated with this application
- ☐ Location and Site plans (land use) AND/OR
- ☐ Location and Scheme Plan (subdivision)
- ☐ Elevations / Floor plans
- ☐ Topographical / contour plans

Please refer to Chapter 4 of the District Plan for details of the information that must be provided with an application. Please also refer to the RC Checklist available on the Council's website. This contains more helpful hints as to what information needs to be shown on plans.

Only one copy of an application is required, but please note for copying and scanning purposes, documentation should be:

UNBOUND

SINGLE SIDED

NO LARGER THAN A3 in SIZE



SANSON & ASSOCIATES LTD
Planners & Resource Consent Specialists

SANSON & ASSOCIATES LIMITED

PO BOX 318, PAIHIA 0247

Phone [09] 407 5253; Email – steve@sansons.co.nz

Far North District Council

Resource Consents

17th May 2024

Re: Application for Land Use Resource Consent Application Sir Hek Busby Kupe Waka Centre

Our client, Arawai Limited, seeks resource consent for Whare Whetū – a new building which will be used to host a virtual reality experience on navigation and waka sailing, as well as a classroom/meeting room.

This application also seeks to regularise the built development / activities within RC 2130047 which approved the establishment and operation of the Whare Wānanga.

All consent conditions required by RC 2130047 have now been satisfied, noting that the consent has lapsed. This aspect is commented on within the decision for RC 2300463.

RC 2300463 considered a range of resource management matters but was ultimately declined due to cultural issues. This aspect has been acknowledged and this application now contains a Cultural Effects Assessment which has been prepared for the activity and this proposal.

Due to factors involving funding many of the built development items within RC 2300463 were either not continued with or downsized to ensure that no resource consents were required.

Please find below a resource consent application [with associated appendices / supporting

information] to provide for those activities detailed above.

Please do not hesitate to contact me should you require any further information.

A handwritten signature in black ink, appearing to be 'SS' with a stylized flourish.

Yours sincerely,

Steven Sanson

Consultant Planner | Director

1. APPLICATION & PROPERTY DETAILS

Applicant:	Arawai Limited
Agent/address for service:	Sanson & Associates Ltd Attn: Steve Sanson P.O. Box 318 Paihia 0247 E: Steve@bayplan.co.nz M: 021 160 6035
Site address:	4554 State Highway 10, Lake Ohia, Karikari Peninsula
Legal description:	Okokori B Block (NA46C/958)
Site area:	115.8ha
Site owner:	Sir Hekenukumai (Hector) Ngaiwi Puhipi Busby
Operative District Plan:	Far North District Plan / Proposed District Plan
Operative Zoning:	General Coastal Zone
Relevant Resource Features:	Outstanding Landscape Site of Cultural Significance (MS05-38) Coastal Hazards 1 and 2
Proposed District Plan Zoning:	Rural Production Zone
Proposed District Plan Resource Overlays:	Coastal Environment Flooding Outstanding Landscapes High and Outstanding Natural Character Areas
NRC overlays:	Coastal Environment High Natural Character Area [Existing Access]
Protected Natural Area:	Adjoins O04/231 – Awapoko Estuary

2 SUMMARY OF PROPOSAL

Proposal	<p>The applicant intends to build upon previous activities undertaken on site by the late Sir Hek Busby and Tarai Waka Inc.</p> <p>The proposal seeks to approve the new 'Whare Whetū' building as well as regularise the activities contained within RC 2130047 [lapsed but all conditions now completed].</p>
Reason for Application	<p>The proposal is considered to breach the following rules of the Operative Far North District Plan:</p> <ul style="list-style-type: none"> • 10.6.5.1.1 Visual Amenity • 10.6.5.1.4 Building Height • 12.1.6.1.5 Buildings within Outstanding Landscapes • 12.7.6.1.1 Setback from Lakes, Rivers and the Coastal Marine Area • 15.1.6A.2.1 Traffic intensity <p>The proposal is considered to breach the following rules of the Proposed Far North District Plan:</p> <ul style="list-style-type: none"> • SASM-R1 New buildings or structures, extensions or alterations to existing buildings or structures, earthworks or indigenous vegetation clearance <p>Overall, the proposal is a Non Complying Activity.</p>
Appendices	<p>Appendix A – Certificate of Title</p> <p>Appendix B – Copy of RC 2300463 Decision</p> <p>Appendix C – Cultural Effects Assessment</p> <p>Appendix D – Maori Land Court Documents</p> <p>Appendix E – Assessment of Okokori Site of Significance to Maori</p>

	<p>Appendix F – Copy of RC 2130047 Decision</p> <p>Appendix G – Site Plans & Elevations</p> <p>Appendix H – Engineering Report (extract from RC2130047)</p> <p>Appendix I – Good Ground Report [Far North Roding]</p> <p>Appendix J – Visual Impact Assessment (extract from RC2130047)</p> <p>Appendix K – Archaeological Assessment</p> <p>Appendix L – TP58 Report Eric Wagener]</p> <p>Appendix M – Foundation Design [T&A Structures]</p> <p>Appendix N – Consultation and Written Approvals</p> <p>Appendix O – NRC Consents</p>
Consultation	Refer written approvals in Appendix N.

3.0 INTRODUCTION AND PROPOSAL

3.1 Report Requirements

This report has been prepared for Arawai Limited in support of a land use consent application at 4554 State Highway 10.

The location of the site is found below in [Figure 1](#), and this is supplemented by the Record of Title diagram found in [Appendix A](#).

The application has been prepared in accordance with the provisions of Section 88 and the Fourth Schedule of the Resource Management Act 1991. This report serves as the Assessment of Environmental Effects required under both provisions.

The report also includes an analysis of the relevant provisions of the Operative and Proposed Far North District Plan, relevant Regional Planning documents, National Policy Statements and Environmental Standards, as well as Part 2 of the Resource Management Act 1991



Figure 1: Location of Site

3.2 Background

RC 2300463 was the previously declined resource consent application relating to the development of the site. The decision for this application is in [Appendix B](#).

The decision notes the scope of the application being associated with four buildings (including

whare whetū; being the subject of this application).

To progress components of the development, permitted activities and activities not requiring building consent were undertaken to ensure the continuation of the project. The only item requiring resource consent is the Whare Whetu.

Reflecting on the decision of RC 2300463, the principal issue in contention associated with the development was primarily in relation to cultural issues.

The reasons for the decision are not repeated here, but for context, this application considers the cultural matters attributed to the site through the following approaches:

- The production of a Cultural Effects Assessment (refer [Appendix C](#)); and
- Submitting on the PDP in relation to the Site of Significance affecting the site by relying on the decision of Judge Ambler from the Maori Land Court ([Appendix D](#)), as well as the internal assessment undertaken by FNDC on the Okokori “Site of Significance to Maori” ([Appendix E](#)).

As these cultural matters were the only matters in contention which are now addressed by the application, it is contended that the proposal can proceed on a non-notified basis.

For fullness the proposal includes many of the underlying and supporting attachments from RC 2300463 because these remain relevant insofar as they consider the Whare Whetu building.

3.3 The Proposal

This proposal follows on from RC 2300463 which was previously unsuccessful during the consent process. The application only relates to Whare Whetū as well as ameliorating a technical issue of legalizing those matters previously determined under RC 2130047 (attached at [Appendix F](#)).

As with the previous consent, the applicant intends to build upon previous activities undertaken on site by the late Sir Hekenukumai Ngaiwi Puhipi Busby and Te Tai Tokerau Tarai Waka Inc.

The proposal is to complete the next stage of development of the Sir Hek Busby Kupe Waka Centre (KWC) by relocating a building to the site known as Whare Whetū.



Figure 2: Plan of the Waka Centre comprising the Te Awapoko Waka Wānanga Reserve and Operational Area

The building will be transported to the site and will have a gross floor area of 106m² (including the front porch, side deck and accessible ramp).

Whare Whetū will be used for the purpose of providing a virtual reality experience on navigation and waka sailing for visitors to the Waka Centre, as well as a classroom/ meeting room.

For completeness, this application also seeks to incorporate all the activities applied for in the now lapsed RC 2130047, which approved the establishment and operation of the Whare Wānanga plus some minor non-residential buildings not requiring building consent because of their size or temporary nature.

All consent conditions required by RC 2130047 have been satisfied with the recent upgrade of the access road and the roadway between the State Highway and the bridge over the Aurere Stream. As this consent lapsed in 2019, it is anticipated that all outstanding conditions will be carried over to the new consent. This matter was discussed as part of the Commissioners considerations as part of RC 2300463.

The proposal is supported by Site, Building and Parking/Access Plans attached as [Appendix G](#).

An Engineering Report is found in [Appendix H](#) which is supplemented by a Good Ground Report developed by Far North Roading attached as [Appendix G](#).

There is also a Visual Impact Assessment attached as [Appendix H](#) and an Archaeological Assessment attached as [Appendix I](#).

A Wastewater Report and Foundation Report are also found in [Appendix L](#) and [Appendix M](#) respectively.

The proposal is supported by written approvals and consultation as outlined in [Appendix N](#).

The Northland Regional Council [NRC] has also provided a decision on the elements which required regional consents – please refer to [Appendix O](#).

We reiterate that the matters contained within the reports listed were not considered to be of concern under RC 2300463. The location of Whare Whetu is shown in [Figure 2](#) above and [Figure 3](#) below.

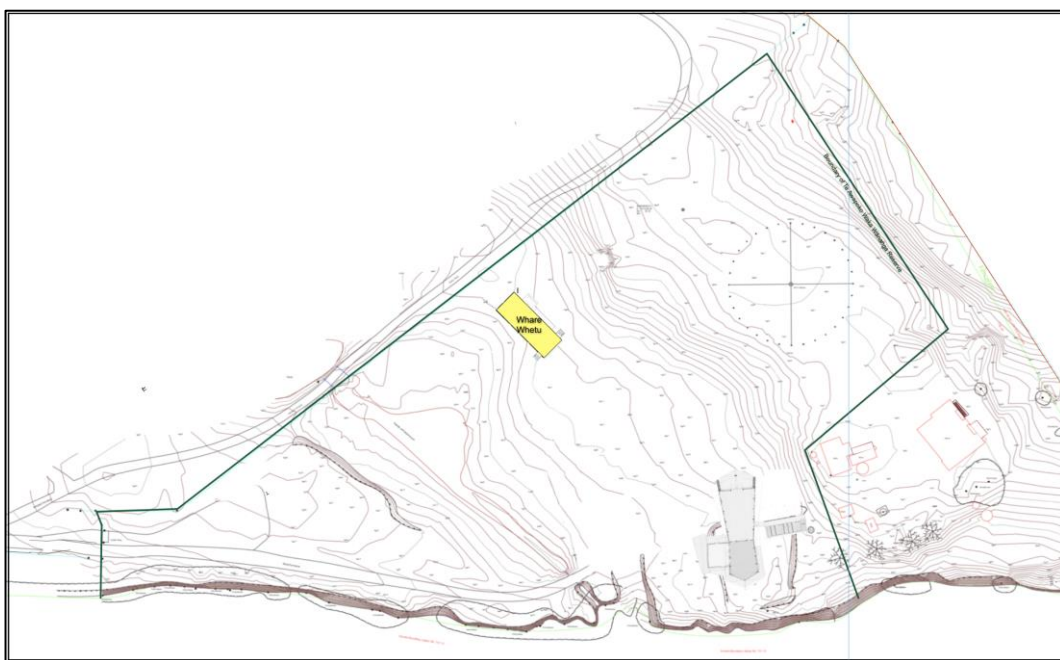


Figure 3: Te Awapoko Waka Wānanga Reserve with location of the Whare Whetū

The proposed Whare Whetu is located outside known mapped flood hazards as outlined in [Figure 4](#).

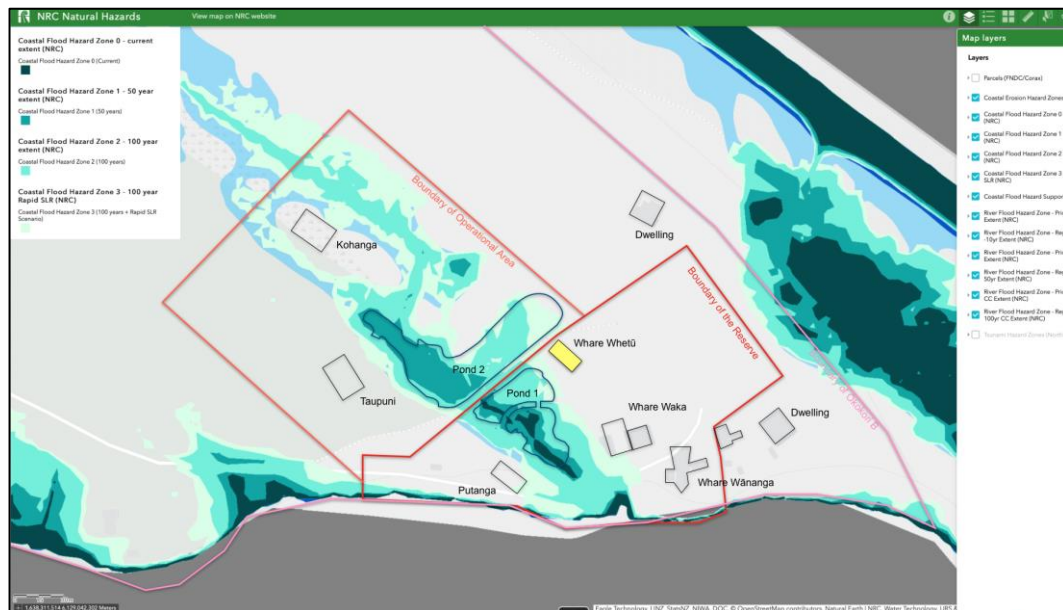


Figure 4: Development in Relation to Flood Hazards

4.0 SITE & SURROUNDING ENVIRONMENT

4.1 ODP Zoning

Okokori B Block is located within the General Coastal Zone and is subject to a number of resource overlays (Refer [Figure 5](#) & [Figure 6](#)).

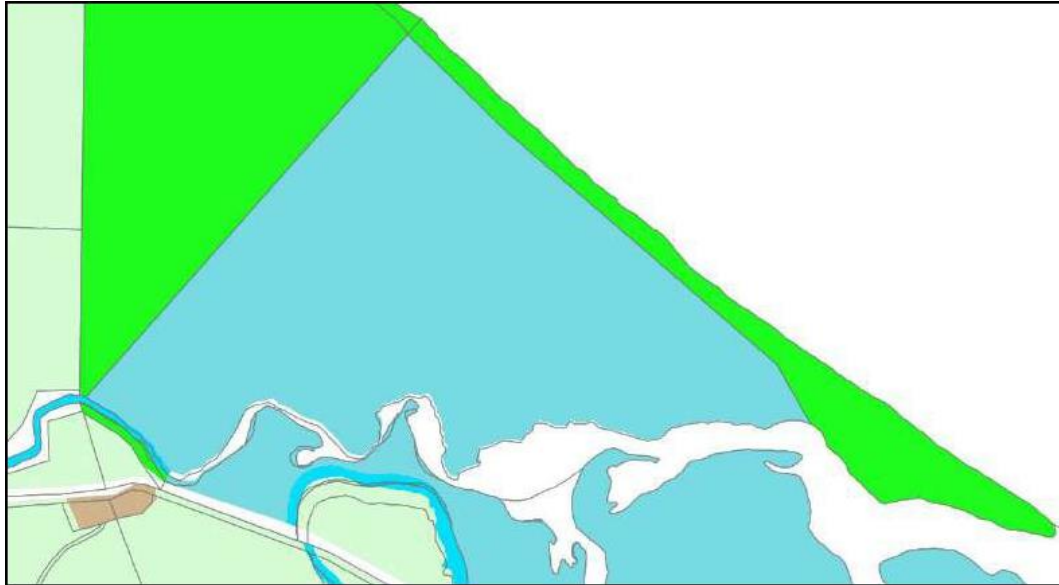


Figure 5: ODP Zoning

The FNDC ODP consider the site as containing an ‘Outstanding Natural Landscape’ (Refer [Figure 6](#) below).

NRC through the Regional Policy Statement for Northland has increased the coverage of the Outstanding Natural Landscape overlay whilst also noting areas of High and Outstanding Natural Character.

The site is also located within the NRC Coastal Environment (Refer [Figure 7](#) below).

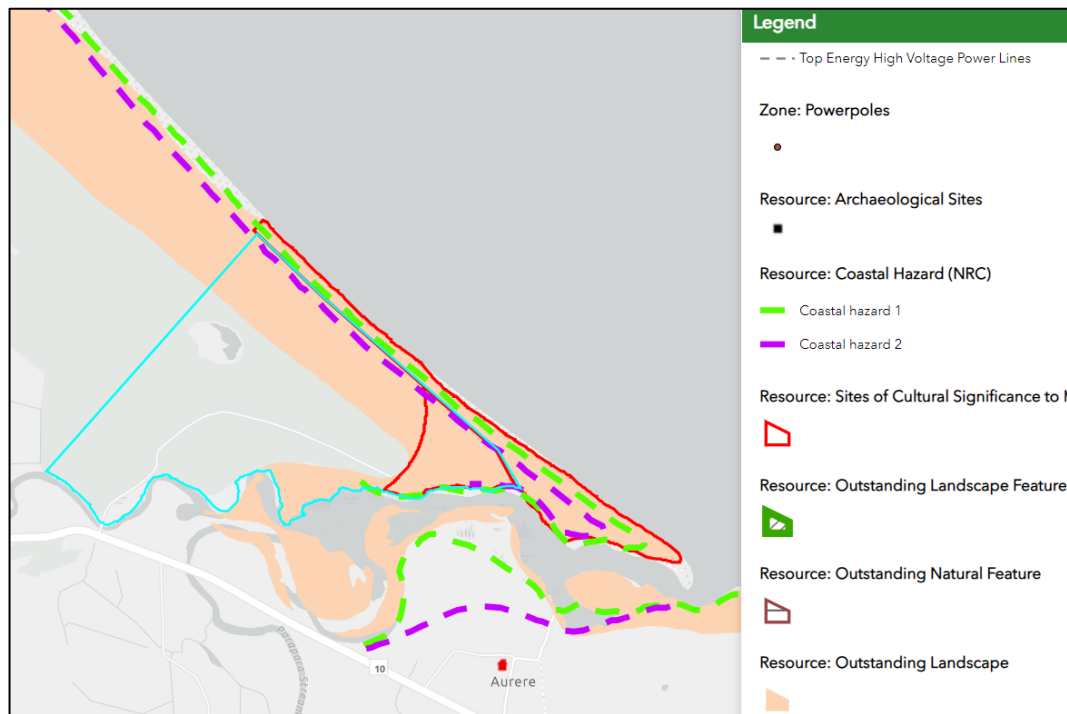


Figure 6: Outstanding Landscape and NRC Coastal Hazard 1 & 2.

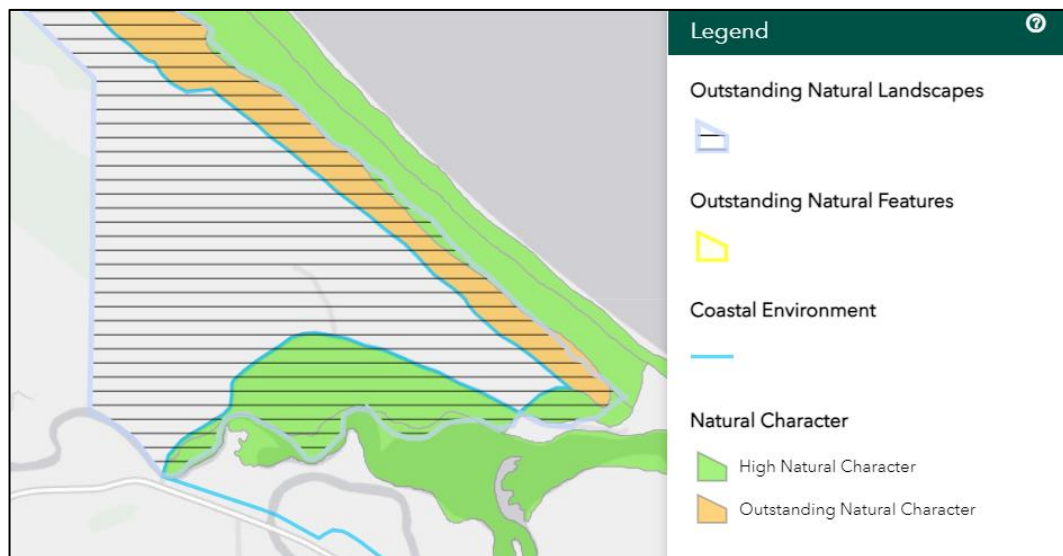


Figure 7: NRC Map showing overlays applied to the site.

The KWC area has been incorrectly included on the schedule of Sites of Cultural Significance (MS05-38). This is shown in Figure 6 above. [Appendix D](#) and [Appendix E](#) consider these matters and conclude that:

- The land is not considered to be of cultural significance as found by Judge Ambler; and
- That FNDC made an error in transposing the Site of Significance from the Mangonui County Council Plan to the FNDC Operative District Plan.

Okokori B Block adjoins conservation land and a Protected Natural Areas (PNA), namely PNA O04/231 Awapoko Estuary located within the Aupouri Ecological District and the Rangaunu Conservation Area (Refer [Figure 9](#) & [Figure 10](#)).

The Awapoko Estuary has been classified as a Level 1 site and is largely characterised by mangroves and is a representative example of a sea rush saltmarsh.

A site visit was undertaken with DOC, namely with Doug Te Wake (Senior Ranger and RMA Officer) and Maddy Jopling (Freshwater Specialist) on Wednesday 3 March 2021 where the long-term plan for the site was discussed.

Further detail on this discussion has been provided in the assessment of effects below.

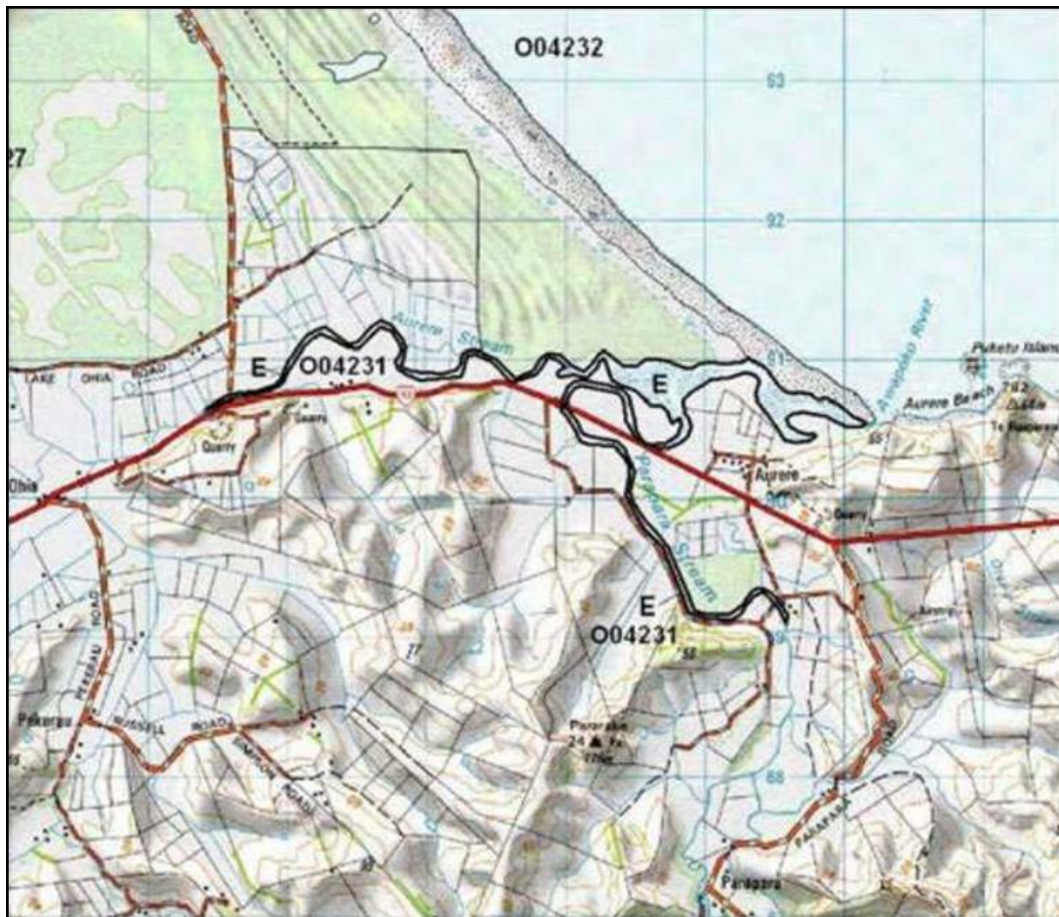


Figure 9: Ecological Mapping

Figure 3.21 Conservation areas adjoining Okokori B



Figure 10: Adjoining Conservation Areas

4.2 Easements and Instruments

Okokori B Block is an estate in fee simple (CT NA46C/958). As previously discussed, a 2.1ha portion of the Okokori B Block was set aside as a Māori Reserve in 2013 under s338(1) of the Te Ture Whenua Māori Act 1993 (Gazette Notice 9520362.2 and Trustee Order 9520362.3) for the purpose of a Whare Wānanga for kaupapa waka.

The reserve is now known as Te Awapoko Waka Wānanga Reserve (Refer [Figure 3](#)) within which the majority of the KWC is located.

While the Te Awapoko Waka Wānanga Reserve has been set aside for the purpose of kaupapa waka, the reserve has not been considered as 'separate' from the Okokiri B Block for the purpose of this application as a Maori Reserve created under s338(1) of the Te Ture Whenua Māori Act 1993 does not fall within the definition of a 'site' under the Far North District Plan.

As such, the application site in this case is the entire Okokori B Block and the 115.8ha of land area contained within.

4.3 Access

The property does not have frontage to a legal road, but access is gained from SH10 via a right of way (ROW) granted in October 1978 over land owned by Larry and Fiona Matthews who have provided their written approval ([Appendix N](#)).

This access will continue to be used for the Kupe Waka Centre and has been upgraded as per recommendations made by NZTA and the earlier requirements of RC 2130047.

For example, works within the easement to provide a 6m wide access off the State Highway (as required by the RC 2130047) and scrub clearance at the quarry opposite the KWC entrance (with permission from FNDC) to improve sightlines are now complete.

There is a 1.8km access road (gravel) leading from State Highway 10 to the location of the Kupe Waka Centre. This has been upgraded with new passing bays, improved sightlines, new culverts and drains, and some enhancements to vertical and horizontal alignments to improve safety.

These works were undertaken under the consent from the Northland Regional Council and with permission from FNDC to treat the works as a compliance matter under RC 2130047.

4.4 Existing Built Development

The Okokori B Block contains a number of existing buildings including:

- Four dwellings;
- The Whare Wānanga (named Te Whetū Marama);
- The Carving Shed and Waka Shelter (named Whare Waka);
- The KWC depot (named the Taupuni);
- The KWC nursery (named the Kohanga);
- A shelter for visitors arriving at the Centre before they move onto the Reserve (named the Taupaepae);
- A small wharepaku at the carpark; and
- A combined office and shop (named the Putanga).

4.5 Topography and Natural Features

Large parts of Okokori B are very flat and quite low-lying with no portion of the site as high as 20m above sea level. The location of the Waka Centre is reasonably well-elevated (the highest point of this area has an elevation of just over 8m above sea level) and has a rolling topography as indicated by the contours in [Figure 3](#).

This area is similar in soil composition to the rest of the Karikari Peninsula, comprising a mix of

sandy and peat soils. Grassed sandy soils predominate the dune ridges near the Waka Centre.

The KWC grounds are primarily covered in mown pasture, while the remainder of the Okokori B Block is largely covered in indigenous scrub primarily consisting of Manuka. The coastal fringes of the Okokori B contain mature Pohutukawa, mangrove forest and salt marsh associations.

The river frontage of the Waka Centre is primarily grass with mature Pohutukawa but no mangroves because of the tides and river currents washing against the steep river bank.

The grounds of the Waka Centre contains two historically manmade ponds. Exotic species including Woolly Nightshade (*Solanum mauritianum*) and gorse have been cleared as part of a restoration programme and revegetation is underway under the guidance of Kevin Matthews of the Bushland Trust.

The southern boundary of the site is bound by the Awapoko River which is classified as the Coastal Marine Area (CMA).

4.6 Surrounding Environment

Although located in the General Coastal Zone, the surrounding environment is largely rural in character, comprising a mosaic of large land holdings used for productive purposes.

Given the large size of the site, being 115.8 ha, it is considered that the site is large enough to accommodate the proposed level of development in a manner that will not erode the coastal/rural character of the surrounding environment.

5. ASSESSMENT OF RELEVANT RULES

5.1 ODP Rules

The *tables* below provide assessment against the applicable FNDC Operative and Proposed District Plans' performance standards and identifies the reasons for resource consent.

For the Operative Plan these comprise the rules of the Part 2- Environment Provisions and the Part 3 - District Wide Rules. For ease of reference, those rules breached will be highlighted within each *table*.

For the Proposed Plan these comprise of the rules with immediate legal effect.

Table 1: ODP Assessment of Rules

GENERAL COASTAL ZONE		
Rule	Relevant Permitted Standard/s	Compliance
10.6.5.1.1 Visual Amenity	a) New building not for human habitation = Maximum GFA of 50m ² ; b) Exterior colour within BS5252 standard colour palette range with LRV of 30% or less, or natural materials which fall within this range. c) Alteration/addition to an existing building which does not exceed 50m ² , provided that the alteration/addition does not exceed the height of the existing building; d) Renovation of maintenance of any building.	<p>Restricted Discretionary Activity</p> <p>The GFA of all buildings relevant to this application, existing and proposed, are as follows:</p> <p>Whare Wānanga - 210m² Whare Whakairo - 144m² Whare Whetū - 106m² Putanga - 29m² Taupaepae - 29m² Wharepaku - 7m² Kohanga (farm building propagation area) – 96m² Taupuni – 152m² Waka Cover – 180m²</p> <p>TOTAL proposed GFA including temporary structures = 847m²</p> <p>The colour scheme of all buildings has been standardised on Ebony (black) for walls and roofs (LRV 5%), with the exception of the Whare Wānanga which retains its original Karaka Green roof.</p> <p>The Whare Wānanga, and Whare Whakairo have already been repainted. Cedar weatherboards are used as a feature wall on the Putanga and will also be used under the porch of the Whare Whetū</p> <p>The proposal is unable to comply with clauses (a), (c) and (d) but is able to comply with clause</p>

		(b).
10.6.5.1.2 Residential Intensity	One unit per 20ha of land, with at least 3000m ² exclusive use area per unit plus a minimum of 19.7ha elsewhere on the property.	<p>Permitted Activity</p> <p>With a site area of 115.8ha, up to five dwellings can be constructed on site as a permitted activity.</p> <p>There are currently four dwellings on site, and there are no additional dwellings proposed as part of this application.</p>
10.6.5.1.3 Scale of Activities	<p>4 persons per site OR 1 person per 1ha of net site area provided that:</p> <ul style="list-style-type: none"> a) This number may be exceeded for a period totaling not more than 60 days in any 12-month period; b) This number may be exceeded where persons are engaged in constructing or establishing an activity (including environmental enhancement) on the site; and c) This number may be exceeded where persons are visiting marae. 	<p>Permitted Activity</p> <p>Okokori B Block has a total site area of 115.8ha, allowing for a maximum of 115 persons that can be engaged on site at any one time.</p> <p>As determined in RC 2130047, the maximum capacity of the existing Whare Wānanga is 84 persons. However, very seldom will the number of people engaged on site exceed this number.</p> <p>The main activities on site include educational workshops and cultural tourism activities where no more than 30 people plus staff will participate at any one time.</p> <p>It is anticipated that few large events will be held on site, including Matariki, where a maximum of 100 attendees are anticipated.</p> <p>The KWC will not be open to the general public, and visits to the site will be prior arrangement only.</p> <p><i>Note – people who normally reside on site are exempt from this rule.</i></p>

10.6.5.1.4 Building Height	The maximum height of any building shall be 8m.	<p>Restricted Discretionary Activity</p> <p>The maximum height of the Whare Whetū will be 2.5 m at the gable which complies with the permitted building height.</p> <p>However, the existing Whare Wānanga which was previously approved under the lapsed RC 2130047 has a maximum building height of 8.7m.</p> <p>It should be noted that the Whare Wānanga has been constructed in general accordance with the building plans approved by RC2130047.</p> <p>However, this consent has now lapsed with only the conditions relating to access upgrades outstanding i.e. the consent was not given full effect to within the required timeframe.</p> <p>The height limits of the other buildings are Kohanga at (4m), Waka Shelter (6.1m) and Taupuni (5.1m) are well within the permitted baseline.</p>
10.6.5.1.5 Sunlight	Shall not project beyond 45° recession plane inwards from any point 2m above any site boundary.	<p>Permitted Activity</p> <p>All existing and proposed buildings are located at least 10m from all site boundaries, allowing sufficient clearance to comply with the permitted height in relation to boundary (HIRB) standards.</p>
10.6.5.1.6 Stormwater Management	Maximum impermeable surfaces shall be 10%	<p>Permitted Activity</p> <p>The 115.8ha site accommodates up to 11.5ha of impermeable surfaces as a permitted activity.</p> <p>The total impermeable surface area, including existing and proposed, will fall well below 11.5ha as 847m² is associated with buildings.</p>
10.6.5.1.7 Setback from Boundaries	Minimum 10m setback from any site boundary	<p>Permitted Activity</p> <p>As shown on the site plan, all buildings will be located more than 10m from all site boundaries.</p>
10.6.5.1.8 Transportation	See TIF and parking assessment below.	<p>Non-Complying Activity</p> <p>See TIF and parking assessment below.</p>
10.6.5.1.9 Keeping of Animals	Not applicable	Not applicable
10.6.5.1.10 Noise	0700 to 2200 hours - 55 dBA L10 2200 to 0700 hours - 45 dBA L10 and 70 dBA Lmax	<p>Permitted Activity</p> <p>All noise generated from the activity will fall well within these standards.</p>

10.6.5.1.11 Helicopter Landing Area	Not applicable	Not applicable
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Table 2: ODP District Wide Rules Assessment

DISTRICT WIDE PROVISIONS		
Landscape and Natural Features		
Rule	Relevant Permitted Standard/s	Compliance
12.1.6.1.1 Protection of Outstanding Landscape Features	Excavation and/or filling of any volume not permitted.	Permitted Activity The site does not contain any Outstanding Landscape Features.
12.6.1.4 Excavation and/or Filling within an Outstanding Landscape	<ul style="list-style-type: none"> a) Maximum 300m³ in any 12- month period per site b) Maximum cut and/or filled face of 1.5m in height; c) Any cut or fill areas visible from a public road, CMA, or the foreshore shall be stabilised using mulch, hydroseeding or other rapid effective stabilisation technique. 	Permitted Activity No excavation is required for this stage of development, other than for building foundations which is exempt from the definition of 'Excavation' under the District Plan. Screw piles are proposed to be used for the application.

12.1.6.1.5 Buildings within Outstanding Landscapes	<p>a) Buildings not for human habitation = maximum GFA of 25m²</p> <p>b) Where the building is visible from a viewing point on a public road, reserve, CMA or foreshore that is within 500m of the building, the exterior shall be coloured within the BS5252 standard colour palette range with a LRV of 30% or less, or constructed of natural materials that fall within this range;</p> <p>c) Any alteration/addition to an existing building where:</p> <p>i. The alteration/addition does not exceed 25m² in area or does not exceed 20% of the GFA of the altered building (whichever is the lesser)</p>	<p>Restricted Discretionary Activity</p> <p>The entire operational area is located within an Outstanding Natural Landscape, and the total building coverage exceeds 25m².</p> <p>Therefore, the proposal cannot comply with clause (a).</p> <p>The proposal is therefore unable to comply with clauses (a) and (c) but is able to comply with clause (b) as per Rule 10.6.5.1.1 Visual Amenity.</p>
Soils and Minerals		
12.3.6.1.2 Excavation and/or filling, including obtaining roading material but excluding mining and quarrying, in [General Coastal] Zone	<p>a) Maximum 300m³ in any 12-month period per site</p> <p>b) Maximum cut or filled faced height of 1.5m</p>	<p>Permitted Activity</p> <p>No excavation is required for this stage of development, other than for building foundations which is exempt from the definition of 'Excavation' under the District Plan.</p> <p>Screw piles are proposed to be used for the application.</p>
Natural Hazards		
12.4.6.1.1 Coastal Hazard 2 Areas (CH2)	<p>Excavation and/or filling in the CH2 area is permitted if they are associated with:</p> <p>a) Flood protection works;</p> <p>b) The establishment, repair or replacement of any permitted utilities;</p> <p>c) The erection of fences;</p> <p>d) The planting of trees and plants</p>	<p>Permitted Activity</p> <p>No excavation is required for this stage of development, other than for building foundations which is exempt from the definition of 'Excavation' under the District Plan.</p> <p>Screw piles are proposed to be used for the application.</p>
12.4.6.1.2 Fire risk to residential units	Not relevant as proposed buildings are not classed as a 'residential unit'.	Not applicable as no residential units are proposed.

12.4.6.2.1 New buildings & additions to existing buildings in Coastal Hazard 2 areas (CH2)	The erection of new buildings and additions to existing buildings that increase external dimensions are a controlled activity provided that the application is supported by a report from a SQEP in coastal processes specifying that the design of the proposed development will not increase the risk to people, property or the environment.	<p>Permitted Activity</p> <p>The Whare Wānanga is within the CH2 area but is considered to be exempt from this rule as the building is already existing and was approved under RC 2130047.</p> <p>The FNDC Compliance Team have confirmed that the Whare Wānanga has been constructed in accordance with the approved building plans (see correspondence in Appendix N). The external dimensions of this building will remain unchanged.</p> <p>Far North Maps show a portion of the half-round barn to be located within the CH2 area. However, this barn has been demolished to make way for the Waka Cover.</p> <p>The final Whare Waka building, and all other new buildings will be located entirely outside of the current CH2, and indicative future hazards areas, as demonstrated in Figure 4 above.</p>
12.5.6.2.2 Activities which could affect Sites of Cultural Significance to Māori	Building, excavating, filling, planting of trees or clearance of vegetation within any Site of Cultural Significance to Māori is a restricted discretionary activity unless the activity is proposed by the requesting party, in which case this rule does not apply.	<p>Restricted Discretionary Activity</p> <p>The KWC operational area contained within the Okokori B Block has been (incorrectly) identified as a Site of Cultural Significance (MS05-38). MS05-38 is described as Okokori / Kaimaua Recreation Reserve & Waahi Tapu with the requesting party being identified as 'Māori Owners'.</p> <p>The proposal therefore defaults to a Restricted Discretionary Activity under this rule. This is discussed in further detail in the assessment of effects below.</p>
12.7.6.1.1 Setback from Lakes, Rivers and the Coastal Marine Area (buildings and impermeable surfaces)	<p>Any building and impermeable surface must be set back from the boundary of any lake, river, or the CMA boundary as per the following:</p> <p>Minimum of 30m in the General Coastal Zone</p>	<p>Discretionary Activity</p> <p>The Whare Wānanga and Whare Waka buildings will encroach the 30m setback requirement.</p>
12.7.6.1.4 Land-use involving discharges of human sewage effluent	Land use activities which produce human sewage effluent (including grey water) are permitted provided that the on-site disposal system is located more than 30m from the boundary of any river, lake, wetland or the CMA boundary.	<p>Permitted Activity</p> <p>No part of the on-site effluent treatment system will be located within 30m of the CMA.</p>
Renewable Energy and Energy Efficiency		

12.9.6.1.1 Domestic Scale Renewable Energy Devices	<p>Permitted provided that it:</p> <ul style="list-style-type: none"> Does not exceed permitted height for General Coastal Zone plus 3m (8 + 3 = 11m) <p>Any structure mounted on a building which does not comply with one or more of the permitted standards is a restricted discretionary activity.</p>	<p>Permitted Activity</p> <p>Renewables are located on the site, but no infringements have been found in relation to the rules.</p>
Transportation		
15.1.6A.2.1 Traffic Intensity	<p>Maximum of 30 average one-way daily traffic movements.</p> <p>a) Under Appendix 3A, the following activities have been categorised and assessed as follows:</p> <p>b) Residential Units (House on Papakainga) – 5 average daily one-way vehicle movements per dwelling</p> <p>All buildings associated with the Kupe Waka Centre (Other buildings used for Social, Cultural and Recreational Purposes) – 2 average daily one-way movements per every person the facility is designed for.</p>	<p>Non-Complying Activity</p> <p>The existing Whare Wānanga and Whare Whakairo have been designed to have a total maximum capacity of 88 persons.</p> <p>As determined in RC 2120315 and RC2130047, the appropriate land use activity for the purpose of this rule is “<i>Other buildings used for Social, Cultural and Recreational Purposes</i>”.</p> <p>Therefore, current activities on site already exceed the discretionary threshold of 120 average daily one-way traffic movements, defaulting to a Non- Complying Activity.</p> <p>While actual traffic movements will be far less than the calculated TIF, even when considering the proposed additional buildings, this rule requires the TIF for each new activity to be calculated in order to assess the cumulative effect.</p> <p>This is discussed in further detail in the assessment of environmental effects.</p> <p>Overall, the proposal remains a Non-Complying Activity as was approved in RC 2120315 and RC 2130047.</p>
15.1.6B.1.1 On-Site Car Parking Spaces	<p>Under Appendix 3C, the Kupe Waka Centre has been categorised as “Other buildings used for Social, Cultural and Recreational Purposes” requiring a minimum of 1 on-site parking space for every 4 persons the facility is designed for.</p>	<p>Permitted Activity</p> <p>Based on a maximum capacity of 84 persons for the Whare Wānanga, a minimum of 21 on-site parking spaces are required.</p> <p>The parking plan shows 21 parking spaces designed to Council Engineering Standards plus accessible parking as per below.</p>

15.1.6B.1.4 Accessible Car Parking Spaces	Where 21 – 50 on-site parking spaces are provided, an additional 2 accessible parking spaces are required and constructed to the following standards: <ul style="list-style-type: none"> • Connect to an accessible route at the closest building entrance; and • Shall have clear ground marking in accordance with international symbol of access; and • Must have minimum width of 3.5m and minimum depth of 5m 	Permitted Activity As shown on the Parking Plan, two accessible parking spaces will be provided and constructed to Council Engineering Standards.
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Chapters 17-19 of the ODP were not considered relevant to assess in the context of the proposal and application.

5.2 Far North District Plan Consent Summary

The proposal is considered to breach the following rules of the Far North Operative District Plan:

- 10.6.5.1.1 Visual Amenity [RDA]
- 10.6.5.1.4 Building Height [RDA]
- 12.1.6.1.5 Buildings within Outstanding Landscapes [RDA]
- 12.7.6.1.1 Setback from Lakes, Rivers and the Coastal Marine Area [DA]
- 15.1.6A.2.1 Traffic Intensity [NC]

Overall, the activity is a **Non-Complying** Activity according to the Operative Far North District Plan.

5.3 Northland Regional Council Requirements

The proposal has been assessed against the Proposed Regional Plan for Northland. Approved consent from NRC is provided in Appendix O.

5.4 Proposed Far North District Plan 2022

The PDP has rules which have immediate legal effect for the following chapters:

Table 3: Assessment of the PDP Rules

Matter	Rule/Std Ref	Evidence
Hazardous Substances	Rule HS-R2 has immediate legal effect but only for a new significant hazardous	Not relevant as no such substances

	<p>facility located within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource.</p> <p>HS-R5, HS-R6, HS-R9</p>	proposed.
Heritage Area Overlays (Property specific)	<p>All rules have immediate legal effect (HA-R1 to HA-R14)</p> <p>All standards have immediate legal effect (HA-S1 to HA-S3)</p>	HA-R9 is indicated on the PDP.
<p>Historic Heritage (Property specific and applies to adjoining sites (if the boundary is within 20m of an identified heritage item)).</p> <p>Rule HH-R5 Earthworks within 20m of a scheduled heritage resource. Heritage resources are shown as a historic item on the maps)</p> <p>This chapter applies to scheduled heritage resources – which are called heritage items in the map legend</p>	<p>All rules have immediate legal effect (HH-R1 to HH-R10)</p> <p>Schedule 2 has immediate legal effect</p>	Not indicated on Far North Proposed District Plan
<p>Notable Trees (Property specific)</p> <p>Applied when a property is showing a scheduled notable tree in the map</p>	<p>All rules have immediate legal effect (NT-R1 to NT-R9)</p> <p>All standards have legal effect (NT-S1 to NT-S2)</p> <p>Schedule 1 has immediate legal effect</p>	Not indicated on Far North Proposed District Plan
<p>Sites and Areas of Significance to Māori (Property specific)</p> <p>Applied when a property is showing a site / area of significance to Māori in the map or within the Te Oneroa-a Tohe Beach Management Area (in the operative plan they are called site of cultural significance to Māori)</p>	<p>All rules have immediate legal effect (SASM-R1 to SASM-R7)</p> <p>Schedule 3 has immediate legal effect</p>	MS05-38 <u>Restricted Discretionary</u> as the proposal cannot comply with Per 1.
<p>Ecosystems and Indigenous Biodiversity</p> <p>SNA are not mapped – will need to determine if indigenous vegetation on the site for example</p>	All rules have immediate legal effect (IB-R1 to IB-R5)	Not indicated on Far North Proposed District Plan. No vegetation clearance proposed.
Activities on the Surface of Water	All rules have immediate legal effect (ASW-R1 to ASW-R4)	Not indicated on Far North Proposed District Plan
<p>Earthworks</p> <p>all earthworks (refer to new definition) need to comply with this</p>	<p>The following rules have immediate legal effect: EW-R12, EW-R13</p> <p>The following standards have immediate legal effect: EW-S3, EW-S5</p>	Proposed earthworks will be in accordance with the relevant standards including GD-05 and will have an ADP applied.
Signs	The following rules have immediate legal	Not indicated on

(Property specific) as rules only relate to situations where a sign is on a scheduled heritage resource (heritage item), or within the Kororareka Russell or Kerikeri Heritage Areas	effect: SIGN-R9, SIGN-R10 All standards have immediate legal effect but only for signs on or attached to a scheduled heritage resource or heritage area	Far North Proposed District Plan
Orongo Bay Zone (Property specific as rule relates to a zone only)	Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water	Not indicated on Far North Proposed District Plan

The proposal is considered to breach the following rules of the Far North Proposed District Plan

- SASM – R1 New buildings or structures, extensions or alterations to existing buildings or structures, earthworks or indigenous vegetation clearance [RDA]

The activity is a **Non-Complying** Activity according to the Operative Far North District Plan.

The activity is a **Restricted Discretionary Activity** according to the Proposed Far North District Plan.

6.0 NOTIFICATION ASSESSMENT

6.1 Public Notification

The table below outlines the steps associated with public notification insofar as it relates to s95 of the Act.

Table 4: Public Notification Assessment

Step 1	Mandatory public notification in certain circumstances	
S95A(3)(a)	Has the applicant requested that the application be publicly notified?	No
S95A(3)(b)	Is public notification required under section 95C? (After a request for further information)	TBC
S95A(3)(c)	Has the application been made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.	No
Step 2	if not required by step 1, public notification precluded in certain circumstances	
S95A(5)(a)	Is the application for a resource consent for 1 or more activities and each activity is subject to a rule or national environmental standard that precludes public notification?	No
S95A(5)(b)	Is the application for a resource consent for 1 or more of the following, but no other, activities. (i) a controlled activity. (iii) a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity.	No

The proposed development does not meet the tests for mandatory public notification, nor does it meet the tests for precluding public notification.

Therefore, an assessment of the proposals effects on the environment is required to ascertain the effects of the development and whether public notification is required.

7.0 EFFECTS ON THE ENVIRONMENT

7.1 Effects that may be disregarded.

Sections 95D(b) and 95E(2)(a) provide that when determining the extent of the adverse effects of an activity or the effects on a person respectively, a council ‘may disregard an adverse effect if a rule or national environmental standard permits an activity with that effect’. This is known as the permitted activity baseline test.

The purpose of the permitted baseline test is to isolate and make effects of activities on the environment that are permitted by a plan or NES, irrelevant.

When applying the permitted baseline such effects cannot then be taken into account when assessing the effects of a particular resource consent application.

The baseline has been defined by case law as comprising non-fanciful (credible) activities that would be permitted as of right by the plan in question.

In terms of the development site and proposal at hand, the following is considered relevant:

- Up to five residential dwellings could be constructed on site (based on a site area of 115.8ha) as a permitted activity. At present, four residential dwellings are located on site. Otherwise, very few activities could be permissible on site without a resource consent particularly owing to the General Coastal zoning and the numerous resource features and overlays present.
- The site is subject to several previous resource consents including:
 - RC 2021315 – approved the construction of the existing Whare Whakairo (to be newly named Whare Waka) in 2012. This application included rule breaches relating to traffic intensity, building in outstanding landscapes, and activities which could affect Sites of Cultural Significance. This application was for a Discretionary Activity and has been given full effect to.
 - RC 2130047 – approved the construction of the existing Whare Wānanga in 2012. This application included rule breaches relating to traffic intensity, building in outstanding landscapes, and setback from lakes rivers and the coastal marine area. This application was for a Non-Complying Activity. For all intents and purposes this approval has now been ‘given effect to’.

7.2 Existing Environment

The receiving environment is the environment upon which a proposed activity might have effects. It is permissible (and often desirable or necessary) to consider the future state of the environment upon which effects will occur, including:

- the future state of the environment as it might be modified by the utilization of rights to carry out permitted activities (refer above).
- the environment as it might be modified by implementing resource consents that have been granted at the time a particular application is considered, where it appears likely that those resource consents will be implemented.

The existing environment is appropriately considered through the effect assessment below.

7.3 Effects Assessment

Visual Amenity

As previously discussed, Okokori B Block has been highly modified over a long period of time which has resulted in numerous buildings which currently exist on site. These include the residential units, the Whare Wānanga, Whare Waka and the Putanga.

In general, very little is permissible on this without the need for resource consent owing to the General Coastal zoning. Nonetheless, it is considered that the proposal will have less than minor adverse effects in terms of visual amenity for the following reasons.

To provide background to the development, firstly demolition and/or removal of all derelict buildings on site including the portacom and half-round barn was undertaken. This was then followed up with by temporary and small structures not requiring resource consent.

This application now seeks to legalise those elements under RC 2130047 as well as the Whare Whetu.

The colour of the KWC complex [including the Whare Whetu] will be standardised where all buildings will be finished in natural materials and/or recessive colours with low reflectance values (LRV).

This will involve reducing the LRV of the existing Whare Whakairo building, which is currently finished in ebony colour.

It is considered that these mitigation measures alone would in fact enhance the visual amenity of the site through standardising and integrating the design of all buildings which form the KWC complex. It is anticipated that the use of natural materials and finishing the buildings in colours with a low LRV will form a condition of consent.

RC2130047 dealt with the Whare Wānanga and potential adverse effects on visual amenity. With a setback distance of approximately 19.5m from the CMA, the Whare Wānanga is located the closest to the CMA boundary out of all KWC buildings. Overall, it was determined that any potential adverse visual amenity effects will be less than minor owing to careful design of the building which incorporated a split-level roof so as to blend with the natural topography of the site and ‘evoke’ shape and ‘feel’ of an ocean-going waka under full sail; the use of natural materials and recessive colours; and the careful positioning of the building behind existing riparian vegetation located along the Awapoko river boundary.

The building area is also situated at ~5m above ground level but the ridgeline of the sand dunes located along Tokerau Beach CMA and has a large separation distance from any public road, being State Highway 10 located ~850m to the south.

The vegetation along the Awapoko river and the sand dunes along Tokerau Beach remain unchanged, and it is considered that these natural features will serve as effective screening of the KWC complex from any public viewing point.

This is particularly true given that the proposed additional buildings will be setback further from the CMA than the existing Whare Wānanga. Set against the 115.8ha block, the proposed development is very minor in terms of bulk and scale.

I consider that the proposal generates less than minor effects in this regard.

Natural Character and Indigenous Flora and Fauna

The property within which the Kupe Waka Centre is located, Okokori B, is low-lying consolidated Holocene foredunes and associated wetlands forming a small part of the

Karikari Peninsula tombolo. The combination of peat bogs, wetlands and some more fertile areas alongside the dune in the eastern portion of the Tokerau-Rangaunu landscape unit is considered an example of a nationally threatened habitat type and which contains threatened and regionally significant species, including giant bully.

The coastal fringes of the site contain mature Pohutukawa, mangrove forest and salt marsh associations which is discussed in further detail below. All existing indigenous vegetation on site will remain unchanged.

As previously discussed, the site is within the General Coastal Zone, and Outstanding Landscape and is adjacent to two Protected Natural Areas (PNA) namely the Awapoko Estuary and Tokerau Beach Duneland. Given the proposed development is setback away from any dune area, it is considered that any adverse effects on the Tokerau Beach Duneland are negligible.

The Awapoko Estuary habitat has a listed value in particular for its birdlife. The PNA register describes this habitat as *‘a small estuarine area extending approximately 4-5km inland from Tokerau Beach, with good bird diversity including seven threatened species’*.

While it is evident that the Awapoko Estuary is an important habitat for wildlife, it is noted that the operational area of the KWC has had non-residential activity on site since at least 1991 when the construction of Te Aurere began, with no known adverse effects to natural character or wildlife as a result of construction and noise associated with the activity.

The NRC consent notes that “The existing wastewater disposal system was consented by FNDRC RC 2130047. The proposed development will not result in an increased in maximum capacity, the size of effluent disposal field has been increased to accommodate the new buildings on site. The existing wastewater system is operating adequately, and the minor addition will not result in the risk of contamination to the Lake Ohia Wetland or Awapoko Estuary.”

It is considered that the proposed activity will have minimal effects on the Awapoko Estuary and wildlife inhabitants particularly given the Awapoko Estuary will primarily be accessed via defined access points (boat ramp) by foot and by non-motorised vessels, as has been the

case since Sir Hek owned the site.

All other bank margins along the Awapoko Estuary are too steep for any person to access the CMA and will therefore not be affected.

Minimal earthworks are required for this stage of development [screw piles only].

In addition, stormwater and wastewater will be disposed of appropriately in accordance with recommendations and consent conditions.

The site also includes a nursery to support a programme of recovery and restoration of the native flora of the area. This has included to date the reinstatement of the two ponds within the Reserve and the adjoining operational area.

New plantings have been established in and around the ponds, on berms around the car park and within the Reserve with further plantings to be undertaken

There is an active predator control programme for the Okokori B block. The project is listed and mapped on the TrapNZ website (<https://www.trap.nz/node/5821756>)

The site was visited by the Department of Conservation (DOC) on Wednesday 3 March 2021 where the long-term plan for the Okokori B Block was discussed. Evidence of consultation with DOC is attached in Appendix I. Arawai are now exploring options with DOC to extend pest control [trapping] onto adjoining conservation lands.

Stormwater Disposal

Existing stormwater management, as designed by Richard Catterall Engineers and approved by RC 2120315 and RC 2130047, includes the collection of roofwater in a series of water tanks with overflow directed to the stream/swale towards the northwest, and sheet/flow soakage over natural overland flowpaths toward the stream.

The stream/swale discharges through an existing culvert under the entrance roadway and to the Awapoko River immediately to the west of the existing boat ramp.

This flow/soakage disposal combination was identified as the best disposal option to avoid both the erosion of narrow paths and contamination of the stream.

Stormwater disposal for the proposed development is detailed in the 'Report on Stormwater Attenuation' prepared by Effluential Drainlayers, dated 7 October 2020 (see [Appendix L](#)).

In summary, the report concludes that existing stormwater disposal arrangements are adequate given the site comprises well-draining sandy soils and an old drain that flows towards the Awapoko River providing for adequate surface drainage.

The Stormwater Report recommends that roofwater be collected via a series of water tanks. Based off this recommendation, the applicant has installed on the site 120,000l of storage installed at the Whare Waka, 30,000l at the Putanga, 30,000l at the Kohanga, and 25,000l at the Taupuni. There is also 125,000l of water at the nursery.

They have purchased a 30,000l tank for the Whare Whetū. Overflows are directed to a spreader and then discharged to the sandy soils. In this manner, it is expected that stormwater can be absorbed by the soil media, with any excess finally entering the Awapoko River.

Overall, the Report concludes that due to the large site area of 115.8ha and the minimal building/impermeable surface footprint which is able to comply with the permitted standards for impermeable surfaces, additional stormwater attenuation is not required. NRC consents have been applied for and granted.

Effects on the Coastal Marine Area (CMA) (including visual amenity)

Given the primary purpose of the KWC, being cultural and educational purposes revolving around kaupapa waka, the KWC has a functional need to be located by the CMA.

Alternative sites for the proposed development were therefore not considered as this would defeat the purpose of the KWC and the Māori Reserve upon which the KWC sits.

As established in RC 2120315 and RC 2130047, any adverse effects in relation to the visual amenity of the CMA were considered to less than minor owing to natural characteristics of

the site (including topography and well-established riparian vegetation) providing effective screening of the KWC operational area when viewed from the CMA. This vegetation and topography have remained unchanged, and the additional buildings will be setback further from the CMA than all existing buildings on site.

Natural materials and recessive colours are incorporated into the KWC buildings allowing for integration into the natural environment. On this basis, the conclusion remains that any potential adverse effects in relation to visual amenity of the CMA will be less than minor.

As recommended in the TP58 Report and Schematic Septic Plan prepared by Effluential Drainlayers (see [Appendix L](#)), the existing effluent disposal system has been altered to accommodate the additional buildings and activities on site.

These alterations include increasing the existing reserve area to the rear of the Whare Waka building and installing a new 4,500l septic tank where effluent will be treated to a high level.

A toilet in the Whare Whetū for the convenience of people using the building (rather than to increase the number of toilets on the site (an issue of location not capacity) is proposed.

Recommended mitigation measures as outlined in the report include:

- Designing the effluent disposal system to maximise the dual evapotranspiration and basal ground area disposal.
- Allowing for a large separation distance of wastewater distribution from potential groundwater aquifers minimising the opportunity for any aquifer contamination.
- Designing the system taking into account the well-draining sandy soils recognised for its ability to 'polish' effluent to a high level.
- Managing stormwater so as to avoid any impact on effluent disposal.

In addition to the above, it is anticipated that the vegetation on site will assist in the effluent treatment process, and it is noted that the recommendations / requirements of the conditions of consent from the Northland Regional Council will also manage wastewater for the site.

Overall, the report concludes that with adequate design incorporating the above recommendations, any adverse effects on the CMA will be less than minor.

Natural and other Hazards

In terms of site stability, Richard Catterall undertook soil testing in support of RC 2130047 which allowed for the construction of the Whare Wānanga. During the site investigation, no signs of erosion were observed and the soils within the KWC operational area appeared to be firm, weakly cemented sandstone, with a harder sandstone pan beneath.

This Report confirmed that adverse effects in regard to site stability would be negligible if foundations were made into the harder sandstone layers. As discussed earlier in this report, the Whare Wānanga has been constructed in accordance with the recommendations made by Richard Catterall (except for those relating to traffic and access as discussed below).

Following the approach taken in RC 2130047, a Good Ground Report was also commissioned in support of this stage of development, prepared by Far North Roding and dated 5 August 2020.

In summary, this report confirms that the soils observed were consistent with the NRC Soils Map description, being Ohia Sand (OE), Ruakaka Peaty Sandy Loam (RK) and Pinaki Sand (PN). No visual signs of geotechnical instability were observed in the vicinity of the nominated building sites.

However, the Good Ground report recommends that a specifically engineered foundation design be prepared for each new building due to the depth at which good ground was reached (minimum of 1200mm below existing ground level). A

As such, T&A Structures were engaged to design the foundations for each building. On this basis, it is considered that any adverse effects in relation to site stability will be less than minor.

The only other known hazard to the site is Coastal Hazards. As indicated earlier, the current FNDC Maps show that the Te Awapoko Waka Wānanga Reserve is subject to both the Coastal Hazard 1 and 2 Areas (CH1 and CH2). The existing Whare Wānanga building is the only

building of the KWC which is located within the current CH2 area and is therefore the only building which needs to be considered in terms of coastal hazards.

It is also important to note that the CH2 rule breach is technical only and is owing to RC 2130047 lapsing before the consent was given full effect to.

As established in RC 2130047, the engineering report confirmed that the building is not susceptible to coastal hazards, nor will the development exacerbate natural hazards. The operational area of the KWC is reasonably well- elevated where the highest point of this area has an elevation of just over 10.5m above sea level.

As a matter of precaution, comments were sought from Northland Regional Council (NRC) regarding new hazard maps which are proposed to be released later in the year. Indicative hazard maps were provided by Matt De Boer (NRC Natural Hazards Advisor) on which the proposed buildings were superimposed [Refer [Figure 4](#) above].

This map shows that all existing and proposed buildings, including the Whare Wānanga, will be located outside of the indicative hazard zones.

Whilst these maps are indicative only, it is considered that these maps support the notion that the proposed development will not be susceptible to nor exacerbate coastal hazards within a 100-year timeframe.

Land Use Incompatibility/Reverse Sensitivity

The application site has a long history of waka wānanga being undertaken on site. RC2120315 and RC2130047 approved the construction of the existing Whare Whakairo and Whare Wānanga buildings.

No reverse sensitivity effects on adjacent properties have arisen as a result of the establishment of these activities. The proposed buildings will complement the existing activities which are currently being undertaken on site.

It is noted that there are several likely unconsented structures found at Okokori A. Given the large separation distances and the fact that these are likely to be unconsented and not legally

established, the effects to these parties are minimal in terms of compatibility and reverse sensitivity.

The only adjacent site which could potentially be affected by this proposal in terms of reverse sensitivity is Lot 5 DP 145849.

This is a 41.23ha block is located directly across the Awapoko Estuary, which is largely used for production, also containing a residential dwelling located more than 650m to the south of the KWC. The activities on this site and the application site have co-existed for a long period of time with no incompatibility issues.

Nonetheless, the owners of this property, Larry and Fiona Matthews, have provided written approval in support of the application.

The effects on this property can therefore be disregarded.

Infrastructure and Servicing

Given the isolated nature of the site, there is very little scope for the utilisation of the 'usual' infrastructure complement.

Reticulated electric power and telecommunications are not available to the site because of the great distance involved from the existing supply lines.

Similarly, there are not enough people who would be served by such reticulation to justify the expense of providing it. The water-based (black/grey/storm/drinking) infrastructure is, and will continue to be, privately supplied also owing to the isolation of the site.

As previously discussed, the roof of the newly-named Whare Waka building is being used for a solar array to power the Whare Wānanga, and the Whare Waka.

In future there will be an underground connection to the Whare Whetū. Security of supply is ensured by a backup generator.

As the solar power system is mounted to a roof of a building which is able to comply with the

permitted building height within the General Coastal Zone, the solar power system is also able to comply with the permitted standards relating renewable energy.

The solar installation at the Putanga is a ground-mounted array while those at the Taupuni and Kohanga are mounted on a container and the roof of the propagation shed respectively with both being compliant.

Traffic, Parking and Access

While the proposal involves the addition of Whare Whetu to the Okokori B Block, the buildings [as a whole] will be integrated and used in association with each other.

On this basis, the maximum capacity of the KWC as a whole will not increase, rather visitors will be distributed across the site.

RC 2130047 approved up to 168 traffic movements based on the Whare Wānanga having a maximum capacity of 84 persons, subject to access upgrades as further detailed below.

Therefore, the overall TIF breach is largely owing to existing development. Nonetheless, traffic intensity thresholds have been assessed for each activity, existing and new, as required by the traffic intensity rule.

Existing Whare Whakairo and Whare Wānanga

The existing Whare Whakairo building has been designed to facilitate a maximum of 4 people, and the main hall of the existing Whare Wānanga has been designed to have a total maximum capacity of 84 persons.

As determined in RC 2120315 and RC 2130047 which also addressed traffic intensity rule breaches, the appropriate land use activity for the purpose of this rule is *“Other buildings used for Social, Cultural and Recreational Purposes”*.

Based on a total maximum capacity of 88 persons, as approved by RC 2120315 and RC 21300047, the TIF for existing activities in the KWC operational area has been assessed at 176 average daily one-way traffic.

Existing Dwellings

There are currently four residential units on site, and the TIF for these dwellings has been assessed at a total of 40 average daily one-way traffic movements, bringing the total TIF for all existing development to 216.

New Buildings and Activities (Cumulative Effect)

The traffic intensity rule requires each new activity to be assessed in conjunction with existing uses in order to address cumulative effects.

There is only one new building proposed - Whare Whetū.

This building / activity is an extension of existing activities falling under the same category as the Whare Whakairo and Whare Waka and will not result in an increase in maximum capacity. Rather, visitors will be distributed across the site and its various offerings.

As the Whare Whetū is 106m², this would generate an additional 2 traffic movements the facility is designed to cater. We understand that the facility can hold up to 30 persons [school kids] but would typically be used for a tour number of 12 persons.

Therefore, under the Appendix 3 figures of the ODP, this would generate an additional 24 – 60 movements.

Based on these calculations, the total TIF for the entire site including existing and proposed development has been assessed as 240 - 276 one-way daily traffic movements.

Actual Traffic Movements

As determined in RC 2120315 and RC 2130047, the maximum capacity of the main hall of the Whare Wānanga is 84 persons and the Whare Whakairo 4 persons.

While an additional building will be added to the site, the maximum capacity will not increase, and the overall purpose of the entire development revolves around kaupapa waka as was the case in RC 2120315 and RC 2130047.

Therefore, a sensible approach would be to consider the new building [Whare Whetu] to

fall under the same category as the Whare Whakairo and Whare Wānanga, being “*Other buildings used for Social, Cultural and Recreational Purposes*”. On this basis, the TIF would remain at 176 movements.

Even so, actual traffic generated by the KWC will be far less than the TIF threshold calculated under the District Plan as previously determined in RC 2120315 and RC 2130047.

Very seldom will the number of people engaged on site exceed the maximum capacity of the KWC. The main activities on site include educational workshops and cultural tourism activities where no more than 30 people plus staff will participate at any one time (overall).

Visits to the site will primarily be by paying customers and via prior arrangement only, including overnight stays – largely via private vehicle. Shared transport, including buses will form part of the overall transport mix to and from the site, and adequate access and parking will be provided to accommodate this. It is also important to note that the KWC will not be frequented by the public. Notwithstanding this, the majority of trips will be via private vehicle.

While it is anticipated that the occasional large event will be held on site, including Matariki, where a maximum of 100 attendees are anticipated, these occasional ‘highs’ will occur no more than five times per year.

Therefore, despite the increase in footprint of the activity, traffic movements and effects remain neutral and exactly the same as that previously approved. Therefore, effects are considered to be less than minor.

Access and NZTA Consultation

Key to this assessment is that NZTA have been consulted with throughout the concept development process, including in that associated with RC 2130047, as the site is accessed via State Highway 10.

Written approval was provided by NZTA in support of RC 2130047 subject to a number of conditions relating to access upgrades.

To avoid repetition, the approved decision has been attached which outlines NZTA’s consent

conditions. These are the only conditions which were not satisfied within the required timeframe due to a lack of funding. RC 2130047 therefore lapsed; however all consent conditions have now been satisfied, including those related access requirements.

The 1.8km access from the bridge to the Reserve has been rehabilitated including rebuilding of the road structure, enhanced drainage, improved grades through cuts and fills and passing bays. The access road will remain unsealed. The new carpark has also been formed in gravel.

In essence, NZTA have provided written approval and have not required a traffic impact assessment to be undertaken on the basis that access will be upgraded to a standard which can accommodate actual traffic movements.

Written approval has also been provided by Larry and Fiona Matthews who own Lot 2 DP 164422, the property over which access to Okokori B Block is located.

Based on the above, it is therefore considered that the proposed access will be able to accommodate the proposed development, and that any adverse effects in relation to access will be less than minor.

Parking

Based on a maximum capacity of 84 persons, a minimum of 21 on-site parking spaces is required. The applicant has already provided the required parking spaces on site.

Cumulative effects

Development at the Kupe Waka Centre site has occurred progressively over the last 30 years. Initially wānanga were held in a metal garage and under a large marquee while waka were built in a half-round farm building.

The metal carving shed was added in 2012 and construction of the Whare Wānanga as the national school for traditional navigation began in 2014.

The adverse effects of these development have been minimal while the positive social and cultural effects have been considerable. This is perhaps exemplified by the hundreds of

people who have been trained in waka building, waka sailing, waka paddling and traditional navigation at the site and the voyaging that has connected Aotearoa New Zealand with the two other points on the Polynesian Triangle, Rapanui and Hawai'i.

The further development of the Waka Centre with PGF funding is enabling a significant increase in the positive effects generated by the Centre including creating permanent employment.

Furthermore, there are no existing or proposed development in the area contributing to the generation of cumulative impacts on the site or the surrounding area. The scale of the development is modest compared with the scale of the Okokori B block and its environmental effects on the surrounding area are less than minor presenting no threat to sustainable management.

Precedent Effects

Concern about the effect which allowing the activity might have for consideration of subsequent applications for resource consent for the same or similar activities (in the sense of like cases being treated alike) is not an effect on the environment.

The unique character of the development (literally in that there is nowhere else anywhere where there is the combination of waka building and education and training in traditional navigation) and the limited number of practitioners means that it will not set a precedent for similar developments.

Effects on Site of Cultural Significance to Maori & Archaeology

The proposal requires excavation, although these are for piles / footings which are exempt from the consideration of 'earthworks'. Therefore, the only potential cultural effects arise from the building itself with reference to Rule 12.5.6.2.2.

The building is 106m² in floor area and will be relocated to the site. The location of Whare Whetū is situated near existing built development including the man-made ponds, the existing Whare Waka and the Whare Wānanga .

In terms of Archaeology – expert opinion suggests the continued use of an ADP on these

matters. This approach is agreed with.

A Cultural Effects Assessment [CEA] supplements this application. The CEA considers a broad range of cultural aspects of relevance to the application.

The Report fills the information gaps of relevance which ultimately led to the previous application being declined. These gaps were as follows:

The effects on cultural and spiritual matters have not been sufficiently addressed in the application because the applicant has not clearly identified these matters to then be able to assess the effects of the proposal upon them. The applicant is depending too much on what has happened in the past and not sufficiently recognised that currently, the consideration of such effects is afforded a high priority in the RMA and consideration of resource consent applications. The applicant has chosen to rely on that former approach and not to provide sufficient current information or assessment of the effects of the proposal on cultural and spiritual matters.

The same can be said regarding the assessment of the effects of the proposal on the relationship of iwi with their ancestral lands. This is simply not addressed to the degree sufficient to make a decision that acknowledges it. That is to say, this information is not provided, the applicant again depending on what has earlier been granted resource consent and assuming the same will continue without producing a sufficient assessment of the current proposal.

To summarise the Report:

- The proposal has no effect on recognized sites of significance to Maori. The Report agrees that the Site of Significance overlay across the site is in error.
- Changes to the overall development eliminated risks to archaeology.
- The Report concludes that that the effects of the development and operation of the Sir Hek Busby Kupe Waka Centre on cultural and spiritual matters and on the relationship of iwi with their ancestral lands is less than minor, and that the Waka Centre creates a number of benefits of national, regional, and local significance.

There are recommendations located within the Report.

It recommends a precautionary Authority to Modify from HNZPT. It is noted that this is not required in the Archaeological Report and that the only earthworks required are screw-piles for the Whare Whetū. The applicant agrees to finalise the Archaeological Management Plan however.

The Report recommends a cultural monitor and the applicant's preferences if for this to naturally be the CEA Report writer. However, as above, earthworks for this project are very limited owing

to the approach to secure the buildings to the ground.

The CEA is augmented by a consultation record which is found in [Appendix N](#). The consultation record details the approach by the applicant to carry out engagement for the purposes of the project.

There is an extensive and exhaustive consultation record that has taken place over many years in relation to the proposal. Principles within *Land Air Water Association v Waikato Regional Council*¹ provide directions on consultation with maori. These are as follows:

- (i) The nature and object of consultation must be related to the circumstances.
- (ii) Adequate information of a proposal is to be given in a timely manner so that those consulted know what is proposed.
- (iii) Those consulted must be given a reasonable opportunity to state their views.
- (iv) While those consulted cannot be forced to state their views they cannot complain, if having had both time and opportunity, they for any reason fail to avail themselves of the opportunity.
- (v) Consultation is never to be treated perfunctorily or as a mere formality.
- (vi) The parties are to approach consultation with an open mind.
- (vii) Consultation is an intermediate situation involving meaningful discussions and does not necessarily involve resolution by agreement.
- (viii) Neither party is entitled to make demands.
- (ix) There is no universal requirement as to form or duration.
- (x) The whole process is to be underlain by fairness.

Based on the narrative and consultation timeline provided in [Appendix N](#), it becomes apparent that the applicant has operated and sought consultation within the bounds of the principles set out above.

There is now scope from Council to consider the principles and assess whether this has been sufficiently undertaken. In my view it has. When coupled with the production of the CEA [which concludes less than minor effects resulting from the application] there is little need to re-litigate this matter through an additional hearing.

This is particularly true given the scope and scale of the proposal which is for a modest building that will support kaupapa waka.

¹ Environment Court Decision No A110/01, 23 October 2001, at para 453.

Actual and Potential Effects on the Environment (Section 104(1)(A))

An assessment of effects in relation to the wider environment and adjacent properties has been provided above. Overall, the assessment concludes that any adverse effects will be less than minor. Some positive effects will also arise from the development including:

- Promoting social and economic development in Te Tai Tokerau.
- Providing sustainable employment through cultural tourism, waka building and related Toi Māori, education, hosting meetings and events, and environmental restoration;
- Engaging the local community in Kaupapa Waka and the environmental activities at the site in a way that promotes social inclusion and participation;
- Building capacity and capability to enable Māori to reach their full potential;
- Promoting environmental sustainability at the local, national and Oceania scales,
- Providing opportunities for development on the site at Aurere which is culturally and socially responsive and appropriate.
- Promoting development in Te Tai Tokerau which aligns with other strategies and plans in Northland including the *Tai Tokerau Northland Economic Action Plan (2016 and 2018)*; *He Tangata, He Whenua, He Oranga: An Economic Growth Strategy for Tai Tokerau Maori Economy (2015)*; and *He Whenua Rangatira: A District of Sustainable Prosperity and Well- Being (2016)*.

Overall, it is considered that when taking into account the positive effects, any actual and potential adverse effects on the environment of allowing the activity are acceptable in the receiving environment.

8.0 EFFECTS TO PEOPLE

8.1 Limited Notification

The table below outlines the steps associated with limited notification insofar as it relates to s95 of the Act.

Table 5: Limited Notification Assessment

Step 1	certain affected groups and affected persons must be notified	
S95B(2)(a)	Are there any affected protected customary rights groups?	No
S95B(2)(b)	Are there any affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity)?	No
S95B(3)(a)	Is the proposed activity on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11?	No
S95B(3)(b)	Is the person to whom the statutory acknowledgement is made is an affected person under section 95E?	No
Step 2	if not required by step 1, limited notification precluded in certain circumstances	
S95B(6)(a)	the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification:	No
S95B(6)(b)	the application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land)	No

8.2 Affected Person Determination

As the proposed activity does not trigger mandatory limited notification, nor is it precluded, an assessment of potential affected persons must be undertaken.

The consent authority has discretion to determine whether a person is an affected person. A person is affected if an activity's adverse effects are minor or more than minor to them.

8.3 Effects on Person Assessment

As previously discussed, written approval has been obtained from Larry and Fiona Matthews as owners of the entire farm to the south of Okokori B Block (east of the access bridge), across the Awapoko River. Effects on this party can therefore be disregarded. Written approval has also been provided by NZTA, Heritage New Zealand and DOC.

For those reasons outlined in the assessment of environmental effects above, no other parties are considered to be adversely affected by the proposed development.

9.0 STATUTORY ASSESSMENT

9.1 Far North District Plan Assessment

Operative Far North District Plan – Objectives and Policies

The relevant objectives and policies of the District Plan can be found in the following chapters:

- Coastal Environment
- General Coastal Zone
- Landscapes and Natural Features
- Natural Hazards
- Lakes, Rivers, Wetlands & Coastline
- Transportation

All relevant objectives and policies have been assessed as follows.

Table 6: ODP Coastal Environment Assessment

COASTAL ENVIRONMENT	
Objective/Policy	Comment
10.3.1 To manage coastal areas in a manner that avoids adverse effects from subdivision, use and development. Where it is not practicable to avoid adverse effects from subdivision use or development, but it is appropriate for the development to proceed, adverse effects of subdivision use or development should be remedied or mitigated.	Given the purpose of the KWC which revolves around kaupapa waka and the construction of ocean-going vessels, the KWC has a functional need to be located near the CMA. The assessment of environmental effects that any adverse effects can be appropriately mitigated through consent conditions, and they adverse effects on the coastal environment will be less than minor.
10.3.2 To preserve and, where appropriate in relation to other objectives, to restore, rehabilitate protect, or enhance: (a) the natural character of the coastline and coastal environment; (b) areas of significant indigenous vegetation and significant habitats of indigenous fauna; (c) outstanding landscapes and natural features; (d) the open space and amenity values of the coastal environment; (e) water quality and soil conservation (insofar as it is within the jurisdiction of the Council)	No vegetation will be removed as part of this application, nor will any significant habitats for indigenous fauna be affected. All reasonable steps have been taken to avoid any adverse effect on the natural character of the coastal environment. DOC has provided written approval in support of the proposed development.
10.3.3 To engage effectively with Māori to ensure that their relationship with their culture and traditions and taonga is identified, recognised, and provided for.	The development of the KWC provides for the ongoing tie that the Māori culture has to the ocean.

10.3.4 To maintain and enhance public access to and along the coast whilst ensuring that such access does not adversely affect the natural and physical resources of the coastal environment, including Māori cultural values, and public health and safety	Okokori B Block is privately owned and will remain in private ownership. Multiple access points to the Awapoko River are available to the public via Tokerau Beach. On this basis, no additional public access points are required.
10.3.5 To secure future public access to and along the coast, lakes and rivers (including access for Māori) through the development process and specifically in accordance with the Esplanade Priority Areas mapped in the District Plan.	As above.
10.3.6 To minimise adverse effects from activities in the coastal environment that cross the coastal marine area boundary.	All proposed activities will be undertaken within the boundaries of the Okokori B Block. There is an existing boat ramp which extends from the Whare Waka which inevitably is within the CMA.
10.3.7 To avoid, remedy or mitigate adverse effects on the environment through the provision of adequate land-based services for mooring areas, boat ramps and other marine facilities.	As above.
10.3.8 To ensure provision of sufficient water storage to meet the needs of coastal communities all year round.	As is the current situation, all roofwater will be collected in water tanks and used for potable water supply. The four additional 30,000 litre tanks in the Operational Area serving the nursery are primarily for irrigation but which could be used as back up supply in the event of drought.
10.3.9 To facilitate the sustainable management of natural and physical resources in an integrated way to achieve superior outcomes to more traditional forms of subdivision, use and development through management plans and integrated development.	Not applicable.
10.4.1 That the Council only allows appropriate subdivision, use and development in the coastal environment. Appropriate subdivision, use and development is that where the activity generally: (a) recognises and provides for those features and elements that contribute to the natural character of an area that may require preservation, restoration or enhancement; and (b) is in a location and of a scale and design that minimises adverse effects on the natural character of the coastal environment; and (c) has adequate services provided in a manner that minimises adverse effects on the coastal environment and does not adversely affect the safety and efficiency of the roading network; and (d) avoids, as far as is practicable, adverse effects which are more than minor on heritage features, outstanding landscapes, cultural values, significant indigenous vegetation and	Set against the 115.8ha block, the total building footprint of the SHBKWC of about 847m ² is very minimal and is of an appropriate scale and design consistent with the character of the coastal environment. The site will continue to be entirely self-sufficient in terms of access, electricity, water supply, wastewater and stormwater disposal. NZTA were involved in the access design phase and have expressed no concerns in terms of safety and efficiency of the roading network. As per the assessment of effects, the proposal has been designed so as to minimise any adverse effects on the natural and built environment to a less than minor degree.

<p>significant habitats of indigenous fauna, amenity values of public land and waters and the natural functions and systems of the coastal environment; and</p> <p>(e) promotes the protection, and where appropriate restoration and enhancement, of areas of significant indigenous vegetation and significant habitats of indigenous fauna; and</p> <p>(f) recognises and provides for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga; and</p> <p>(g) where appropriate, provides for and, where possible, enhances public access to and along the coastal marine area; and</p> <p>(h) gives effect to the New Zealand Coastal Policy Statement and the Regional Policy Statement for Northland.</p>	
<p>10.4.2 That sprawling or sporadic subdivision and development in the coastal environment be avoided through the consolidation of subdivision and development as far as practicable, within or adjoining built up areas, to the extent that this is consistent with the other objectives and policies of the Plan.</p>	<p>The proposed development will take place in an area which has been highly modified by built development over the last three decades at least. The clustering of development and locations set within and around the original Busby dwelling avoids sprawling development in the coastal environment.</p>
<p>10.4.3 That the ecological values of significant coastal indigenous vegetation and significant habitats are maintained in any subdivision, use or development in the coastal environment.</p>	<p>As determined in the assessment of effects and as approved by DOC, the proposed development will have less than minor effects on the ecological values within and near the site. Conversely, the restoration of the ponds, planting programme and predator control will have a positive impact on native flora and fauna</p>
<p>10.4.4 That public access to and along the coast be provided, where it is compatible with the preservation of the natural character and amenity, cultural, heritage and spiritual values of the coastal environment, and avoids adverse effects in erosion prone areas.</p>	<p>There are multiple public access points to the coast via Tokerau Beach which will not be affected by the proposal. There is no public access.</p>
<p>10.4.5 That access by tangata whenua to ancestral lands, sites of significance to Māori, maahinga mataitai, taiapure and kaimoana areas in the coastal marine area be provided for in the development and ongoing management of subdivision and land use proposals and in the development and administration of the rules of the Plan and by non-regulatory methods. Refer Chapter 2, and in particular Section 2.5, and Council's "Tangata Whenua Values and Perspectives (2004)".</p>	<p>As discussed, it is anticipated that the proposed development will benefit tangata whenua and other cultures. The development will also be undertaken in a manner which will not adversely affect any site significant to Māori. This has been an important consideration in planning the development as Sir Hek and his whānau whakapapa to the local hapū, Ngāti Tara and hold manawhenua over the site. The Busby whānau take their kaitiaki responsibilities very seriously.</p>

10.4.6 That activities and innovative development including subdivision, which provide superior outcomes and which permanently protect, rehabilitate and/or enhance the natural character of the coastal environment, particularly through the establishment and ongoing management of indigenous coastal vegetation and habitats, will be encouraged by the Council.	The majority of the site remains as regenerating bush and where development is proposed / already undertaken – landscaping has been designed to enhance indigenous vegetation.
10.4.7 To ensure the adverse effects of land-based activities associated with maritime facilities including mooring areas and boat ramps are avoided, remedied or mitigated through the provision of adequate services, including where appropriate: (a) parking; (b) rubbish disposal; (c) waste disposal; (d) dinghy racks.	Not applicable. There is an existing boat ramp for private use by the Waka Centre.
10.4.8 That development avoids, remedies or mitigates adverse effects on the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.	As discussed, it is anticipated that the proposed development will only result in positive cultural and spiritual effects. The development will also be undertaken in a manner which will not adversely affect any site of significance to Māori.
10.4.9 That development avoids, where practicable, areas where natural hazards could adversely affect that development and/or could pose a risk to the health and safety of people.	As indicated earlier, all built development will be located outside of any coastal hazards area identified in NRC's indicative hazard maps. No other natural hazards are known to the site.
10.4.10 To take into account the need for a year-round water supply, whether this involves reticulation or on-site storage, when considering applications for subdivision, use and development.	The site will continue to be self-sufficient in terms of water supply. All roofwater will be collected in water tanks for potable water supply. There is an additional 120,000 litres storage within the operational area available as a backup. In total there is over 300,000 litres of water tank storage.
10.4.11 To promote land use practices that minimize erosion and sediment run-off, and storm water and waste water from catchments that have the potential to enter the coastal marine area.	Minimal earthworks are required for this stage of development. As discussed in the assessment of environmental effects, stormwater and wastewater will be disposed of appropriately so as to not affect the water quality of the CMA.
10.4.12 That the adverse effects of development on the natural character and amenity values of the coastal environment will be minimized through: (a) the siting of buildings relative to the skyline, ridges, headlands and natural features; (b) the number of buildings and intensity of development; (c) the colour and reflectivity of buildings; (d) the landscaping (including planting) of the site; (e) the location and design of vehicle access, maneuvering and parking areas.	As discussed, the development has been carefully designed so as to avoid any adverse effects on the visual amenity of the area and to be consistent and compatible with development patterns occurring within and surrounding the site.

Table 7: Objectives and Policies of the General Coastal Zone

GENERAL COASTAL ZONE	
Objective/Policy	Comment
10.6.3.1 To provide for appropriate subdivision, use and development consistent with the need to preserve its natural character.	No vegetation will be removed as part of this application, nor will any significant habitats for indigenous fauna. All reasonable steps have been taken to avoid any adverse effect on the natural character of the coastal environment and outstanding landscape. DOC have provided written approval in support of the proposed development.
10.6.3.2 To preserve the natural character of the coastal environment and protect it from inappropriate subdivision, use and development.	No vegetation will be removed as part of this application, nor will any significant habitats for indigenous fauna. All reasonable steps have been taken to avoid any adverse effect on the natural character of the coastal environment and outstanding landscape. DOC have provided written approval in support of the proposed development.
10.6.3.3 To manage the use of natural and physical resources (excluding minerals) in the general coastal area to meet the reasonably foreseeable needs of future generations.	Given the purpose of the KWC which revolves around kaupapa waka and the construction of ocean-going vessels, the KWC has a functional need to be located near the CMA. The assessment of environmental effects that any adverse effects can be appropriately mitigated through consent conditions, and they adverse effects on the coastal environment will be less than minor.
10.6.4.1 That a wide range of activities be permitted in the General Coastal Zone, where their effects are compatible with the preservation of the natural character of the coastal environment.	The site has a long history of a mix of activities being undertaken on site including those for educational, cultural, rural production and residential purposes.
10.6.4.2 That the visual and landscape qualities of the coastal environment to be protected from inappropriate subdivision, use and development.	The proposal is not considered to be inappropriate in this context.
10.6.4.3 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the zone in regards to s6 matters, and shall avoid adverse effects as far as practicable by using techniques including: (a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns; (b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public	The proposal has clustered the buildings where possible. The site is very low lying and is not particularly visible from public land or the CMA. The site is not on the CMA so public access is not restricted as a result of the proposal. The Development Plan was prepared under the supervision of Sir Hek, (Te Rarawa, Ngati Kahu), who had a profound understanding of Mātauranga Māori and ensured that the development of the Waka Centre is consistent with Māori values. The Centre has made a profound contribution to the revival of waka building, ocean voyaging from Aotearoa, and traditional wayfinding of local,

<p>land and the coastal marine area;</p> <p>(c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;</p> <p>(d) through siting of buildings and development, design of subdivisions and provision of access, that recognise and provide for the relationship of Māori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Māori culture makes to the character of the District. (Refer Chapter 2 and in particular Section 2.5 and Council's "Tangata Whenua Values and Perspectives (2004)";</p> <p>(e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;</p> <p>(f) protecting historic heritage through the siting of buildings and development and design of subdivisions.</p>	<p>national and international significance</p>
<p>10.6.4.4 That controls be imposed to ensure that the potentially adverse effects of activities are avoided, remedied or mitigated as far as practicable.</p>	
<p>10.6.4.5 Māori are significant land owners in the General Coastal Zone and therefore activities in the zone should recognise and provide for the relationship of Māori and their culture and traditions, with their ancestral lands, water, sites, washi tapu and other taonga and shall take into account the principles of the Treaty of Waitangi.</p>	<p>The proposal is on Māori land and is specifically providing for their culture and traditions.</p>
<p>10.6.4.6 The design, form, location and siting of earthworks shall have regard to the natural character of the landscape including terrain, landforms and indigenous vegetation and shall avoid, remedy or mitigate adverse effects on those features.</p>	<p>The proposal involves some earthworks principally in the restoration of the ponds and has been designed to take into account the natural character of the landscape. However, as previously discussed, the proposed development will be undertaken in an area which has a long history of modification. No vegetation clearance is required and all dune lands will be avoided. The assessment of effects also concludes that only positive cultural and spiritual effects will result from the proposal.</p>

Table 8: ODP Objectives & Policies Assessment

LANDSCAPES AND NATURAL FEATURES	
Objective/Policy	Comment
12.1.3.1 To protect outstanding landscapes and natural features from inappropriate, subdivision use and development.	As previously discussed, the proposed development will take place in an area that has been highly modified by built development. The proposed building locations are situated outside of any duneland and shrubland. No indigenous vegetation clearance is required. As indicated in the TP58 and Stormwater Report prepared by Eric Wagener, stormwater and wastewater disposal arrangements have been designed so as to avoid any adverse effects on the CMA including that of the Awapoko River.
12.1.3.2 To protect the scientific and amenity values of outstanding natural features.	As above.
12.1.3.3 To recognise and provide for the distinctiveness, natural diversity and complexity of landscapes as far as practicable including the complexity found locally within landscapes and the diversity of landscapes across the District.	As above.
12.1.3.4 To avoid adverse effects and to encourage positive effects resulting from land use, subdivision or development in outstanding landscapes and natural features and Māori cultural values associated with landscapes.	As previously discussed, the proposed development will be undertaken in an area which has a long history of modification. No vegetation clearance is required and all dune lands will be avoided. The assessment of effects also concludes that only positive cultural and spiritual effects will result from the proposal.
12.1.4.1 That both positive and adverse effects of development on outstanding natural features and landscapes be taken into account when assessing applications for resource consent.	As above.
12.1.4.2 That activities avoid, remedy or mitigate significant adverse effects on both the natural and the cultural values and elements which make up the distinctive character of outstanding natural features and landscapes.	As above.
12.1.4.3 That the cumulative effect of changes to the character of Outstanding Landscapes be taken into account in assessing applications for resource consent.	Whilst the proposal will result in additional buildings on site, the buildings will be located in an area that has been subject to extensive human modification over a number of years. The buildings will form the final stages of the KWC, and be used in conjunction with the Whare Wānanga and Whare Whakairo buildings which have been out of use for a number of years. All indigenous vegetation will remain unchanged.

12.1.4.4 That the visibility of Outstanding Landscape Features, when viewed from public places, be taken into account in assessing applications for resource consent.	As per the visual amenity assessment, any adverse effect will be less than minor largely owing to finishing the buildings in natural materials and recessive colours which will be screened by the natural topography of the site and mature Pohutukawa trees along the Awapoko River margin.
12.1.4.5 That the adverse visual effect of built development on outstanding landscapes and ridgelines be avoided, remedied or mitigated.	In addition to the above, the buildings will be located in a low-lying area well below the ridgeline of the dunelands located along Tokerau Beach.
12.1.4.6 That activities avoid or mitigate adverse effects on the scientific and amenity values associated with outstanding natural features.	As above.
12.1.4.7 That the diversity of outstanding landscapes at a District-wide and local level be maintained and enhanced where practicable.	As above.
12.1.4.8 That the trend is towards the enhancement rather than the deterioration of landscape values, including the encouragement of the restoration of degraded landscapes.	The development has enhanced the vegetation on site through planting around the ponds and elsewhere on the Reserve as part of a larger programme of environmental restoration. This planting plan has been prepared in conjunction with Kevin Matthews at Bushland Trust.
12.1.4.9 That the high value of indigenous vegetation to Outstanding Landscapes be taken into account when assessing applications for resource consents.	As above.
12.1.4.10 That landscape values be protected by encouraging development that takes in account: (a) the rarity or value of the landscape and/or landscape features; (b) the visibility of the development; (c) important views as seen from public vantage points on a public road, public reserve, the foreshore and the coastal marine area; (d) the desirability of avoiding adverse effects on the elements that contribute to the distinctive character of the coastal landscapes, especially outstanding landscapes and natural features, ridges and headlands or those features that have significant amenity value; (e) the contribution of natural patterns, composition and extensive cover of indigenous vegetation to landscape values; (f) Māori cultural values associated with landscapes; (g) the importance of the activity in enabling people and communities to provide for their (h) social, economic and cultural well-being	As above.

Table 9: Natural Hazards Policies & Objectives

NATURAL HAZARDS	
Objective/Policy	Comments
12.4.3.1 To reduce the threat of natural hazards to life, property and the environment, thereby to promote the well being of the community.	As indicated in the site plan which includes contours of the site, there is no portion of this site which is as high as 20m above sea level. Large parts of the site are very flat and quite low-lying. However, the operational area is reasonably well-elevated (the highest point of this area has an elevation of just over 10.5m above sea level) and has a rolling topography. The proposed building will be built at the same elevation as the existing Whare Wānanga and Whare Whakairo buildings. NRC's indicative hazard maps show that all buildings will be located outside of the coastal hazard zone as well as river flood zone.
12.4.3.2 To ensure that development does not induce natural hazards or exacerbate the effects of natural hazards.	As was established in the engineering report submitted in support of RC 2130047, the proposed development will not exacerbate the effects of natural hazards. The CMA of the Awapoko River is reasonably sheltered and not subject to significant coastal erosion. The proposed building will be set back at least the same distance as the existing Whare Whakairo building.
12.4.3.3 To ensure that natural hazard protection works do not have adverse effects on the environment	Not applicable.
12.4.3.4 To ensure that the role in hazard mitigation played by natural features is recognised and protected.	Development on or near the dune lands at the forefront of Tokerau Beach will be avoided. All buildings will be setback at least the same distance as the Whare Whakairo building. Minimal earthworks are required as part of this application and the natural topography of the site will remain unchanged.
12.4.3.5 To improve public awareness of natural hazards as a means of helping people to avoid them	The potential of natural hazards will be incorporated into any health and safety operational procedures developed in support of the KWC. All users of the KWC will be made aware of any risks associated with natural hazards.
12.4.3.6 To take into account reasonably foreseeable changes in the nature and location of natural hazards.	As indicated earlier, preliminary comments were sought from NRC in regard to new hazard maps which are to be released later in the year. Indicative maps show that all buildings, existing and proposed, will be located outside of any coastal hazard zone contrary to the coastal hazard extent shown on Far North Maps.

12.4.3.7 To avoid fire risk arising from the location of residential units in close proximity to trees, or in areas not near fire fighting services.	Not applicable. No residential units proposed.
12.4.4.1 That earthworks and the erection of structures not be undertaken in areas where there is a significant potential for natural hazards unless they can be carried out in such a way so as to avoid being adversely affected by the natural hazards, and can avoid exacerbating natural hazards.	As indicated earlier, the only natural hazard likely to affect the property in the reasonably foreseeable future is coastal hazards. NRC's indicative hazard maps show that all buildings will be located outside of the coastal hazards areas.
12.4.4.2 That the natural character of features, such as beaches, sand dunes, mangrove areas, wetlands and vegetation, which have the capacity to protect land values and assets from natural coastal hazards, is protected and enhanced.	The natural topography and all indigenous vegetation on site will remain untouched. Forming access to the Awapoko River CMA from any other access point is not practicable given the steep gradient of the banks.
12.4.4.3 That protection works for existing development be allowed only where they are the best practicable option compatible with sustainable management of the environment.	Not applicable. No protection works proposed.
12.4.4.4 That the sea level rise, as predicted by the Intergovernmental Panel of Climate Change or Royal Society of NZ, be taken into account when assessing development in areas potentially affected.	As indicated earlier, the only natural hazard likely to affect the property in the reasonably foreseeable future is coastal hazards. NRC's indicative hazard maps show that all buildings will be located outside of the coastal hazards areas.
12.4.4.5 That information on known natural hazards be made available in order that the public can make informed resource management decisions.	The assessment on natural hazards contained within this report is largely based on information made available by both NRC and FNDC.
12.4.4.6 That the adverse effects on people, property and the environment from coastal hazards in Coastal Hazard Areas, as identified by the Northland Regional Council, are avoided.	As indicated earlier, the only natural hazard likely to affect the property in the reasonably foreseeable future is coastal hazards. NRC's indicative hazard maps show that all buildings will be located outside of the coastal hazards areas.
12.4.4.7 That the risk to adjoining vegetation and properties arising from fires be avoided.	All built development will be setback at least 20m from any large area of bush or scrub. Where Whetū is 130m from nearest continuous stand of bush. No residential units are proposed.
12.4.4.8 That the location, intensity, design and type of new coastal subdivision, use and development be controlled so that the need for hazard protection works is avoided or minimised.	As indicated earlier, the only natural hazard likely to affect the property in the reasonably foreseeable future is coastal hazards. NRC's indicative hazard maps show that all buildings will be located outside of the coastal hazards areas. No protection works are required.
12.4.4.9 That the role of riparian margins in the mitigation of the effects of natural hazards is recognised and that the continuing ability of riparian margins to perform this role be assured.	The riparian margins and all existing vegetation along the margin will remain unchanged.

Table 10: Heritage Chapter Policies & Objectives Assessment

HERITAGE	
Objective/policy	Comment

12.5.3.1 To protect and retain the heritage values of resources, such values to include those of an archaeological, architectural, cultural, historic, scientific, and technological nature.	<p>The nearest registered heritage site is located at least 300m from the Whare Wananga (ref 04/932) and will therefore not be affected. An archaeological assessment has been undertaken and site observations revealed no archaeology on the surface.</p> <p>However, the implementation of the ADP has been recommended. It is considered that any potential adverse effects on archaeology can be appropriately avoided and mitigated through consent conditions.</p>
12.5.3.2 To protect waahi tapu and other sites of spiritual, cultural or historical significance to Māori from inappropriate use, development and subdivision.	There are no wāhi tapu and / or other sites of spiritual, cultural or historical significance to Maori on the Reserve or within the Operational Area.
12.5.3.3 To protect the notable trees of the District.	Not applicable.
12.5.3.4 To conserve the historic and amenity values of settlements with significant historic character.	Not applicable.
12.5.3.5 To protect the cultural, spiritual, scientific and historic values of archaeological sites from inappropriate use, development and subdivision.	As per the above assessment.
12.5.3.6 To assist landowners' understanding and appreciation of the heritage resources located on their land.	Not applicable.
12.5.3.7 To ensure that subdivision and land use management practices avoid adverse effects on heritage values and resources.	As per the above assessment.
12.5.3.8 To support landowners who protect heritage resources by providing financial relief and incentives.	Not applicable.
12.5.4.1 That a heritage resource be recognised as a complete entity whose surrounds or setting may have an important relationship with the values of the resource. For instance the coastal setting of places like Kohukohu, Rawene, Mangonui and The Strand in Russell is an important part of the heritage value of these Precincts.	Not applicable.
12.5.4.2 That the heritage values of any building, object, vegetation or heritage site shall not be adversely affected by subdivision or land use activities.	As per the above assessment, the nearest heritage site is located at least 300m from the KWC.
12.5.4.3 That notable trees be provided protection, except where it can be demonstrated that they pose a hazard to people or habitable buildings.	Not applicable.
12.5.4.4 That land use activities in the vicinity of Sites of Cultural Significance to Māori shall not	As per the assessment of environmental effects, particularly the CIA the site of cultural significance

compromise their spiritual, cultural or historical values and that the effect on cultural, spiritual and historical values is taken into account in the assessment of applications.	located in the Okokori B Block will XXX adversely affected.
12.5.4.5 That the Council consult with whanau, hapu and iwi to develop appropriate and acceptable consultation processes for Māori.	The policy relates to Council requirements, not applicants.
12.5.4.6 That maintenance, repairs or redecoration of historic buildings or objects shall retain their historic value and character.	Not applicable.
12.5.4.7 That activities on any archaeological sites shall be managed in order to avoid or minimise any adverse effects.	As per the above assessment indicating that there are no archaeological sites within the Reserve or Operational Area. Nonetheless, all due care and diligence will be exercised by all construction workers in accordance with the ADP.
12.5.4.8 That where areas have significant historic character, their heritage values are not compromised by inappropriate activities.	Not applicable.
12.5.4.9 That where there is evidence demonstrating support for heritage values attributed to a place by individuals, groups and agencies, these values shall be taken into account in considering applications to alter or destroy such places.	Not applicable.
12.5.4.10 That landowners shall be encouraged to protect and enhance heritage sites on their land through the provision of information and incentives.	Not applicable.
12.5.4.11 That settlements that contain a high degree of heritage value be protected from subdivision, use and development that would adversely affect these values and their landscape setting.	As per the above assessment.
12.5.4.12 That the Council will utilise, where appropriate, its heritage protection authority status under s187 of the Act, to protect any place of special interest, character, intrinsic or amenity value or visual appeal, or of special significance to the tangata whenua for spiritual, cultural or historical reasons and such area of land (if any) surrounding that place as is reasonably necessary for the purpose of ensuring the protection and reasonable enjoyment of the place.	Not applicable.
12.5.4.13 That landowners be assisted financially where heritage resources are protected.	Not applicable.
12.5.4.14 That Council will ensure that, before seeking to include within the Plan any heritage resource that occurs on private land, consultation will be undertaken with the landowner affected.	Not applicable.

Table 11: Lakes, Rivers, Wetlands and the Coastline Policies & Objectives Assessment

LAKES, RIVERS, WETLANDS AND THE COASTLINE	
Objective/policy	Comments
12.7.3.1 To avoid, remedy or mitigate the adverse effects of subdivision, use and development on riparian margins.	All buildings will be setback at least 19.5m from the CMA and the riparian margins of the Awapoko River will remain unchanged.
12.7.3.2 To protect the natural, cultural, heritage and landscape values and to promote the protection of the amenity and spiritual values associated with the margins of lakes, rivers and indigenous wetlands and the coastal environment, from the adverse effects of land use activities, through proactive restoration/rehabilitation/revegetation.	As per the above assessment, the proposed development will not result in any adverse amenity and spiritual values associated with the margin of the Awapoko River.
12.7.3.3 To secure public access (including access by Māori to places of special value such as waahi tapu, tauranga waka, mahinga kai, mahinga mataitai, mahinga waimoana and taonga raranga) to Contributions, to the extent that this is compatible with: (a) the maintenance of the life-supporting capacity of the waterbody, water quality, aquatic habitats, and (b) the protection of natural character, amenity, cultural heritage, landscape and spiritual values; and (c) the protection of public health and safety; and (d) the maintenance and security of authorised activities (but acknowledging that loss of privacy or fear of trespass are not valid reasons for precluding access). In some circumstances public acquisition of riparian margins may be required and managed for purposes other than public access, for example to protect significant habitats, waahi tapu or historic sites, or for public recreation purposes.	The Okokori B Block is privately owned and can only be visited by prior arrangement i.e. the site is not open to the general public. This is imperative to protect the mana of the site. Public access to the Awapoko River can be achieved via an existing access along Tokerau Beach. On this basis, there is no need to secure public access to the site.
12.7.3.4 To provide for the use of the surface of lakes and rivers to the extent that this is compatible with the maintenance of the life supporting capacity of the water body, water quality, aquatic habitats, and the protection of natural character, amenity, cultural heritage, landscape and spiritual values.	The KWC will provide for and encourage the use of the Awapoko River for waka paddling. Such mode of transport is engrained in the Māori culture and is entirely compatible with the life-supporting capacity of the Awapoko River and natural environment that surrounds it.
12.7.3.5 To avoid the adverse effects from inappropriate use and development of the margins of lakes, rivers, indigenous wetlands and the coastline.	The KWC has a functional need to be located in proximity to the CMA. Therefore, establishing such centre near the margin of the Awapoko River is considered an appropriate use in this context.

12.7.3.6 To protect areas of indigenous riparian vegetation: (a) physically, by fencing, planting and pest and weed control; and (b) legally, as esplanade reserves/strips.	The riparian margin of the Awapoko River largely consists of mature Pohutukawa. All riparian vegetation will remain unchanged, and no additional planting is considered necessary. There are, however, traps for predators in the area to reduce depredations on native trees
12.7.3.7 To create, enhance and restore riparian margins.	As above.
12.7.4.1 That the effects of activities which will be generated by new structures on or adjacent to the surface of lakes, rivers and coastal margins be taken into account when assessing applications.	As above.
12.7.4.2 That land use activities improve or enhance water quality, for example by separating land use activities from lakes, rivers, indigenous wetlands and the coastline, and retaining riparian vegetation as buffer strips.	There are no issues in the respect of the existing wastewater system.
12.7.4.3 That adverse effects of land use activities on the natural character and functioning of riparian margins and indigenous wetlands be avoided.	As above.
12.7.4.4 That adverse effects of activities on the surface of lakes and rivers in respect of noise, visual amenity of the water body, life supporting capacity of aquatic habitats, on- shore activities, the natural character of the water body or surrounding area, water quality and Māori cultural values, are avoided, remedied or mitigated.	As above.
12.7.4.5 That activities which have a functional relationship with waterbodies or the coastal marine area be provided for.	Given the purpose of the KWC which revolves around kaupapa and is an act of celebrating the ongoing tie of the Māori culture to waterways and the sea, the KWC certainly has a functional need to be located near the CMA.
12.7.4.6 That public access to and along lakes, rivers and the coastline be provided as a consequence of development or as a result of Council (see Method 10.5.19) or public initiatives except where it is necessary to restrict access or to place limits on the type of access, so as to: (a) protect areas of significant indigenous vegetation and/or significant habitats of indigenous fauna or (b) protect cultural values, including Māori culture and traditions; or (c) protect public health and safety; to the extent that is consistent with policies in Chapter 14.	Refer to the above assessment regarding public access.
12.7.4.7 That any adverse effects on the quality of public drinking water supplies from land use activities, be avoided, remedied or mitigated.	Not applicable.

12.7.4.8 That the Council acquire esplanade reserves, esplanade strips and access strips in accordance with Chapter 14 - Financial Contributions and Method 10.5.10 of the Plan.	Not applicable.
12.7.4.9 That riparian areas in Council ownership be managed so as to protect and enhance the water quality of surface waters.	Not applicable.
12.7.4.10 That historic buildings erected close to, or over, water bodies be protected and provision be made for new buildings where this form of development is in keeping with the historic pattern of settlement	Not applicable.
12.7.4.11 That the extent of impervious surfaces be limited so as to restore, enhance and protect the natural character, and water quantity and quality of lakes, rivers, wetlands and the coastline.	With a site area of 115.8ha, a maximum of 11.58ha of impermeable surfaces is allowed as a permitted activity. The entire KWC combining the Te Awapoko Waka Wānanga Reserve and the Operational Area accounts for only 4.7ha or (4.0%) of the Okokori B Block while the buildings sum to 847m ² . Any adverse effects on the natural character of any water body is therefore minimal.
12.7.4.12 That provision be made to exempt activities on commercial or industrial sites from the need to be set back from the coastal marine area, and from the need to provide esplanade reserves on subdivision or development, where the location of the commercial or industrial site is such as to be particularly suited to activities that cross the land-water interface, or have a close relationship to activities conducted in the coastal marine area. Refer also to Rule 14.6.3.	Not applicable.
12.7.4.13 That provision be made to exempt activities on particular sites as identified in the District Plan Maps as adjacent to an MEA from the need to be set back from the coastal marine area where those activities on that site have a functional relationship with marine activities and cross the line of Mean High Water Springs (MHWS)	As indicated earlier, the KWC has a functional need to be located near the CMA.
12.7.4.14 That the efficient use of water and water conservation be encouraged.	The site will continue to be self-sufficient in terms of water supply through the collection of roof water in water tanks. The detention ponds could also be used as back up water supply in the case of drought.
12.7.4.15 To encourage the integrated protection and enhancement of riparian and coastal margins through: (a) planting and/or regeneration of indigenous vegetation; (b) pest and weed control; control (including, where appropriate, exclusion) of vehicles, pets and stock. Note: The Regional Coastal Plan for Northland and Regional Water and Soil Plan for Northland	All riparian vegetation will remain unchanged.

contain policies, rules and other methods to protect and enhance wetlands, lakes, rivers and the coastal marine area. Vehicle, pet and stock control is particularly important in areas and at times when birds are nesting	
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Table 12: ODP Transportation Objectives & Policies

TRANSPORTATION	
Objective/Policy	Comments
15.1.3.1 To minimise the adverse effects of traffic on the natural and physical environment.	Access to this site is achieved via an existing vehicle crossing of SH10 which will be upgraded as per NZTA's recommendations.
15.1.3.2 To provide sufficient parking spaces to meet seasonal demand in tourist destinations.	Based on a maximum capacity of 84 persons, a minimum of 21 parking spaces plus two accessible parking spaces are required. The parking plan shows that the minimum will be achieved.
15.1.3.3 To ensure that appropriate provision is made for on-site car parking for all activities, while considering safe cycling and pedestrian access and use of the site.	The parking area will be connected to the remainder of the KWC operational area via a series of pathways providing for pedestrian access to accessibility standards. As the site will not be frequented by the general public, provision for cyclists has not been provided.
15.1.3.4 To ensure that appropriate and efficient provision is made for loading and access for activities	As per the parking plan, there is sufficient parking for loading purposes as well as adequate maneuvering space for large vehicles such as buses.
15.1.3.5 To promote safe and efficient movement and circulation of vehicular, cycle and pedestrian traffic, including for those with disabilities.	As per the parking plan which has been designed by a traffic engineer, parking has been designed to provide for the safe and efficient circulation of vehicular traffic through the use of a roundabout. Accessible parking has also been provided in accordance with the District Plan standards.
15.1.4.1 That the traffic effects of activities be evaluated in making decisions on resource consent applications.	RC 2130047 approved up to 168 traffic movements per day based on a maximum capacity of 84 persons. Although additional buildings will be added to the site, the maximum capacity will not increase as a result. It can therefore be assumed that the level of traffic generation will remain the same as RC 2130047. NZTA have been involved in designing the access and have expressed no requirement for an assessment to be undertaken by a traffic engineer

15.1.4.2 That the need to protect features of the natural and built environment be recognised in the provision of parking spaces.	The carpark area will be located in an area which currently consists of grass and gravel. No vegetation clearance is required in order to construct the carpark.
15.1.4.3 That parking spaces be provided at a location and scale which enables the efficient use of parking spaces and handling of traffic generation by the adjacent roading network.	Based on a maximum capacity of 84 persons, 21 parking spaces plus two accessible parking spaces will be provided in accordance with the permitted standards required by Appendix 3C. Although the TIF activity is non-complying, the actual level of traffic generation will be far less than the TIF threshold largely owing to the site being visited by prior arrangement only i.e., not open to general public, and visitors primarily travelling to the site via shared transport e.g. by bus or van.
15.1.4.4 That existing parking spaces are retained or replaced with equal or better capacity where appropriate, so as to ensure the orderly movement and control of traffic.	There are currently no dedicated parking spaces which have been formed to Council's Engineering Standards.
15.1.4.5 That appropriate loading spaces be provided for commercial and industrial activities to assist with the pick-up and delivery of goods.	The site is not commercial or industrial, but there is sufficient space for loading.
15.1.4.6 That the number, size, gradient and placement of vehicle access points be regulated to assist traffic safety and control, taking into consideration the requirements of both the New Zealand Transport Agency and the Far North District Council.	As indicated earlier, NZTA have been consulted with and the proposed parking and access has been designed in accordance with their recommendations.
15.1.4.7 That the needs and effects of cycle and pedestrian traffic be taken into account in assessing development proposals.	The site is privately owned and will not be frequented by the general public. Pedestrian access has been provided for.
15.1.4.8 That alternative options be considered to meeting parking requirements where this is deemed appropriate by the Far North District Council.	Not applicable, parking requirements are able to be met within the site.

9.2 Objectives and Policies Conclusion

Based on the above assessment, it is considered that the proposed development is not contrary to all relevant objectives and policies.

9.3 Northland Regional Policy Statement

Table 13: Northland Regional Policy Statement Objectives & Policies Assessment

Objective / Policy	Comment
Integrated Catchment Management	Not relevant
Region Wide Water Quality	Not relevant

Ecological Flows and Water Quality	Not relevant
Indigenous Ecosystems & Biodiversity	There are no SNAs on the site.
<p>Enabling Economic Wellbeing</p> <p><i>Northland's natural and physical resources are sustainably managed in a way that is attractive for business and investment that will improve the economic wellbeing of Northland and its communities.</i></p>	<p>Comment: The proposal allows for the development on land in a sustainable manner, promoting social and economic development in Te Tai Tokerau in a manner which is socially and culturally responsive and appropriate. The proposal will provide numerous jobs to the Te Tai Tokerau area through cultural tourism, waka building and related Toi Māori, education, hosting meetings and events, and environmental restoration.</p> <p>The proposal will generate economic wellbeing and employment for Māori in Taipa and environs.</p>
<p>Economic Activities – reverse sensitivity and sterilization</p> <p><i>The viability of land and activities important for Northland's economy is protected from the negative impacts of new subdivision, use and development, with particular emphasis on either:</i></p> <p><i>(a) Reverse sensitivity for existing:</i></p> <p><i>(i) Primary production activities;</i></p> <p><i>(ii) Industrial and commercial activities;</i></p> <p><i>(iii) Mining; or</i></p> <p><i>(iv) Existing or planned regionally significant infrastructure; or</i></p> <p><i>(b) Sterilisation of:</i></p> <p><i>(i) Land with regionally significant mineral resources; or</i></p> <p><i>(ii) Land which is likely to be used for regionally significant infrastructure.</i></p>	<p>Comment: The Okokori B Block has been highly modified over a long period of time and is already being used for residential purposes and educational/cultural activities, the latter consented by RC 2120315 and RC 2130047. As such, the proposal will be building on existing activities on site. As previously stated, the proposed development has been designed in a manner which is environmentally sensitive and will not promote land sterilisation. In fact, the long-term vision of the development is to enhance the environment through the restoration of the wetlands/vegetative areas on site. The nursery on site has already produced 7,500 native plants using eco-sourced plants which are transplanted to various areas on the site.</p>
Regionally Significant Infrastructure	The proposal does not impact any regionally significant infrastructure.
Efficient and Effective Infrastructure	Not applicable
Security of Energy Supply	Power is already provided to the boundary of the site. Internal to the site, it is served by solar power with diesel backup.
Use and Allocation of Common Resources	Not relevant.
Regional Form	Given the location of the site, the design guidelines are not overly relevant to the proposal. Cumulative effects are minimal as the Whare Wānanga and Whare Whakairo/Waka buildings are already existing (as approved by RC 2120315 and RC 2130047),

	<p>and the completion of the next stages of the Kupe Waka Centre will not increase the maximum capacity of the site, nor will the traffic intensity exceed that approved by RC 2130047. There are no known reverse sensitivity or land use incompatibility issues. The sense of place and character of the site and surrounds will not change dramatically as a result of the proposed development, largely owing to the site being subject to a number of educational and cultural activities. In terms of infrastructure, site access will be upgraded to Council and NZTA standards and the site will be self-sufficient in terms of water and energy supply and sewage treatment. The proposal does not result in any reverse sensitivity effects, or a change in character or sense of place</p>
Tangata Whenua Role in Decision Making	<p>A CEA has been prepared to assist in this matter.</p> <p>The resource consent issued by the NRC already includes consultation with tangata whenua in its process. Several members of Arawai Limited, Te Taitokerau Tarai Waka Inc and the Hekenukumai Ngā Iwi Trust who play a significant role in the development and operation of the Waka Centre are of Ngāti Tara descent and therefore hold mana whenua status.</p>
Natural Hazard Risk	<p>As indicated earlier, the only natural hazard likely to affect the property in the reasonably foreseeable future is coastal hazards. NRC's indicative hazard maps show that all buildings will be located outside of the coastal hazards areas.</p>
Natural Character, Outstanding Natural Features, Outstanding Natural Landscapes and Historic Heritage	<p>As determined in the assessment of environmental effects, the natural character and amenity of the site will be continue to be maintained through careful selection of building locations where all buildings will be largely screened by existing mature vegetation and the natural topography of the site. No vegetation clearance is required as part of this application and wastewater and stormwater will be disposed of appropriately so as to avoid any adverse effects on the water quality of the Awapoko River.</p>

Having considered the relevant components of the RPS, it is concluded that the proposal is not inconsistent with the relevant objectives and policies.

9.4 National Policy Statements & Plans

In terms of NPS' and NES' the following is provided:

- With respect to the National Environmental Standard – Soil Contamination, there is no record or evidence of activities occurring on the site that are on the HAIL. There are no consents required under this NES.
- The site is Coastal as per the Regional Policy Statement and therefore the New Zealand Coastal Policy Statement is relevant. The assessment is provided below.
- The site has no wetlands attributed to it as defined in various planning documents. The NPS for Freshwater Management is not considered relevant.
- Whilst the site contains Class 4 soils, the site is zoned General Coastal under the ODP and therefore the NPS Highly Productive Land does not apply.
- The NPS for Indigenous Biodiversity has recently become operative. This proposal is on land that is highly modified from past activities and no significant indigenous values are present on the site.

9.5 New Zealand Coastal Policy Statement 2010

The New Zealand Coastal Policy Statement 2010 [NZCPS 2010] contains objectives and policies designed to achieve the sustainable management purpose of the Resource Management Act in respect of New Zealand's coastal environment.

Policy 2 of the NZCPS is particularly relevant to the proposal as it clearly recognises and provides for the traditional and continuing cultural relationships that Māori have with the coastal environment, particularly Policy 2: The Treaty of Waitangi, tangata whenua and Māori. Given the proposed development promotes the survival of Kaupapa waka and celebrates the ongoing tie that Māori have to the sea, it is considered that the proposed development is consistent with this policy.

Policy 6 is also relevant to the proposed development, particularly the following:

1(a) Recognise that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals are activities important to the social, economic and cultural well-being of people and communities;

Comment: With a long history of occupation and various cultural activities, Okokori B Block has always been self-sufficient in terms of access, water supply, wastewater/stormwater disposal,

and electricity supply. The proposed development will strengthen this self-sufficiency through upgrading access, increasing the capacity of the current wastewater system and powering the KWC through the installation of solar panels on the roof of the Whare Waka and at the Putanga, Kohanga and Taupuni. This is a functional need for the KWC to operate effectively, primarily due to the site being so isolated and not serviced by any public reticulation services.

1(c) encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth;

Comment: The proposed building locations have been specifically selected to be in proximity to existing development on site. This will help to promote consolidation and integration of all buildings on the 115.8ha Okokori B Block.

1(d) recognise tangata whenua needs for papakāinga, marae and associated developments and make appropriate provision for them;

Comment: While the KWC is not a papakainga or a marae, it is a development strongly associated with cultural activities that will benefit tangata whenua as well as other cultures. Te Tai Tokerau Tārai Waka Inc the waka building and voyaging society is open to all New Zealanders. It does not have a membership fee to ensure access to all irrespective of circumstances.

1(i) set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment;

Comment: As determined in the assessment of environmental effects, the proposed development has been designed so as to protect the natural character of the site, maintain ample open space, and protect/enhance amenity values of the coastal environment.

2(c) recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places;

Comment: As previously discussed, the KWC has a functional need to be located near the CMA given the purpose of kaupapa waka. Therefore, there shall be provision for easy access to the CMA for the launching of waka and also to maintain the ongoing tie of the Māori culture to the

sea.

As determined in the assessment of environmental effects, the natural character and amenity of the site will be maintained through careful selection of building locations where all buildings will be largely screened by existing mature vegetation and the natural topography of the site. No vegetation clearance is required as part of this application and wastewater and stormwater will be disposed of appropriately so as to avoid any adverse effects on the water quality of the Awapoko River

It is relevant to this application to the extent that the lower order regional and district plans must give effect to the NZPCS where any subdivision, use or development of land or coastal areas involving the coastal environment is proposed.

The size and scale of the proposal (and its location outside of any protected landscapes or ecological areas). The proposal is not inconsistent with the aims and intent of the NZCPS.

9.6 The Proposed District Plan

Table 14: PDP Rural Production Zone Objectives and Policies

Objectives	Assessment
RPROZ-O1 - The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.	In theory, the proposal will decrease some of the available land for rural productive purposes but the land is not geared for this use in any event and would greatly reduce the native vegetation on the site. The concentration of the development will ensure minimal productive land (if any) is lost and the remainder of the site could be utilized (unlikely) for productive purposes.
RPROZ-O2 - The Rural Production zone is used for primary production activities, ancillary activities that support primary production and other compatible activities that have a functional need to be in a rural environment.	Refer above to PRROZ-01.

<p>RPROZ-O3 - Land use and subdivision in the Rural Production zone:</p> <ol style="list-style-type: none"> protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production; protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation; does not compromise the use of land for farming activities, particularly on highly productive land; does not exacerbate any natural hazards; and is able to be serviced by on-site infrastructure. 	<p>The proposed development is not on highly productive land and requires no subdivision. The remainder of the site will continue to be used for rural production and conservation purposes and is owned by the Hekenukumai Ngā Iwi Trust (the Trust which is a 50% shareholder in Arawai Ltd, the applicant) leases the Reserve and the Operational Area to Arawai. This, along with the other proposed mitigation measures will ensure reverse sensitivity is avoided. The remainder of the site will continue to be utilised for productive activities.</p> <p>Natural hazards are not known to affect the development site. The necessary infrastructure to support this development is proposed.</p>
RPROZ-O4 - The rural character and amenity associated with a rural working environment is maintained.	The proposal is designed to fit with the existing rural character associated with the site.
Policy	Assessment
RPROZ-P1 - Enable primary production activities, provided they internalise adverse effects onsite where practicable, while recognising that typical adverse effects associated with primary production should be anticipated and accepted within the Rural Production zone.	The proposed development does not relate to primary production.
<p>RPROZ-P2 - Ensure the Rural Production zone provides for activities that require a rural location by:</p> <ol style="list-style-type: none"> enabling primary production activities as the predominant land use; enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce retail, visitor accommodation and home businesses. 	The proposed Waka Centre Development is considered to be compatible with the existing rural environment given the proposed design and associated mitigation measures.
RPROZ-P3 - Manage the establishment, design and location of new sensitive activities and other non-productive activities in the Rural Production Zone to avoid where possible, or otherwise mitigate, reverse sensitivity effects on primary production activities.	The proposal is considered to implement this policy through the design and associated mitigation measures incorporated into the development.
<p>RPROZ-P4 - Land use and subdivision activities are undertaken in a manner that maintains or enhances the rural character and amenity of the Rural Production zone, which includes:</p> <ol style="list-style-type: none"> a predominance of primary production activities; low density development with generally low site coverage of buildings or structures; typical adverse effects such as odour, noise and dust associated with a rural working 	<p>The proposed development can meet most of the permitted standards associated with the rural production zone. The concentration of development within one area of the site is considered advantageous given the remainder of the site can continue to be utilised for rural production activities.</p> <p>The development will be designed to maintain the existing rural character associated with the site.</p>

<p>environment; and</p> <p>d. a diverse range of rural environments, rural character and amenity values throughout the District.</p>	
<p>RPROZ-P5 - Avoid land use that:</p> <p>a. is incompatible with the purpose, character and amenity of the Rural Production zone;</p> <p>b. does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone;</p> <p>c. would result in the loss of productive capacity of highly productive land;</p> <p>d. would exacerbate natural hazards; and</p> <p>e. cannot provide appropriate on- site infrastructure.</p>	<p>The proposal is considered to be compatible with the character, and amenity of the rural production zone. It has a functional need to be located on this site, given the size of the proposal and the land holding owned by the applicant and its people. The soil is not considered highly productive. And onsite- infrastructure can be provided while exacerbation of natural hazards is avoided.</p>
<p>RPROZ-P6 - Avoid subdivision that:</p> <p>a. results in the loss of highly productive land for use by farming activities;</p> <p>b. fragments land into parcel sizes that are no longer able to support farming activities, taking into account:</p> <p style="padding-left: 40px;">I. the type of farming proposed; and</p> <p style="padding-left: 40px;">II. whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land.</p> <p>c. provides for rural lifestyle living unless there is an environmental benefit.</p>	<p>The proposal does not relate to subdivision.</p>

<p>RPROZ-P7 - Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</p> <ul style="list-style-type: none"> a. whether the proposal will increase production potential in the zone; b. whether the activity relies on the productive nature of the soil; c. consistency with the scale and character of the rural environment; d. location, scale and design of buildings or structures; e. for subdivision or non-primary production activities: <ul style="list-style-type: none"> i. scale and compatibility with rural activities; ii. potential reverse sensitivity effects on primary production activities and existing infrastructure; iii. the potential for loss of highly productive land, land sterilisation or fragmentation f. at zone interfaces: <ul style="list-style-type: none"> I. any setbacks, fencing, screening or landscaping required to address potential conflicts; II. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable; g. the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer; h. the adequacy of roading infrastructure to service the proposed activity; i. Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity; j. Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6. 	<p>The matters specified in this policy are considered to be adequately addressed within the application.</p>
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Table 15: PDP Coastal Environment Objectives & Policies Assessment

Objective	Policy
CE-O1 Identify the extent of the coastal environment as well as areas of high and outstanding natural character using the assessment criteria in APP1- Mapping methods and criteria.	The site is within the Coastal Environment.
CE-O2 Avoid adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment identified as: outstanding natural character. ONL. ONF.	The site contains some of these features but all development is located outside of it or as assessment has shown is consistent with the characteristics and qualities which make the places 'outstanding'.
CE-O3 - Land use and subdivision in the coastal environment within urban zones is of a scale that is consistent with existing built development	Not applicable.
Policies	Assessment
CE-P1 Identify the extent of the coastal environment as well as areas of high and outstanding natural character using the assessment criteria in APP1- Mapping methods and criteria.	Not applicable
CE-P2 Avoid adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment identified as: a. outstanding natural character. b. ONL. c. ONF.	The site contains some of these features but all development is located outside of it or as assessment has shown is consistent with the characteristics and qualities which make the places 'outstanding'.
CE-P3 Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment not identified as: a. outstanding natural character. b. ONL. c. ONF.	The site contains some of these features but all development is located outside of it or as assessment has shown is consistent with the characteristics and qualities which make the places 'outstanding'.
CE-P4 Preserve the visual qualities, character and integrity of the coastal environment by: a. consolidating land use and subdivision around existing urban centres and b. rural settlements; and c. avoiding sprawl or sporadic patterns of development	The proposal is consistent with this Policy as the development is clustered around existing use.
CE-P5 Enable land use and subdivision in urban zones within the coastal environment where: (a)there is adequacy and capacity of available or programmed development infrastructure; and (b)the use is consistent with and does not compromise the characteristics and qualities.	The proposal is not in an urban zone.
CE-P6 Enable farming activities within the coastal environment where: (a)the use forms part of the values that established natural character of the coastal	Not applicable.

environment; or (b)the use is consistent with and does not compromise the characteristics and qualities.	
CE-P7 Provide for the use of Māori Purpose zoned land and Treaty Settlement land in the coastal environment where: (a)the use is consistent with the ancestral use of that land; and (b)the use does not compromise any identified characteristics and qualities	Not applicable
CE-P8 Encourage the restoration and enhancement of the natural character of the coastal environment.	Not applicable
CE-P9 Prohibit land use and subdivision that would result in any loss and/or destruction of the characteristics and qualities in outstanding natural character areas.	Not applicable.
CE-P10 Manage land use and subdivision to preserve and protect the natural character of the coastal environment, and to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application: (a)the presence or absence of buildings, structures or infrastructure. (b)the temporary or permanent nature of any adverse effects. (c)the location, scale and design of any proposed development. (d)any means of integrating the building, structure or activity. (e)the ability of the environment to absorb change. (f)the need for and location of earthworks or vegetation clearance. (g)the operational or functional need of any regionally significant infrastructure to be sited in the particular location. (h)any viable alternative locations for the activity or development. (i)any historical, spiritual or cultural association (j)held by tangata whenua, with regard to the matters set out in Policy TW-P6. (k)the likelihood of the activity exacerbating natural hazards. (l)the opportunity to enhance public access and recreation. (m)the ability to improve the overall quality of coastal waters; and (n)any positive contribution the development has on the characteristics and qualities	The AEE above provides a consideration of all of these matters and are not repeated here.

Table 16: PDP Sites and Areas of Significance to Māori Objectives & Policies Assessment

Objective	Policy
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SASM-O1 Sites and areas of significance to Māori are identified, recognised and managed, to ensure their long-term protection for future generations.	The site has been erroneously included on the Schedule MS05-38. Both Council assessment and the CEA concludes there is no such site of significance of concern.
SASM-O2 The relationship of tangata whenua with sites and areas of significance to Māori is recognised and provided for, to ensure its protection for future generations.	<p>The proposal has no effect on recognised sites of significance to Maori. The CEA finds that the Site of Significance overlay across the site is in error.</p> <p>This aligns with the findings of FNDC itself on the matter.</p> <p>The organisations undertaking the development were established by Sir Hekenukumai and include people belonging to the local hapū and Iwi among the Board, Trust and Committee members.</p> <p>It is the activities of kaupapa waka on the site which over the last 40 years have created the significance for tangata whenua and all other New Zealanders.</p>
SASM-O3 - Sites and areas of significance to Māori are protected from inappropriate subdivision, use and development.	The proposal is considered appropriate because expert assessment concludes that the site should not have been scheduled as such a site of significance. Through cultural assessment, the effects are considered to be less than minor.
SASM-O4 Sites and areas of significance to Māori are known to, appreciated by, and acknowledged as important to, the wider community	<p>The Waka Centre is the national centre for traditional wayfinding. The cultural tourism and cultural awareness programmes to be run at the Waka Centre will increase the appreciation of the wider community of a key part of the history of Aotearoa New Zealand</p> <p>The site of significance as identified by FNDC planning is not of concern as evidenced by the CEA and FNDC's own reporting.</p>
SASM-O5 Te Oneroa-a-Tōhe is recognised as a culturally significant landscape and protected from inappropriate use and development for present and future generations.	Not applicable
Policies	Assessment
SASM-P1 Identify sites and areas of significance to Māori in collaboration with tangata whenua, and assess their significance using the criteria in policy 4.5.3 of the Northland Regional Policy Statement 2016	Not applicable.
<p>SASM-P2 Protect sites and areas of significance to Māori by:</p> <p>a. ensuring that tangata whenua can actively participate in resource management processes which involve sites and areas of significance to Māori including those identified in Schedule 3 - Sites and areas of significance to Māori;</p>	<p>a) This is the role of FNDC.</p> <p>b) A Cultural Effects Assessment is provided within this application.</p> <p>c) This is contained within the CEA and the activity itself embodies this matter.</p> <p>d) As per c)</p> <p>e) There are no such localised plans of</p>

<p>b. requiring cultural impact assessments for activities likely to result in adverse effects on scheduled sites and areas of significance to Māori;</p> <p>c. recognition of the holistic nature of the Māori worldview and the exercise of kaitiakitanga;</p> <p>d. acknowledging matauranga Māori;</p> <p>e. having regard to Iwi/Hapū environmental management plans; and</p> <p>f. restricting activities that compromise important spiritual and cultural values held by tangata whenua and/or the wider community.</p>	<p>relevance.</p> <p>f) There are no such activities proposed.</p>
<p>SASM-P3 Recognise the relationship that tangata whenua have with sites and areas of significance to Māori, as the party that requested scheduling.</p>	<p>The consultation record contained within <u>Appendix N</u> provides a thorough outline of the attempts to consult with the requesting party.</p> <p>The CEA has considered the relationship between tangata whenua and the land and concludes the land in which the activity is located is not a site of significance.</p>
<p>SASM-P4 Consider the following when assessing applications for land use and subdivision that may result in adverse effects on the relationship of tangata whenua with sites and areas of significance to Māori:</p> <p>a. the outcomes of consultation undertaken with iwi, hapū or marae that has an association to the site or area;</p> <p>b. whether a cultural impact assessment has been undertaken by a suitably qualified person who is acknowledged/endorsed by the iwi, hapū or relevant marae, and any recommended conditions and/or monitoring to achieve desired outcomes;</p> <p>c. any iwi/hapū environmental management plans lodged with Council;</p> <p>d. that tangata whenua are specialists in the tikanga of their hapū or iwi, including when preparing or undertaking a cultural impact assessment; and</p> <p>e. any protection, preservation or enhancement proposed</p>	<p>a) Refer to <u>Appendix N</u>. Also refer to the CEA.</p> <p>b) A CEA has been completed with these conditions achieved.</p> <p>c) There are no such localised plans of relevance.</p> <p>d) Noted and this is provided within the CEA.</p> <p>e) Refer to the CEA. Some recommendations are proposed. Some are close to being completed or already completed as part of the development.</p>
<p>SASM-P5 Support land owners to manage, maintain and preserve sites and areas of significance to Māori by:</p> <p>a. increasing awareness, understanding and appreciation within the community of the presence and importance of sites and areas of significance to Māori;</p> <p>b. encouraging land owners to engage with marae, whanau, hapū and iwi to develop positive working relationships in regard to the on-going management and/or protection of sites and areas of significance to Māori;</p> <p>c. providing assistance to land owners to preserve, maintain and enhance sites and areas of significance to Māori; and</p> <p>d. promoting the use of matauranga Māori, tikanga</p>	<p>a) A CEA has been drafted to further understand the site and surrounds. The site is confirmed to not be one of significance.</p> <p>b) This has been attempted with a CEA developed noting that the site is not of significance.</p> <p>c) N/A</p> <p>d) This is already engrained in the activity.</p>

and kaitiakitanga, in collaboration with tangata whenua, to manage, maintain and preserve sites and areas of significance to Māori.	
<p>SASM-P6 Promote the provision or development of access for tangata whenua to sites and areas of significance to Māori through:</p> <ul style="list-style-type: none"> a. formal arrangements, such as co-management, joint management or relationship agreement, easements and land covenants, and access arrangements; and b. informal arrangements or understandings between land owners and tangata whenua. 	<ul style="list-style-type: none"> a) This is not promoted as the site is not one with any particular significance. b) Not promoted as per a) above.
<p>SASM-P7 Protect and preserve the culturally significant landscape of Te Oneroa-a-Tōhe/Ninety Mile Beach, from inappropriate land use, subdivision and development by:</p> <ul style="list-style-type: none"> a. identifying the Te Oneroa-a-Tōhe Beach Management Area on planning maps; b. recognising and providing for the spiritual, cultural and historical relationship of Te Hiku o Te Ika Iwi/Hapū with the beach; c. requiring that resource consent applications within or adjacent to the Te Oneroa-a-Tōhe Beach Management Area: <ul style="list-style-type: none"> I. demonstrate that they have had regard to Te Rautaki o Te Oneroa-a-Tōhe/ Te Oneroa-a-Tōhe Beach Management Plan; II. provide an assessment of consistency with the vision, objectives and desired outcomes outlined in the Beach Management Plan; III. provide an assessment of effects on Te Oneroa-a-Tōhe; and IV. provide, where relevant, evidence of outcomes of consultation with and/or cultural advice provided by tangata whenua, including Te Hiku o Te Ika Iwi/Hapū or Te Oneroa-a-Tōhe Board. d. considering the Te Oneroa-a-Tōhe Board as an affected person for any activity where the adverse effects on Te Oneroa-a-Tōhe are considered minor or more than minor. 	Not applicable
<p>SASM-P8</p> <p>Manage land use and subdivision involving sites and areas of significance to Māori to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</p> <ul style="list-style-type: none"> a. the particular cultural, spiritual and/or historical values, interests or associations of importance to tangata whenua that are associated with the site which may be affected; b. the extent to which the activity may compromise the relationship tangata whenua have with their ancestral lands, water, sites, wāhi tapu and other 	<ul style="list-style-type: none"> a) These are assessed in the CEA. b) Assessed in the CEA which concludes that effects are less than minor. c) The managers, developers and caretakers of the proposal are considered kaitiaki of the site and the kaupapa waka. d) This is engrained within the activity insofar as kupapa waka is concerned. e) Refer to <u>Appendix N</u> and the CEA. f) The development area has no archaeology.

<p>taonga, and/or the ability to protect, maintain or enhance sites and areas of significance to tangata whenua;</p> <p>c. the responsibility of tangata whenua as kaitiaki;</p> <p>d. opportunities for the relationship of tangata whenua with the site or area to be maintained or strengthened on an ongoing or long term basis, including practical mechanisms to access, use and maintain the identified site;</p> <p>e. the outcomes of any consultation with and/or cultural advice provided by tangata whenua, in particular with respect to mitigation measures and/or the incorporation of mātauranga Māori principles into the design, development and/or operation of activities that may affect the site; and</p> <p>f. where the site is also an archaeological site, the relevant objectives and policies in the Historic Heritage chapter</p>	
<p>SASM-P9 Encourage protection, maintenance and restoration of scheduled sites and areas of significance to Māori, including consideration of the following additional measures:</p> <p>Reducing or waiving consent applications costs; providing funding, grants and other incentives; and obtaining, recording and sharing information about sites and areas of significance to Māori</p>	Not relevant

9.6 Proposed Far North District Plan Objectives & Policies & Weighting

Section 88A (2) provides that “any plan or proposed plan which exists when the application is considered must be had regard to in accordance with section 104(1)(b).” This requires applications to be assessed under both the operative and proposed objective and policy frameworks from the date of notification of the proposed district plan.

In the event of differing directives between objective and policy frameworks, it is well established by case law that the weight to be given to a proposed district plan depends on what stage the relevant provisions have reached, the weight generally being greater as a proposed plan move through the notification and hearing process. In *Keystone Ridge Ltd v Auckland City Council*³, the High Court held that the extent to which the provisions of a proposed plan are relevant should be considered on a case-by-case basis and might include:

- The extent (if any) to which the proposed measure might have been exposed to testing and independent decision making.
- Circumstances of injustice; and
- The extent to which a new measure, or the absence of one, might implement a coherent

pattern of objectives and policies in a plan.

In my view the PDP has not gone through the sufficient process to allow a considered view of the objectives and policies for the Rural Production Zone with the Coastal Environment overlay along with the area of significance to Māori, however this has been provided.

The assessment of the relevant objectives and policies from the ODP and the PDP has concluded these can be met by the proposal.

10 PART 2 ASSESSMENT

In achieving the purpose of the Act, a range of matters are required to be recognised and provided for. This includes:

- a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
- c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
- f) the protection of historic heritage from inappropriate subdivision, use, and development:
- g) the protection of protected customary rights:

- h) the management of significant risks from natural hazards.

In context, the relevant items to the proposal have been recognised and provided for in the design of the development.

10.3 Section 7 - Other Matters

In achieving the purpose of the Act, a range of matters are to be given particular regard. This includes:

- (a) Kaitiakitanga
 - (aa) the ethic of stewardship
- (c)(ba) the efficiency of the end use of energy
- (c) the maintenance and enhancement of amenity values
- (d) intrinsic values of ecosystems
- (e) repealed
- (f) Maintenance and enhancement of the quality of the environment
- (g) any finite characteristics of natural and physical resources
- (h) the protection of the habitat of trout and salmon:
 - (i) the effects of climate change:
 - (j) the benefits to be derived from the use and development of renewable energy

10.4 Section 8 – Treaty of Waitangi

The Far North District Council is required to take into account the principles of the Treaty of Waitangi when processing this consent.

10.5 Part 2 Conclusion

Given the above, it is considered that the proposal meets the purpose of the Act.

The application lodged for Arawai Limited at the Okokori B Block provides for the completion of the Whare Whetū of the Sir Hek Busby Kupe Waka Centre (KWC).

It is respectfully requested that all draft resource consent conditions be sent to the agent for review prior to the issue of a decision.

Based on the above report it is considered that:

- Public notification is precluded as the effects are less than minor;
- Limited notification is not required as any potential adverse effects are considered to

be less than minor, and some of the affected parties have provided written approval.

Where written approval is not provided this is because the effects are considered less than minor on certain parties by way of technical assessment and opinion.

- The proposal accords with the relevant objectives and policies of the RPS, and the FNDC District Plan; and
- The proposal is considered to be consistent with Part 2 of the Act.

It is therefore concluded that the proposal satisfies all matters the consent authority is required to assess, and that the application for resource consent can be granted on a non-notified basis. provisions. Accordingly, it is considered that the proposal will not offend the general resource management principles set out in Part 2 of the Act.

AUTHOR

Steven Sanson

Consultant Planner



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R.W. Muir
Registrar-General
of Land

Identifier **NA46C/958**
Land Registration District **North Auckland**
Date Issued 29 July 1980

Prior References
NA46C/957

Estate Fee Simple
Area 115.8000 hectares more or less
Legal Description Okokori B Block
Registered Owners
Hector Busby

Interests

Appurtenant hereto is a right of way created by Transfer 572290.1

D534038.1 Notice pursuant to Section 94C Transit New Zealand Act 1989 declaring the adjoining State Highway 10 to be a limited access road - 21.8.2000 at 2.05 pm

D539232.1 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 7.9.2000 at 1.31 pm

9520362.2 Gazette Notice 2013 page 3089 setting apart part Okokori B Block (2.1000 ha) herein as a Maori reservation for the purpose of Whare Wananga for kaupapa waka, to be known as Te Awapoko Waka Whananga Reserve for the benefit of the trustees for the time being of the Hekenukumai Nga Iwi Trust - 20.9.2013 at 7:00 am

9520362.3 Trustee Order vesting part Okokori B Block (2.1000 ha - Maori Reservation in Gazette Notice 9520362.2) in Hekenukumai Busby, Charles Peter Wilson, Robert Gabel and Stanley Sedman Conrad as responsible trustees jointly - 20.9.2013 at 7:00 am

10886667.1 Status Order determining the status of the within land to be Maori Freehold Land - 24.8.2017 at 2:04 pm



Report on Maori Land details for the following Record(s) of Title

Toitu te
Land whenua
Information
New Zealand



Record(s) of Title

NA46C/958

Identified as potentially Maori Freehold Land

*** End of Report ***

Decision following the hearing of an application for resource consent under the Resource Management Act 1991

Proposal

“To complete the next stages of the Sir Hek Busby Waka Centre development located on the Ōkokori B Block. This involves relocating three newly constructed buildings to the site, the extension of the existing Whare Whakairo building, (RC 2120315) and the construction of a small Wharepaku block. The application also seeks to take up previously approved rights of RC 2130047 which allowed for the construction of the existing Whare Wananga building.”¹

This resource consent is **REFUSED**. The reasons are set out below.

Application number:	2300463-RMALUC
Site address:	4554 State Highway 10, Aurere, Karikari Peninsula. Legally described as Ōkokori B Block IX Rangaunu SD. Site area 115.8 ha.
Applicant:	Arawai Limited by its agent Tohu Consulting Limited (Nina Pivac), 127 Commerce Street, Kaitaia.
Virtual hearing commenced:	10 February 2022
Hearing commissioner:	Alan Watson
Appearances:	<p><u>Applicant</u> Peter Phillips, Managing Director Arawai and Project Manager for proposal Nina Pivac, planner Buddy Mikaere, cultural advisor Stanley Conrad, Director Arawai John Panoho, Director Arawai and site supervisor</p> <p><u>Submitters</u> Kristin Ross Milton Ross Delia Balle, Kiriwi Whanau o Ōkokori Callie Corrigan</p> <p>Other submitters were in attendance as observers and not presenting.</p>

¹ Application for Resource Consent dated 4 March 2021.

	<p><u>For Far North District Council:</u> Patrick Killalea, Principal Planner Simeon McLean, consultant and reporting planner Patrick Smith, Te Hono Didi Paraone, Hearings Administrator Brooke Taylor, Hearings Administrator</p> <p>Others for the Council that were not in attendance but provided evidence or reports were Hendrik De Wet (Engineering), Han-Dieter Bader (Archaeology) and Neil Douglas (Roading Engineer).</p>
Commissioners' site visits:	11 February 2022
Hearing closed:	22 February 2022 following the receipt from the applicant of a copy of the Development Plan referred to by Mr Phillips during the hearing. Also having received a written translation of the address in Te Reo given by Mr Conrad during the hearing.

Introduction

1. This decision is made on behalf of the Far North District Council (**the Council**) by independent hearing commissioner Alan Watson appointed by the Council and acting under delegated authority in accordance with sections 34 and 34A of the Resource Management Act 1991 (**the RMA**).
2. This decision contains the findings from my deliberations on the application for resource consent and has been prepared in accordance with section 113 of the RMA.
3. The application was supported by written approvals from:
 - Department of Conservation
 - Waka Kotahi/NZ Transport Agency
 - Heritage New Zealand Pouhere Taonga
 - Larry Joseph Matthews and Fiona Mary Matthews, 37 Aurere Beach Road.
4. The application was the subject of limited notification following which the Council received 6 submissions in opposition.

The proposal

5. The proposal is to complete the next stages of the Sir Hek Busby Waka Centre development located on the Ōkokori B Block. This involves relocating three newly constructed buildings to the site, the extension of the existing Whare Whakairo building, and the construction of a small Wharepaku block.

6. The application also seeks to take up previously approved rights of RC 2130047 which allowed for the construction of the existing Whare Wananga building. I note this is reference to the access upgrades which were never completed at the time the Wananga Waka building was constructed. The reporting planner has stated that part of that earlier consent (RC 2130047) lapsed in 2019.
7. The application includes four new buildings:
 - The construction of a 132m² Whare Whetu building which will house a virtual reality experience on navigation and waka sailing and provide a meeting room space.
 - The construction of a 110m² Taupaepae at the entrance to the centre where groups will assemble before being welcomed onto the site.
 - The construction of a 110m² Putanga which will be the final stop along the guided tour, where customers can buy local crafts and merchandise and where the main office is located.
 - The construction of a small 7m² Wharepaku (toilet block) for visitors use when they arrive on the site.
8. The existing Whare Whakairo will be altered to include a waka shelter which will extend to a new storage shed. This alteration including the new storage shed will increase the size of the building area from 144m² to 466m². This building will also host a roof top solar power system and generator.
9. The upgrading of State Highway 10 Crossing CP95 including the sealing of the access, widening to provide space for two coaches on entry and exit from the site and vegetation clearance to improve sightlines at the entrance. The upgrading of the existing access to accommodate traffic to the site including rehabilitating the existing surfaced area and the installation of passing bays at 125m intervals along the access. The construction of a circular car parking area on the site providing parking for 21 vehicles and a single bus. The circulation route around the car parking area is proposed to be concreted to minimise dust nuisance.
10. The operational capacity of the Whare Wananga is 84 persons. This is consistent with the original approval under RC 2130047 which has since lapsed. The facility is not proposed to be open to the general public but it proposed to be visited by small groups by prior arrangement.
11. It is anticipated that main activities on the site will include:
 - Guided Tours
 - Small Meetings and Conferences
 - School Visits
 - Leadership Programmes
 - Noho Marae (overnight stays)
 - Navigation courses.

12. These activities are expected to have a typical attendance of 12 visitors plus staff and residents on site at any one time.
13. Waka Wananga will be held on site with a maximum of 30 participants in attendance. Up to eight large events are proposed in any given year with more than 12 but less than 100 persons proposed. This is to facilitate celebration of events such as Matariki.
14. I record that in describing the application above, that the application was accompanied by a comprehensive assessment of effects of the proposal on the environment, that having been prepared by Nina Pivac.

The site and locality

15. The site and locality are well described in the s42A report.² In brief, from the report, the site is 115.8ha, known as Ōkokori B Block of which 2.1ha has been designated as a Māori Reserve for the purpose of a Whare Wananga and Kaupapa Waka. The majority of the Kupe Waka Centre is to be located within the Reserve, the exception being the proposed car parking area which will be located outside it but within the Ōkokori B Block. There is a 1.8km metalled access, that includes a right of way, from State Highway 10 (**SH10**) to the development area on the site. The contour of the development area is flat to rolling with no area of the site more than 20m above sea level. That part of the site to be further developed is some 10m above sea level.

The submissions

16. The site includes part of the Rangaunu Wetland area and has the Aurere Stream defining its southern boundary. It is separated from the coast by the Ōkokori A Block. Parts of the site are defined and mapped in the Northland Regional Policy Statement as “High Natural Character” and “Outstanding Natural Character”.
17. As covered in the section 42A RMA report (**s42A report**) for the Council:

“All of the submissions asserted the significance of the site to Tangata Whenua and stated that all of Ōkokori A and B blocks are significant and waahi tapu of Ngāti Tara. The reasons for this significance were:

- a) There are kōiwi (human remains) on site, some have been exhumed but some remain.*
- b) While some cultural sites are identified by Councils and NZ Archaeological Association (NZAA), there are sites whereby their locations have not been disclosed due to their sensitivity and identification may undermine their integrity.*

² Section 42A RMA report, Section 5.0.

- c) *The adjacent waterbody, Aurere and Awapoko, are a culturally significant waterway with the awa being the pataka kai for the iwi and traditionally providing for food harvesting and recreation.*
- d) *The site is the landing place and whenua where the hapu first stayed on arrival in Aotearoa before moving to Parapara. The location is the site of traditional stories held as taonga and passed down from the hapu Tūpuna.*
- e) *One submitter (Milton Ross) states that “The fact that Ōkokori B is not in Ngāti Tara ownership in a Pākehā sense does not remove how culturally significant that area and both blocks as a whole are to us as mana whenua.”*

Effects on the site

The potential effects of the activity on the hapu are outlined in the submissions. These are:

- a) *The construction of buildings on a significant site. The specific effect this will have on the hapu is not made clear in the submissions.*
- b) *The inviting of strangers onto the land while not administered by mana whenua.*
- c) *The dissemination of information about the land by people who do not whakapapa back to Ngāti Tara.*
- d) *The potential for adverse effects on the adjacent waterway through discharges of wastewater and stormwater from the site affecting the integrity and mauri of the system. This point was emphasised with comments on the existing degraded nature of the system because of existing discharges upstream of the site.*
- e) *The submitters refuted claims from the applicant that the proposal being Kaupapa Māori in the form of disseminating information about traditional navigation and Kaupapa Waka addresses potential adverse effects on the significance of the site.*

Other Matters Raised

In addition to the matters above one submitter asserted that the ownership of Ōkokori B was affected illegally by the late Sir Hek Busby. This matter is outside of the scope of this assessment, however, and is not a matter for consideration under the Resource Management Act.

Several submissions mentioned that the owners of Ōkokori A have experienced people trespassing over the boundary from Ōkokori B to access the beach. They raise concern that the development will “informally encourage” people to use Ōkokori A as access instead of the public access to the north and instances of trespassing will increase.”³

³ Section 42A RMA report, paragraphs 7.1 to 7.4 inclusive.

Activity status

18. The site is zoned General Coastal in the Far North District Plan (**District Plan**). The proposal is a non-complying activity in this zone.
19. The site is also listed in the District Plan as being of Cultural Significance to Māori. In that case, *“the requesting party and the relevant iwi authority and the New Zealand Historic Places Trust shall be considered an affected party.”*⁴
20. Heritage New Zealand Pouhere Taonga advised that the recommendation with the archaeological report provided with the application was satisfactory and that the application could be granted subject to an accidental discovery protocol. Its approval as an affected party was therefore considered to have been given, meaning effects on it could be disregarded for the purpose of notification.
21. The previous applications which approved existing development on the site were granted with written approval from Ngāti Tara.⁵ Their approval was not provided for the current proposal. It is stated in the s42A report that:

*“As such the relevant iwi authority and requesting parties were considered to be affected by this application. The effects which led to this determination are impacts on the relationship of Māori to their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga. Specifically, the construction of additional buildings and establishment of a commercial activity on the site.”*⁶
22. The applicant was requested, in a s92 RMA request for further information, to provide a cultural impact assessment (**CIA**) report for the proposal addressing the concerns of adjacent landowners and the local hapu. The applicant declined to provide this assessment/report and instead requested Council proceed to give limited notification to these groups.
23. Apart from the General Coastal zoning, the site is affected by the following notations:
 - Site of cultural significance to Māori MS05-38 – Awapoko Reserve
 - Coastal hazard lines 1 and 2
 - Outstanding Natural Landscape.
24. A resource consent is required for breaches of the following District Plan rules:
 - 10.6.5.1.1 Visual Amenity
 - 10.6.5.1.4 Building Height
 - 12.1.6.1.4 Excavation And/ Or Filling Within An Outstanding Landscape
 - 12.1.6.1.5 Buildings Within Outstanding Landscapes
 - 12.3.6.1.2 Excavation And/ Or Filling in the General Coastal Zone

⁴ District Plan, Rule 12.5.6.2.2.

⁵ Section 42A RMA report, paragraph 2.1.3.

⁶ Ibid, paragraph 2.1.3.

- 12.4.6.1.1 Coastal Hazard 2 Areas
- New Buildings & Additions to Existing Buildings In Coastal Hazard 2 Areas
- 12.5.6.2.2 Activities Which Could Affect Site of Cultural Significance to Māori
- 12.7.6.1.1 Setback from Lakes, Rivers And The Coastal Marine Area
- 12.7.6.1.4 Land-use Involving Discharges of Human Sewage Effluent
- 15.1.6A.2.1 Traffic Intensity
- 15.1.6C.1.1(a) Private Accessway In All Zones
- 15.1.6C.1.3(a) Passing Bays on Private Accessways In All Zones
- 15.1.6C.1.5(c) Vehicle Crossing Standards in Coastal Zones.

The individual activity status for each of these elements of the proposal are detailed in the s42A report at Table 1 and paragraph 6.2 of the report. I note these range from controlled to non-complying activity.

25. Overall, the proposal has been considered as a **non-complying activity**.

Relevant consent history

26. It is relevant to provide the history of consents for the site, as included in the s42A report:

- *“In May of 2012 Resource Consent 2120315 was granted consent on a non-notified basis approving the establishment of Te wananga a Kupe mai Tawhiti. A learning institution dedicated to Kaupapa waka in the Pacific including waka building and carving, non-instrument navigation and sailing). This consent included the construction of the existing whare whakairo (carving house) on the site.*
- *Resource Consent 2130047-RMALUC was granted non-notified in December of 2012 and consented the construction of a building to establish and operate a Wananga Waka (education/training centre and cultural tourism destination based around Kaupapa Waka). The consent included the construction of the Whare Wānanga on the site. The consent holder complied with all conditions of consent with the exception of the access upgrades and the resource consent subsequently lapsed in 2019.*
- *Consent has been granted by Northland Regional Council under AUT.043025.02-AUT.043025.05 for land disturbance and associated works within or in close proximity to a significant natural wetland. This includes a suite of conditions controlling the potential for adverse effects on the wetland, which is the only receiving environment for this work.”*⁷

Relevant statutory provisions considered

27. In accordance with section 104 of the RMA, I have had regard to the relevant statutory provisions including Part 2 and sections 104 and 104D.

Relevant standards, policy statements and plan provisions considered

28. In accordance with section 104(1)(b)(i)-(vi) of the RMA, I have had regard to the relevant standards, policy statements and plan provisions of the following documents:

- Far North District Plan 2009, as updated in 2019.

⁷ Section 42A RMA report, paragraphs 3.2.1 to 3.2.3 inclusive.

- Regional Policy Statement for Northland 2016
- Regional Water and Soil Plan for Northland 2004, as updated in 2016
- New Zealand Coastal Policy Statement 2010
- National Policy Statement for Freshwater Management 2020.

29. There were no other matters that were raised or that I considered to be relevant and reasonably necessary to determine the application in accordance with section 104(1)(c) of the RMA.

Summary of evidence at the hearing

30. The hearing was held by audio/visual means with myself and the Council's administrative officers being at the Council's offices in Kerikeri. The hearing commenced with a karakia by the applicant.

31. The Council consultant planner's recommendation report (the s42A report) by Simeon McLean had been circulated prior to the hearing and taken as read. Mr McLean recommended against the granting of consent for the reasons that:

"The application does not meet the expectations of the Resource Management Act to recognise and provide for the relationship of Māori to their ancestral lands. This is contrary to some objectives and policies of the New Zealand Coastal Policy Statement and the Far North District Plan.

*The notification process has highlighted that the cultural effects of the proposal are uncertain and the Council does not have sufficient information to determine the scale and significance of the effects of the application on tangata whenua."*⁸

32. The evidence presented at the hearing responded to the issues and concerns identified in the s42A report, the application and in the submissions made on the application.

33. I provide below a summary account of the evidence presented at the hearing. The summary does not purport to be an all-embracing account of the hearing proceeding but rather is a summary of what was presented. The key evidence used in making the decision is referenced in the Findings section below.

34. In the usual manner, the evidence of experts had been circulated prior to the hearing. At the hearing I advised the parties that they could present a summary or read their statements in full as they wished. My objective was to ensure they all had the opportunity to say what they wanted and to assist me with the decision I was to make regarding the application.

Applicant

35. **Peter Phillips** spoke to his pre-circulated evidence which included a description of the existing and the proposed activity; comments on the s42A report; on the limited notification of the

⁸ Section 42A RMA report, paragraphs 20.2, 20.3.

application; and, matters raised in the submissions, particularly the consultation. He then provided an overview of the proposal and its benefits.

36. **Nina Pivac** spoke to her pre-circulated evidence in which she pointed out she had prepared the consent application and in evidence included details of the site and consent history, the proposal and the site. Her evidence included a description of the District Plan infringements, an assessment of the effects of the proposal and a review of the submissions. Ms Pivac concluded that resource consent can be granted, subject to appropriate conditions of consent.
37. **Buddy Mikaere** spoke to his pre-circulated evidence in which he noted at the outset his considerable experience in dealing with cultural issues arising from resource consent applications. He addressed the consultation and the non-provision by the applicant of a cultural values assessment. He referred to the earlier (2012) Māori Land Court judgement of Judge Ambler regarding the wahi tapu issue, that is, whether there was such an area on the application site.⁹ He was of the view that there was not, pointing out that declaring large areas such as the site and/or the neighbouring Ōkokori A Block to be wahi tapu would have been too onerous a load on daily life and that these are more usually small and discrete areas. Nor was he of the view that the site was of significance, noting the absence of features which might define what a significant site may be and in addition, the correspondence for the Council that in relation to the application site, this was an error. Mr Mikaere then commented on the s42A report, disagreeing with the recommendation. He concluded with reference to there being a sense of grievance being at the heart of opposition to the proposal, there being no breach of the RMA; and, that the application should be approved.
38. **Stanley Conrad** spoke to his pre-circulated evidence in which he commented on the history of the site development, the educational and training role of the Waka Centre and the key elements of the development that would see the completion of facilities to deliver education and training programmes. Mr Conrad saw the development now sought to be a vital step to ensure the on-going vitality of Kaupapa Waka as well as a significant contribution to the social and economic development of the Far North.
39. **John Panoho** spoke to his pre-circulated evidence in which he discussed the cultural tourism proposed and the environmental restoration that is proposed in the Development Plan for the site. He provided his view on the ownership of the adjacent Ōkokori Block A and on the views of some of the bach owners there before providing rebuttals to statements made in the submissions.

Submitters

40. **Kristin Ross** spoke to her pre-circulated evidence in which she responded to the evidence of Mr Mikaere. Her concerns included what she saw as inappropriate consultation with Ngāti Tara and with related actions of the applicant's advisors in relation to the application. She then criticised statements made by Mr Mikaere in relation to wahi tapu and sites of cultural significance and commented on the earlier judgement of Judge Ambler. Ms Ross's conclusions include reference to the applicant needing to seriously reconsider their approach to Ngāti Tara with the endeavours of building a sound relationship and meaningful recognition of Ngāti Tara as mana whenua and concerns for the adverse cultural, spiritual and physical effects of the proposed development and activity on the whenua and Ngāti Tara.

⁹ Māori Land Court of New Zealand, 50 TTK 9, 50 Taitokerau MB 9, A20070011627, Reserved Judgement of Judge DJ Ambler 26 October 2012.

41. **Milton Ross** spoke to his pre-circulated evidence which responds to the evidence of Mr Panoho for the applicant. He raised concerns at the outset with the time constraints on submitters and detailed his affiliation with Ōkokori. He then proceeded to dispute details of Mr Panoho's evidence. Mr Ross concluded by pointing out the proposed development does not clearly reflect the wishes of Ngāti Tara and concern for what he referred to as not meeting the basic premise of cultural engagement.
42. **Deliah Balle** spoke to her pre-circulated evidence which was provided on behalf of the Kiriwi Whānau o Ōkokori. She responded to statements in the evidence of Mr Phillips as it related to the development, cultural impacts, sites of cultural significance and consultation. Similarly, with respect to the evidence of Ms Pivac as it relates to cultural and spiritual values and to consultation. Ms Balle highlighted concerns with lack of mana whenua consultation and the adverse cultural, spiritual and physical effects of the proposed development and activity on the whenua and Ngāti Tara.
43. **Callie Corrigan** made some comments but was hampered by the limited audio/visual connection available to her and had to rely on supporting the submissions as earlier lodged.

Council

44. **Mr McLean** stated his recommendation that consent not be granted remained, for the reasons set out in the s42A report. He stated that the effects on the relationship between the parties needed to be explored and that without consultation, one could not gain a full understanding of the effects of the proposal.

Right of reply

45. **Mr Phillips** presented the right of reply and called **Mr Conrad** to provide a rebuttal statement. The latter was largely in Te Reo and I and the parties to the hearing were later provided with a translation of it. The reply largely addressed matters raised by the submitters and was to clarify or explain how these were addressed in the application.
46. The hearing was then adjourned, to be closed after the site visit and the receipt of the Development Plan which had been referred to by Mr Phillips, and a translation of the presentation in the closing by Mr Conrad. A karakia completed the proceeding.

Principal issues in contention

47. I have considered the application; reviewed the submissions; reviewed the Council planner's s42A report; considered the evidence from the applicant and from the submitters at the hearing; carried out a site visit; and concluded the hearing process. I find the principal issues in contention in making a decision on the application are:
 - The effects of the proposal on cultural and spiritual matters and the intangible effects the proposal may have on the relationship of iwi to their ancestral lands.
 - The effects of the discharge of wastewater and stormwater from the proposal on waterways, these effects being related to the proximity of the proposed buildings and the wastewater system to the river and the site to the waterway.

- The impact on the provisions of the Far North District Plan, particularly on the objectives and policies that are relevant to the consideration of the application.
- The impact on the provisions of the Far North District Plan, particularly on the General Coastal zone provisions, and the exemptions being sought to a number of the provisions.
- The positive effects of the proposal.

Main findings on the principal issues in contention

The effects of the proposal on cultural and spiritual matters and the intangible effects the proposal may have on the relationship of iwi to their ancestral lands.

48. This issue is undoubtedly the principal consideration with this application, that is, in resource management terms, whether the proposal will result in adverse effects in these respects. It is necessary to establish what is the existing environment and then to decide from the evidence, what effects the proposal will have in and upon that existing environment. Do those effects support or otherwise the existing environment and the characteristics of that existing environment? The existing environment clearly includes the existing buildings and activities on the site. There is also importantly, the cultural and spiritual values of the site and locality how these may be affected by changes to the site and the activities at it. That means identifying, to the extent practicable, those cultural and spiritual values and the effects the proposal has upon them and upon the relationship of iwi to their ancestral lands. Those are not matters that are readily identifiable. In a decision-making exercise such as this, the decision-maker needs to consider the views of those persons that may claim to be affected by the introduction of the proposal to the local environment. A judgement needs to be made by a decision-maker regarding those views, being the views of both submitters and the applicant.
49. I raise a number of matters below from the evidence that have a bearing on my decision. I do not claim the below to be an all-embracing account of the matters I have considered but this provides some context to this decision.
50. The Council's reporting planner, Mr McLean provides his view in his s42A report. I quote this in full because it provides a useful basis from which to decide the appropriate approach to adopt in the consideration of these effects: ¹⁰
- *"The application documents state that "given the overall intent of the KWC [Kupe Waka Centre] and the establishment of Te Awapoko Waka Wānanga Reserve is to promote kaupapa waka and keep the tradition alive, there would not seem to be any adverse cultural or spiritual effects arising from the proposed development".*
 - *They note the subject site is listed as a site of cultural significance to Māori with the requesting party being the "Maori Owners". They justify lack of consultation by asserting that "the only 'Maori Owner' is Sir Hek Busby". It is noted that the site of significance extends over both titles and does not delineate the site as having two separate requesting parties. As such it is considered appropriate to consider all Māori owners of Ōkokori A and B.*

¹⁰ Section 42A RMA report, paragraph 10.11.1 to 10.11.15.

- *The result of this notification is a clear indication that the affected Iwi do not consider that the application has effectively addressed these matters and that the proposal has potential to adversely impact their relationship with Ōkokori which is significant to their culture.*
- *As part of the response to the s92 request for information the applicant provided a document entitled "Sir Hek Busby Kupe Waka Centre: Effects of breach of Site of Cultural Significance for Māori." This document was drafted in response to letters of concern which were provided to council and forwarded to the applicant. These letters raised similar concerns to the submissions received by Council.*
- *The document primarily focused on asserting that the site was not of cultural significance and summarising the findings of the Maori Land Court in the establishment of the reserve.*
- *The documents further refer to the findings of the previous application to construct the Whare Wānanga which concluded the cultural effects are "nil". This assessment was carried out with the written approval of the Parapara Marae Committee which was not obtained in this instance. As such it is necessary for an analysis of the cultural significance of the site to be carried out to determine what the effects may be.*
- *The submissions received identify the following adverse effects:*
 - a) *The construction of buildings on a significant site. The specific effect this will have on the cultural and spiritual matters is not made clear in the submissions.*
 - b) *The inviting of strangers onto the land while not administered by mana whenua.*
 - c) *The dissemination of information about the land by people who do not whakapapa back to Ngāti Tara.*
 - d) *The potential for adverse effects on the adjacent waterway through discharges of wastewater and stormwater from the site affecting the integrity and mauri of the system.*
- *The submitters refuted claims from the applicant that the proposal being Kaupapa Māori in the form of disseminating information about traditional navigation and Kaupapa Waka addresses potential adverse effects on Māori.*
- *Points b) and c) relate to mandate matters with regard to who has the right to invite people onto the land and disseminate information about it. This is a somewhat intangible effect and it is difficult to determine the extent of these effects and other potential intangible effects without effective consultation with Iwi on these matters.*
- *It is noted that the Whare Wānanga was active on this site for some time and Sir Hec intended for this to continue on the land. The land has been set aside in Māori reservation for this purpose and it is considered that this effect is of little relevance. The purpose of the Wānanga is to disseminate information regarding traditional seafaring and does not purport to disseminate information on the history of the land except as it relates to its function as an institution for learning.*
- *Most of the submissions sought that a cultural impact assessment (CIA) was prepared to allow for a proper assessment of the effects of the activity on the relationship of the iwi with the land. This was specifically requested under s92 of the act during processing and the applicants declined to provide this, opting instead to utilise a notification process to determine effects.*
- *The submissions have identified the key issues of concern to the Maori Landowners of Ōkokori A and it is considered that these effects are limited in scope to those identified above.*

- *Based on the information provided and without further evidence of additional significant features on the site it is my assessment that the activity has potential to have cultural effects but these are limited by the scale, location and purpose of the activity and will not be significant but may be more than minor.*
- *Regarding the request of submitters that a CIA be commissioned, the commissioning of a CIA was included in a request for information as part of the processing of the activity. The applicants discussed this with Council, and it was agreed that notification would determine whether this was necessary. The above assessment shows that there are effects which have not been addressed within the application and as such it would be suitable to expect an impact assessment to be provided to address these effects.*
- *This relates to the intangible effect the proposal may have on the relationship of iwi to their ancestral lands, a matter which is core to the RMA and given status of a matter of national importance under s6. The specifics of this effect are unable to be determined through this process as the applicant has determined not to engage in consultation with the affected iwi groups.”*

51. At the hearing Mr Phillips had Mr Mikaere discuss in his evidence the cultural impacts. He did however state that the potential cultural impacts of the Waka Centre were assessed during the Council’s consideration of the application for the Whare Wananga in 2012. Then, the Council concluded the adverse effects of the proposed building and activity on cultural and spiritual values would be nil. This was given that the main purpose of the building is the celebration of the integral value to Māori culture of its ancestral and on-going tie to te moana. He referred to revisiting the potential cultural impacts on Ōkokori B in discussions with Sir Hek while preparing the Development Plan for the site. He stated that Sir Hek’s considered opinion was that there were no cultural impediments to the on-going development of the Waka Centre. Mr Phillips then took issue with points in the s42A report regarding there having been insufficient information with the application to determine the effects of the activity on the intangible connection between local Ngāti Tara and their ancestral lands which include Ōkokori A.
52. Without wishing to question Mr Phillips’ evidence, I do note that he largely relies on work carried out 10 years ago and with debating points made by the Council’s reporting planner. I find that the events of 10 years ago need to be seen in the context of the changed approach to particularly tangata whenua matters, there being understandably greater attention now to these matters. Further, I accept some of what the reporting planner says is open to debate, from the evidence, but what the applicant needs to establish for a non-complying activity is that any adverse effects on the environment will be minor. In that respect I turn to Mr Mikaere’s evidence.
53. I acknowledge the considerable experience of Mr Mikaere and his expertise in these matters. As with much of the evidence, of both the applicant and the submitters, there is a mingling of cultural and spiritual effects with the consideration of intangible effects the proposal may have on the relationship of iwi to their ancestral lands. That is further “mingled” with the need or otherwise for a cultural impact assessment (**CIA**) or cultural values assessment (**CVA**) and whether the consultation can be considered to have been sufficient for the application. Mr Mikaere’s evidence seeks to distinguish these elements. In relation to consultation, he points to the project having been in existence for some years and it being widely known, the difficulty with trying to consult with many shareholders in the adjacent block and the earlier unsuccessful attempt to consult with the Marae Committee, identified by him as being the Committee acting on behalf of the owners of Ōkokori A.

54. In relation to a CVA he points to the “doubtful” value of such an assessment, seeing the application as seeking to properly formalise an informal activity that has been occurring on the land in question for decades. It is he says, an advance to Stage 2 of the project with the addition and expansion of buildings associated with the Waka Centre.
55. I note his evidence regarding there being no wahi tapu areas on the site and also doubt regarding the site being of cultural significance, as it is identified in the District Plan. His evidence is somewhat compelling on these points but then disputed by submitters. In that respect, a CIA would assist to address these matters.
56. Mr Mikaere states that defining what the intangible connection between Ngāti Tara and their ancestral lands is, has not been done and that the recommendation by the Council’s planner to decline consent has been made in the absence of any supporting evidence or analysis and is based purely on submitter assertion. He reaches this view following consideration of the earlier Judge Ambler decision.
57. It is apparent from Mr Mikaere’s evidence and other statements, that there is a grievance issue over the ownership of Ōkokori B which he sees as being at the heart of submitters’ opposition to the proposal. He supports a grant of consent to the proposal.
58. On the other hand, the opposition by submitters disputes much of what the applicant states in evidence and in the application. Deliah Balle provided evidence noting apart from her whakapapa, her frequent visits to Aurere (Ōkokori), and her work as planner. Ms Balle pointed out that Ngāti Tara had had no opportunity to express their views regarding the effects on Ngāti Tara’s cultural and spiritual values. She questioned the absence of a cultural impact assessment report and highlighted the cultural significance of the site and locality to Ngāti Tara.
59. Ms Balle also questioned the consultation that was carried out and states it is important to point out the applicant’s endeavour to consult with Parapara Marae after lodgement of the application, although before the limited notification of it. She was not happy with the actions of the applicant, the Council and the Northland Regional Council (**NRC**) with respect to consultation referring to “poor practice” and avoiding engagement and addressing cultural effects, that not having sufficient regard to s6(e) RMA. Apart from the lack of tangata whenua consultation she pointed to the adverse cultural, spiritual, and physical effects on the whenua and Ngāti Tara that need to be addressed.
60. These matters are further addressed in the evidence of Kristin Ross who particularly responds to the evidence of Mr Mikaere. She refutes the statements made by Mr Mikaere who believes that an appropriate route to address their hapu was taken. She states that Mr Phillips only chose to meet Ngāti Tara after their opposition was known. Ms Ross is critical of the non-consultation by the applicant and states that the appropriate route would have been ongoing consultation from the inception of the idea “*Not a demanded, rushed, one-off hui*” arranged once they met with opposition. She stated that this behaviour and conduct supports their position that the applicant has never had any real genuine intention to include and consult Ngāti Tara throughout the process of the application.
61. Ms Ross sees that agreeing to a house of learning in 2012 as being very different to a house of learning, a commercial venture and tourism attraction as proposed by the application. She

disputes the idea that consultation was “frustrating” and “difficult” and refers to the constant and intended disregard for Ngāti Tara as mana whenua. She states *“Regardless of Ōkokori B being in private title, it once belonged to all of Ngāti Tara and is still located within Ngāti Tara boundaries. To dismiss our experiences and connections to all of Ōkokori is culturally unsafe.”*¹¹ Further, *“If there are to be any gains to be made between Arawai Limited and Ngāti Tara it must first start with a genuine intention to build a respectful and reciprocal relationship. If this means that the planned schedule for developments is delayed then so be it. You cannot rush the rebuilding and repair of trust, respect and care.”*¹²

62. I have closely considered all that has been received from the applicant and the submitters, and the s42A report. I make the following findings from my considerations of the material received and the presentations at the hearing, complemented by my visit to the site:

- a) The submitters from Ngāti Tara are an affected party and as has occurred, they can expect to have the opportunity to submit on the application.
- b) I cannot accept that consultation is not a sound approach to show affected persons what is proposed and to consider any concerns they have and how those concerns may be addressed in the application. Consultation may not be mandatory but, in the context of the provisions in the RMA that seek to provide for tangata whenua interests, it has to be seen as a sensible approach. That is not to say that the wishes of another party identified through consultation are to necessarily be met by an applicant, but it is to say that their concerns will be considered.
- c) The provisions of the RMA seek to have these matters decided with interested parties having the opportunity to receive details of the proposal and to be able to discuss concerns and if necessary, submit on the application.
- d) In the context of an application involving tangata whenua on “both sides”, I would have expected issues would have been addressed and resolved to a greater degree through consultation before or without the need to attend a hearing.
- e) The effects on cultural and spiritual matters have not been sufficiently addressed in the application because the applicant has not clearly identified these matters to then be able to assess the effects of the proposal upon them. I find the applicant is depending too much on what has happened in the past and has not sufficiently recognised that currently, the consideration of such effects is afforded a high priority in the RMA and in the consideration of resource consent applications. The applicant has chosen to rely on the former approach and to not provide sufficient current information or assessment of the effects on cultural and spiritual matters.
- f) The same can be said regarding the relationship of iwi with their ancestral lands. This is simply not addressed to the degree sufficient to make a decision that acknowledges it. That is to say, this information is not provided, the applicant again depending on

¹¹ Evidence of Kristin Ross, paragraph 65c.

¹² Ibid, paragraph 72.

what has earlier been granted resource consent and assuming the same will continue without producing a sufficient assessment of the current proposal.

- g) I acknowledge the evidence from the applicant's witnesses but as above, this does not go far enough in addressing the above matters that are required to be addressed in terms of the RMA and matters of interest/concern to tangata whenua.
- h) I accept the implied notion that submitters may seek to be involved in or be part of the proposal. That is not a matter for my attention but one that I would hope was capable of resolution through consultation.
- i) I find, from my consideration of the evidence, that an effective way forward, would be to look to the preparation of a Cultural Impact Assessment report, identifying the cultural and spiritual values of the locality and the manner in which the relationship of iwi with their ancestral lands is to be addressed along with addressing the impacts of the proposal upon the locality. That would also provide for a greater degree of consultation with the submitters to this application. A CIA was earlier requested as part of the Council's processing of the proposal, but the applicant chose to leave it to be considered following the outcome of notification. My above commentary shows that there are effects that have not been sufficiently addressed, an impact assessment would assist. It could be used to address the issues of whether the site is of cultural significance, that referring particularly to the Awapoko Reserve area, and whether there is/are wahi tapu on the site. I note too, that a CIA report is often required with applications under the RMA that could impact on Māori interests. Such a report serves to describe the existing environment and to then consider how a proposal may impact on that environment.
- j) I highlight the matters of national importance in the RMA, those including at s6 and among other matters in s7, recognising and providing for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga. These are further complemented by s8 and taking account of the principles of the Treaty of Waitangi, with consultation being seen to be a principle of the Treaty.
- k) I note the statement in the s42A report by Mr McLean in addressing effects on cultural and spiritual matters, that *"The result of this notification is a clear indication that the affected Iwi do not consider that the application has effectively addressed these matters and that the proposal has potential to adversely affect impact their relationship with Ōkokori which is significant to their culture."*¹³
- l) I can say, other than there being a need for additional information and consideration of the tangata whenua matters above, that all other aspects of the proposal are supported by sound evidence from the applicant, and in the reports with the application. That is, with respect to stormwater, wastewater, building in the coastal environment, traffic and the related provisions in the District Plan. In those respects, resource consent would be granted but I am unable to do so given my commentary above on tangata whenua matters.

¹³ Section 42A RMA report, paragraph 10.11.3.

The effects of the discharge of wastewater and stormwater from the proposal on waterways, these effects being related to the proximity of the proposed buildings and the wastewater system to the river and the site to the waterway.

63. A wastewater field is currently legally established on the site and the proposal is to increase the size of the system to provide for the additional people that would be on the site. The increase in the disposal field will be from 56m² to 109m² with the maximum volume to be disposed of increasing from 1,400L/day to 2,190L/day.
64. As noted in the s42A report, the proposal for the disposal field complies with the NRC's requirements although it does breach the 30m setback from the waterway rule in the District Plan. The Council's engineers are however in agreement with the statement in the applicant's wastewater design report that the system will not create adverse effects on the waterways. This is due to the contour of the site which is gentle and the absence of any stormwater paths crossing the area of the wastewater disposal field. The report goes on to state that the soils are well drained and will absorb the generated wastewater.
65. Some submitters are concerned, in the submissions lodged, with the degraded nature of the estuary due to existing land uses upstream. No evidence was provided demonstrating that to be the case and the evidence from the applicant, agreed by the Council's engineers, was that provided the wastewater system is installed and operated suitably then it is unlikely to contribute to any further decline in the waterway.
66. I find agreement with the analysis by the applicant's and the Council's engineers and that the proposed wastewater system will not create any adverse effects on the environment.
67. The stormwater disposal arrangements for the proposal are for roof collection of rainwater to storage tanks with overflow diverted to a swale at the northwest of the site where it can drain to the Awapoko River. It is noted in the s42A report that this arrangement will not result in any noticeable effects with most of the stormwater filtering into the ground or running as sheet flow into the river. The limited scale of the proposal in comparison to the large size of the site is also noted.
68. The Council's engineers have reviewed the stormwater disposal details, noting the arrangement proposed is permitted by the District Plan. It is considered by them to be acceptable, but it needs to be designed by a suitably qualified engineer to ensure it is effective in mitigating any adverse effects.
69. I find agreement and the details of the stormwater system can be managed by a condition of any consent granted to the application.
70. As an overview comment, in the assessment of the adverse effects of the proposal, I have not relied on a permitted baseline approach, but rather have taken the approach of assessing any adverse effects on their merits.

The impact on the provisions of the Far North District Plan, particularly on the objectives and policies that are relevant to the consideration of the application.

71. The relevant objectives and policies are identified in the s42A report¹⁴ as being those relating to the:

¹⁴ Section 42A RMA report, Section 15.

- Coastal Environment
- General Coastal Zone
- Landscapes and Natural Features
- Natural Hazards
- Heritage
- Lakes, Rivers, Wetlands and the Coastline.

72. Mr McLean addresses the objectives and policies that he does not consider have been adequately addressed within the application. These are from the Coastal Environment Chapter of the District Plan and the General Coastal Zone. These provisions include the need to engage effectively with Māori to ensure their relationship with their culture and traditions and taonga is identified, recognised, and provided for. This and other related provisions that require regard to the interests of Māori, I do not detail but find they are not satisfactorily addressed in the application nor in the evidence for the applicant at the hearing, as discussed above in this decision.

73. Again, I am bound to say that a greater effort needs to be made by the applicant to enter into discussion with tangata whenua, that can mean more than writing letters and as shown in this case, ideally entering into such discussion before lodging an application for resource consent.

The impact on the provisions of the Far North District Plan, particularly on the General Coastal zone provisions and the exemptions being sought to a number of the provisions.

74. The proposal requires consent for in relation to the following District Plan rules:

- 10.6.5.1.1 Visual Amenity
- 10.6.5.1.4 Building Height
- 12.1.6.1.4 Excavation And/ Or Filling Within An Outstanding Landscape
- 12.1.6.1.5 Buildings Within Outstanding Landscapes
- 12.3.6.1.2 Excavation And/ Or Filling in the General Coastal Zone
- 12.4.6.1.1 Coastal Hazard 2 Areas
- 12.4.6.2.1 New Buildings & Additions to Existing Buildings In Coastal Hazard 2 Areas
- 12.5.6.2.2 Activities Which Could Affect Site of Cultural Significance to Māori
- 12.7.6.1.1 Setback from Lakes, Rivers And The Coastal Marine Area
- 12.7.6.1.4 Land-use Involving Discharges of Human Sewage Effluent
- 15.1.6A.2.1 Traffic Intensity
- 15.1.6C.1.1(a) Private Accessway In All Zones
- 15.1.6C.1.3(a) Passing Bays on Private Accessways In All Zones
- 15.1.6C.1.5(c) Vehicle Crossing Standards in Coastal Zones.¹⁵

75. I leave the consideration of the rule relating to Activities Which Could Affect a Site of Cultural Significance to my discussion above relating to cultural considerations.

76. These matters are otherwise addressed in the s42A report and found to be acceptable. I note that the District Plan provisions are largely “triggers’ that mean a proposal has certain features, such as exceeding a stated amount of excavation or building in certain area or generating more than a certain amount of traffic, that mean the proposal has to proceed by way of a resource consent application. That enables, as it has in this case, these matters to be considered and where appropriate conditions imposed on a grant of resource consent.

77. The impact on visual amenity largely relates to the built development proposed within the coastal environment. As covered in the application details, which include a visual impact assessment from a landscape architect, the vegetation on the site and the contour of it will prevent intrusive views from public viewpoints such as the coastal marine area and the state

¹⁵ Ibid, paragraph 6.1.

highway. The proposed buildings are also low profile and proposed to be finished with wood and darker colours.

78. The proposed earthworks of some 2,350m² relate to cut and fill associated with the existing site access. The proposal is to carry out this work in line with the NRC Sediment and Erosion Control Guidelines. The Council's engineer agrees in his reporting on the proposal where he finds the earthworks, along with the proposed improvements to the vehicle access, provision for parking and traffic impacts are in accordance with the Council's standards or addressed by suitable mitigation. The existing access is to be upgraded to a 4m width carriageway with passing bays every 120m which the Council's engineers have advised is adequate for the proposed activities. I note the construction of the proposed buildings would not require any excavation.
79. The stormwater and wastewater arrangements are discussed above and found to be satisfactory. Ms Pivac provides evidence that addresses wastewater and stormwater arrangements and some differences in the views of the applicant's team and the Council's officers. Given her comments and the evidence of Mr Mikaere, I find agreement that these arrangements would be satisfactory in the knowledge too, that conditions of a consent can be arranged to recognise and be compatible with the existing NRC consents.
80. Submitters did not contest these matters which have all been well covered by the Council's s42A report, that assisted by specialist engineering input. I find that these matters are satisfactorily addressed in the application, in the supporting documents and in the evidence for the applicant. I acknowledge the comprehensive manner in which Ms Pivac has brought all these matters together in both the application and in her evidence for the hearing.

The positive effects of the proposal

81. The proposal would have positive effects, as described in the application and evidence for the applicant and in the s42A report. These include:
- Promoting social and economic development in Tai Tokerau through employment and education.
 - Engaging the community both local and further afield in Kaupapa Waka.
 - Safeguarding the future of Kaupapa Waka through education in traditional methods of navigation, waka building and sailing.
 - Enabling the Hekenukumai Nga Iwi Trust to fulfil its aspirations for the Awapoko Waka Whananga Reserve. The Trust was established to administer the Reserve area.
 - The completion of the centre to realise the vision of a centre of excellence where Kaupapa Waka thrives, and in doing so supports economic and social development and environmental restoration in a manner which ensures the sanctity, integrity and mana of the site are respected at all times.
82. As noted in the s42A report, these positive effects were not disputed in the submissions to the application.¹⁶
83. I find agreement with the s42A report, the application, and the evidence for the applicant that there will be these positive effects from the proposal.

Other matters

¹⁶ Section 42A RMA report, paragraph 10.13.1.

The earlier consent for the Whare Wananga

84. As above, the application also seeks to take up previously consented rights of RC 2130047 which allowed for the construction of the existing Whare Wananga building. The building has been erected and is in use, but the vehicle access upgrade that was required as a consent condition has not been completed. Reference is made in the current application and in the s42A report to that earlier consent having lapsed in 2019.
85. There is perhaps some debate as to whether the consent has lapsed or whether this is a compliance matter for the Council to follow up on. That likely requires legal advice. Either way, the current application seeks to revisit this matter.
86. I can see some practical benefit in the access work being re-consented but given the delay (some 10 years) there has been in carrying it out, the applicant has now allowed this work to become part of the current considerations for works on the site. I find I am not able to sufficiently differentiate this work from the other works being proposed for the site as part of the current application. In that respect I do not grant consent to it.
87. Should the applicant wish to advance this access work in a shorter term than a final resolution of the works proposed in the current application, then there may be a stronger argument for it being completed as part of the earlier consent with the appropriate consideration of it being a compliance issue.

Northland Regional Policy Statement 2016

88. I have had regard to the Northland Regional Policy Statement 2016 (**RPS**). The reporting planner has provided a commentary on its provisions at section 14.0 of the s42A report. He addresses relevant objectives and policies that include economic wellbeing, natural character, risk management and coastal hazards. He concludes the development is appropriate for the site and in line with the expectations of the RPS for Northland.
89. I agree and find that the proposal is not inconsistent with the RPS.

Regional Water and Soil Plan for Northland National Environmental Standard for Freshwater National Policy Statement for Freshwater Management

90. These documents are relevant and are addressed in the s42A report. I find agreement with the report in these respects that these are matters for the NRC.

NZ Coastal Policy Statement

91. The site lies within the coastal environment and the NZCPS is then a relevant consideration. An assessment of the relevant provisions is included in the s42A report and as stated in that report, the proposal upholds a number of the policies but runs contrary to the provisions that relate to the Treaty of Waitangi, tangata whenua and Māori. This is for the reasons discussed above in relation to the effects of the proposal.
92. I find the proposal is inconsistent with some of the NZCPS provisions as these relate to tangata whenua issues.

Part 2 RMA

93. The proposal is not consistent with the sustainable management purpose of the RMA, including the avoidance or mitigation of any adverse effects, nor with the relevant principles of it, those

relating particularly to considerations of local Māori interests, for the range of reasons provided above.

Conclusion

94. I acknowledge the considerable work the applicant has done in relation to this application but as highlighted by the submitters, and by the Council's reporting upon it, there are matters that have not been sufficiently addressed to allow resource consent to be granted to it.
95. I also acknowledge the input of the submitters and that of Mr McLean in reporting on the application and associated matters.

Decision

That the application by Arawai Limited to complete the next stages of the Sir Hek Busby Waka Centre development located on the Ōkokori B Block which involves relocating three newly constructed buildings to the site, the extension of the existing Whare Whakairo building, (RC 2120315) and the construction of a small Wharepaku block and also seeking to take up previously approved rights of RC 2130047 which allowed for the construction of the existing Whare Wananga building on a site identified as 4552 State Highway 10, Aurere, Karikari Peninsula and legally described as Ōkokori B Block IX, Rangaunu SD having a site area of 115.8ha be **REFUSED** consent in accordance with sections 104 and 104D of the Resource Management Act 1991 (**RMA**) for the reasons below.

Reasons for the decision

The reasons for this decision are as provided above in the decision report and can be summarised as being:

- a) The effects on cultural and spiritual matters have not been sufficiently addressed in the application because the applicant has not clearly identified these matters to then be able to assess the effects of the proposal upon them. The applicant is depending too much on what has happened in the past and not sufficiently recognised that currently, the consideration of such effects is afforded a high priority in the RMA and consideration of resource consent applications. The applicant has chosen to rely on that former approach and not to provide sufficient current information or assessment of the effects of the proposal on cultural and spiritual matters.
- b) The same can be said regarding the assessment of the effects of the proposal on the relationship of iwi with their ancestral lands. This is simply not addressed to the degree sufficient to make a decision that acknowledges it. That is to say, this information is not provided, the applicant again depending on what has earlier been granted resource consent and assuming the same will continue without producing a sufficient assessment of the current proposal.
- c) These considerations mean that the matters of national importance in the RMA, those including at s6, and among the other matters in s7, recognising and providing for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga are not met. That extends to s8 RMA and insufficiently taking

account of the principles of the Treaty of Waitangi, with consultation being seen to be a principle of the Treaty.

- d) I acknowledge the evidence from the applicant's witnesses but as above, this does not go far enough in addressing the above matters that are required to be addressed in terms of the RMA and matters of interest/concern to tangata whenua. The preparation of a cultural impact assessment report would be a sound starting point for addressing these matters that require attention for the proposal to proceed.
- e) The proposal does not sufficiently avoid or mitigate the adverse effects on the environment arising from the above.
- f) This means then that the proposal is inconsistent with, and contrary to, the objectives and policies of the Far North District Plan for the reasons stated above. And the same applies in relation to the New Zealand Coastal Policy Statement.
- g) The proposal accordingly does not meet s104D of the RMA applying to non-complying activities.
- h) The proposal is inconsistent with the purpose and principles of the RMA, as included at Part 2 of that Act.

I do say that I find the proposal to be commendable for a number of reasons, as set out in the application and in evidence for the applicant, some recorded in the above decision. However, there are matters that are required by the RMA to be addressed to a greater degree than has been done in this application. In this respect, the reasons provided above for this decision determine that the application should be refused consent, at least until such time as these matters can be satisfactorily addressed.

A handwritten signature in black ink, appearing to read 'Alan R Watson', with a stylized, flowing script.

Alan R Watson

RMA Hearing Commissioner

7 March 2022

Sir Hek Busby Kupe Waka Centre

Cultural Effects Assessment



Arawai Ltd
January 2023

He Pepeha

Ko Māmaru te waka
Ko Parata te tangata
Ko Kahutianui te Wahine
Ko Ngāti Kahu te iwi

Māmaru was the canoe
Parata was the man
Kahutianui was the woman
And Ngāti Kahu began

He Whakataukī

“You have shown that it was done, and it was done by our ancestors. To me, this is a most important occasion. I smile and I shall laugh, and I shall smile again tomorrow, with all the critics who said it was never done. You have proven today it was done, and you have done it.”

Ta Hemi Henare – November 1985
For Hawaiian Waka Hokule’a – arrival Bay of Islands; Voyage of Rediscovery

Preface

Tina Latimer has a Master of Philosophy (Science) Māori Resource & Environmental Management, Bachelor of Iwi Environmental Management, Diploma in Iwi Environmental Management and Trusteeship. Tina has 10 years practical experience in Māori resource and environmental management and is of Te Paatu, Ngāti Kahu, Ngaitakoto, Ngāti Kuri, Ngāpuhi, Ngāti Wai, Te Aupouri, Te Rarawa, Te Uri o Hau and Te Whakatohea descent.

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30 January 2024

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1. Introduction

1.1 Cultural Effects Assessment

The key purpose of this cultural effect's assessment is defined as:

A process of identifying, predicting, evaluation and communicating the probable effects of a current proposed development policy or action on the cultural life, institutions, and resources of communities, then integrating the findings and conclusions into the planning and decision-making process, with a view to mitigating adverse impacts and enhancing positive outcomes.¹

This cultural effect assessment is a tool to facilitate meaningful and effective collaboration by defining hapū values and should be regarded as technical advice and guidance. It is the mechanism by which hapū can facilitate meaningful dialogue to provide additional knowledge in any project development. These values also include people (communities) and future generations.

The resource consenting process is governed by the Resource Management Act 1991; however, Councils must take into consideration other relevant legislation and policies, that are not limited to:

- (a) Treaty of Waitangi 1840 / Te Tiriti o Waitangi.
- (b) The Principles of the Treaty of Waitangi 1840 / Te Tiriti o Waitangi.
- (c) Resource Management Act 1991.
- (d) Marine and Coastal Area (Takutai Moana) Act 2011.
- (e) Heritage New Zealand Pouhere Taonga Act 2014.
- (f) Protected Objects Act 1975.
- (g) Burial and Cremations Act 1964.
- (h) Coroners Act 2006.
- (i) Far North District Council in Operative Plan 2009.
- (j) Northland Regional Council Regional Plan 2017.
- (k) National Policy Statement for Freshwater Management 2014.
- (l) New Zealand Coastal Policy Statement 2010.
- (m) Northland Regional Policy Statement 2016.
- (n) Reserves Act 1977.
- (o) Conservation Act 1987.
- (p) Proposed Regional Soil & Water Plan Updated 2016.
- (q) National Policy Statement for Indigenous Biodiversity 2023.

1.2 Cultural Effects Assessment Scope

This cultural effect's assessment has been commissioned by Arawai who lease approximately 5 hectares from Hekenukumai Nga Iwi Charitable Trust. Section 92 of the Resource Management Act 1991 allows councils to request further information from an applicant and/or commission a report, at any reasonable time before the hearing of an application or before the decision to refuse or grant a consent if there is no hearing. This cultural effects assessment documents Māori cultural values, interests and associations with an area or a resource, and effects in respect of Arawai Ltd resource consent application. The cultural effect's assessment aims to identify:

¹ Sagnia, B.K. (2004). Framework for Cultural Impact Assessment. International Network for Cultural Diversity. Cultural Impact Assessment Project. Retrieved December 24, 2023, from: <http://www.dmeforpeace.org>.

The scope and nature of the services is to undertake the research, investigations and consultation as required to prepare a cultural effects assessment of the latest stage of the development of the Sir Hek Busby Kupe Waka Centre (where kaupapa waka related activities have been an existing use since 1988) which will:

- (a) assess the effects of a proposed current developments on the site (with particular reference to the Whare Whetū) on tangata whenua cultural associations with the environment.
- (b) provide advice of methods to avoid, remedy, or mitigate adverse effects on cultural values and associations.
- (c) recommend what conditions of consent could be applied if the consent is granted.
- (d) provide hapū and iwi with comprehensive information and improved understanding of the development activity with a view to avoiding objections on cultural grounds.
- (e) assess the short and long-term cultural, social, economic, and environmental effects and benefits of the Waka Centre.

and then prepare a report including but not limited to:

- (a) the project.
- (b) the assessment processes.
- (c) the parties including Iwi tradition and occupation of Doubtless Bay.
- (d) land sales with specific reference to the Ōkokori Block and in particular Ōkokori B.
- (e) Māori cultural landscapes.
- (f) the ecological district.
- (g) relevant legislation and policy.
- (h) recommendations.

An 'Agreement for Engagement' was signed between Peter Phillips Managing Director Arawai Ltd and Project Manager of the Sir Hek Busby Kupe Waka Centre and the writer on the 8 December 2023. The writer undertook a briefing on Tuesday the 12 December 2023 via Zoom with Peter Phillips. All relevant documents were provided to the writer to support informing the cultural effects assessment. A site visit was undertaken at 455 State Highway 10, Lake Ohia, RD 3, Kaitaia 0453 John Panoho, Site Manager Rikki-lee Kamahiera, and Josie Busby of Sir Hek Busby Kupe Waka Centre on Tuesday 9 January 2023.

1.3 Project Issues

1.3.1 Project Background

The applicant is Arawai Ltd and the site address is 4554 State Highway 10, Karikari Peninsula 0483, legal description being Ōkokori B Blk IX Rangaunu SD in the General Coastal zone. The activity status is Non-Complying. Previous consents and notices/title restrictions include:

- (a) 2120315-RMALUC consented the establishment of Te Wānanga a Kupe Mai Tawhiti including the construction of the existing whare whakairo (carving house) on the site.
- (b) 2130047-RMALUC (Lapsed) consented the construction of a building to establish and operate a Wānanga Waka (education/training centre and cultural tourism destination based around Kaupapa Waka). The consent included the construction of the Whare Wānanga on the site.
- (c) Consent has been granted by Northland Regional Council under AUT.043025.02-AUT.043025.05 for land disturbance and associated works within or in close proximity to

- (h) The surfacing of a carpark area for at least 21 vehicles including two designated mobility spaces.
- (i) The construction of a depot for equipment and stores as a temporary structure using shipping containers and an arched PVC roof.
- (j) The construction of a propagation shelter in a nursery for the restoration of the local environment with eco-source native plants.

The main activities at the Sir Hek Kupe Waka Centre include:

- (a) Wānanga for education and training in Kaupapa Waka
- (b) Guided tours for cultural tourists.
- (c) Small meetings and conferences.
- (d) School visits.
- (e) Leadership programme.
- (f) Noho marae (overnight stays).

1.3.2 Key Project Issues

Key issues and environmental concerns raised under the Resource Management Act 1991 in respect of this proposal as raised by the Council Planner in the S42A report:

Table 1: Hearing Commissioner S42A Report.

Clause	S42A Report
10.11.7	The submissions received identify the following adverse effects: <ul style="list-style-type: none"> a) The construction of buildings on a significant site. b) The inviting of strangers onto the land while not administered by mana whenua. c) The dissemination of information about the land by people who do not whakapapa back to Ngāti Tara. d) The potential for adverse effects on the adjacent waterway through discharges of wastewater and stormwater from the site affecting the integrity and mauri of the system.
10.11.8	The submitters refuted claims from the applicant that the proposal being Kaupapa Māori in the form of disseminating information about traditional navigation and Kaupapa Waka addresses potential effects on Māori.
10.11.9	Points b) and c) relate to mandate matters with regard to who has the right to invite people onto the land and disseminate information about it. This is somewhat intangible effect, and it is difficult to determine the extent of these effects and other potential intangible effects without effective consultation with Iwi on these matters.
10.11.10	It is noted that the Whare Wānanga was active on this site for some time and Sir Hek intended for this to continue on the land. The land has been set aside in Māori reservation for this purpose and it is considered that this effect is of little relevance. The purpose of the Wānanga is to disseminate information regarding traditional seafaring and does not purport to disseminate information on the history of the land except as it relates to its function as an institution of learning.
10.11.12	The submissions have identified key issues of concern to Māori Landowners of Okokori A, and it is considered that these effects are limited in scope to those identified above.
10.11.13	Based on the information provided and without further evidence of additional significant features on the site it is my assessment that the activities have the potential to have cultural effects, but these are limited by the scale, location and purpose of the activity and will not be significant maybe more than minor.

Figure 3: Restored Wetlands.



1.4 Sir Hekenukumai Ngā Iwi Puhipi Busby

The late Sir Hek Busby was a traditional navigator from Northland renowned throughout the Pacific and indeed around the world as an authority on kaupapa waka traditions of this time. He was introduced to traditional wayfinding by Nainoa Thompson, the navigator of the Hōkūle‘a a replica of a traditional Hawaiian canoe which voyaged to Aotearoa in 1985. He was trained by the late Master navigator Pius (Mau) Pialug of Satawal in Micronesia.

In 1991-1992 Sir Hek bult the waka hourua (double hulled canoe) Te Aurere. Te Aurere has sailed over 30,000 nautical miles, visiting Hawaii, French Polynesia, the Cook Islands, New Caledonia and Norfolk Island as well as making four circumnavigations of the North Island and countless coastal sailings. For his services to Māori, Sir Hek received the New Zealand Commemoration Medal in 1990, an MBE in 1994, was made an Honorary Fellow NorthTec-Tai Tokerau Wānanga in 2007, was awarded Pwo Navigator in 2008, was made a Member of the New Zealand Order of Merit in 2014, was awarded a Doctorate in Māori Development (*Hon. Causa*) by Te Whare Wānanga o Awanuiarangi, in 2017, and was made Knight Companion in 2018.

Sir Hek has completed more than 30 waka for iwi, groups, and overseas institutions, including a second waka hourua, Ngahiraka Mai Tawhiti, named after his late wife with a view to ‘closing the Polynesian Triangle’ by sailing to Rapanui (Easter Island). The Polynesian triangle is marked by Hawaii in the north, Rapanui in the East, and Aotearoa to the south.

While Hector is inarguably the most significant waka builder and navigator in the Pacific, a number of issues face the perpetuation of his efforts in terms of the on-going survival and development of kaupapa waka traditions. These included an absence of formal learning and knowledge transmission

models, and a raft of issues concerned principally with financial sustainability which the development of the Waka Centre has sought to address.

Figure 4: Te Aurere.



Sir Hek (2012) in the Waitangi Tribunal in the matter of the Treaty of Waitangi Act 1975 and an application for remedies on behalf of Te Runanga a Iwi Ngāti Kahu in his brief of evidence on behalf of Te Runanga o Te Rarawa stated:

My name is Hekenukumai Ngā Iwi, Hector Busby. I am eighty years of age and I reside in the Far North as a servant of my people. I was born at Pukepoto and grew up there among my elders. I was able to travel with them to places around the region to which we had an affiliation or association. We had connections to Mangamuka, the Hokianga and through to Ahipara, which was actually one of our homes. We also frequently visited Parapara and Te Aurere which we belonged to as Ngāti Tara.

I hold the position of Senior Kaumatua for the Iwi of Te Rarawa ("Te Rarawa") and the Iwi of Ngāti Kahu and have represented these two iwi in a number of fora. I have inherited and own whenua in both Iwi rohe and I have been living at Te Aurere for many years with my wife Ngahiraka (who has since died) and my children who also have homes there.

I am a Tohunga of a number of schools of knowledge, mainly in the arts. This includes Karakia Tawhito, whakairo Haka/Mau Rakau, Kapa Haka, Hoe Waka, Tarai Waka, and I have personally built thirty-one waka over the past thirty years. Some of these are overseas but most are held in Aotearoa by Iwi who have had a renaissance in the ancient Wānanga of waka travel and celestial navigation. I was recently inducted as a member of the ancient Polynesian School of Navigators, and this was a great honour for me. Our Waka, Te Aurere has now done over forty thousand miles of sea travel fulfilling a dream held by Sir James Henare, Niki Conrad, and others of the time, to revive the skills and knowledge of our tupuna as seafarers. Now leaders like Ariki Sir Tumu Te Heuheu are leading the motu in supporting tarai waka and the latest initiative is the departure of two Waka Hourua from Aotearoa last week (17th August)

which has been called the Waka Tapu voyage back to Rapanui (Easter Island) completing the Polynesian triangle and providing a new focus for the people of the Pacific.

I have had a career in engineering and for many years owned and operated my own business building bridges all over the North. Over the years, I have held many positions as Trustee of Marae, Cemeteries and Reservations and I still hold some today that focuses upon Waka building and Navigation knowledge and practices ...

1.5 Organisation

1.5.1 Hekenukumai Nga Iwi Charitable Trust

The Hekenukumai Nga Iwi Trust (CC46358) (9429043068395) is incorporated under the Charitable Trust Act on the 28 November 2000. The current officers are registered as Alexander Busby, Charles Wilson, Stanley Conrad, Ana Hickey, Racheal Te Hira, Thomas Busby. Past officers included the late

Georgina Harding and Sir Hekenukumai Busby and Robert Gabel.³ The trust is established to manage the waka that were retained at Aurere, and other assets owned/created by Sir Hek and Tarai Waka Inc. The Trust is the beneficiary of the Māori reservation for Kaupapa Waka known as Te Awapoko Waka Wānanga Reserve comprising of 2.1 ha, and the successor to almost all of Ōkokori B in Sir Hek's will. Hekenukumai Nga Iwi Charitable Trust is a shareholder in Arawai Limited (100 Shares (50:00%)).

Ōkokori B comprises 115.8 hectares. It borders the Aurere stream and the Awapoko River, and the Ōkokori A Block which fronts Tokarau Beach. 2.1 hectares of Ōkokori B has been granted Māori Reservation status under section 388 of the Te Ture Whenua Māori Act. The purpose of the Māori Reservation is a whare wānanga for Kaupapa Waka known as Te Awapoko Waka Wānanga Reserve. The reserve status is a Māori Reservation.

The objectives and purpose of the trust are to:

- (a) To promote the building and maintenance of waka in order to preserve the rich heritage of waka in general.
- (b) To facilitate education in respect of waka and kaupapa waka.
- (c) To act as guardians of waka and kaupapa waka.
- (d) To do all such other things as are incidental or conducive to the attainment of the exclusively charitable objects.

1.5.2 Te Tai Tokerau Tarai Waka Incorporated

Te Tai Tokerau Tarai Waka Incorporated (583275) (NZBN: 9429042841975) is a society incorporated under the Societies Act 1908 on the 14 June 1993.⁴ The membership consists of members interested in Kaupapa Waka. Membership is available to individual and corporate bodies alike who shall be admitted upon their written application for membership being accepted by the Executive Committee. Members are identified under the society rules as being affiliated with at least one of the Waka in Te Tai Tokerau. Te Tai Tokerau Waka Incorporated is also a shareholder in Arawai Limited (100 Shares (50:00)). The society goals are:

³ Charities Services. (2023). Hekenukumai Nga Iwi Charitable Trust. Retrieved December 29, 2023 from: [Charities Services | Home](#).

⁴ New Zealand Companies Office. (2023). Companies Register. Te Tai Tokerau Tarai Waka Incorporated (583275) (NZBN: 9429042841975) [Incorporated Society] Registered. Retrieved December 29, 2023 from: [View Details \(businessregisters.govt.nz\)](#).

- (a) The overall goal of Te Tai Tokerau Tarai Waka Incorporated is to maintain, promote and enhance the continued development of all aspects of kaupapa waka in a manner which ensures that the sanctity, integrity, and mana of Kaupapa Waka are observed at all times.
- (b) Te Tai Tokerau Tarai Waka Incorporated purposes are:
- I. Waka building and maintenance.
 - II. Aspects of kaupapa waka including the sailing and paddling of waka, traditional navigation by the use of natural elements, ancient ritual, and the use of Te Reo Māori including karakia and haka.
 - III. Collection, collation, and storage of information on all aspects of kaupapa waka.
 - IV. Participation in the waka whanau both in Aotearoa-New Zealand and across the Pacific; and
 - V. Promotion of Kaupapa Waka as an integral component of the culture of Aotearoa/Rekohu which unites the tribal iwi, provides focus for restoring mana (pride/prestige) to young people, and enhances biculturalism through the interaction of tangata whenua and Pakeha.
- (c) Te Tai Tokerau Tarai Waka Incorporated purposes are:
- I. The objectives for which Te Tai Tokerau Tarai Waka is established are continued to be within the territorial boundaries of Aotearoa/Rekohu.
 - II. To maintain, promote and enhance the continued development of all aspects of kaupapa waka.
 - III. To unite the tribal iwi of Aotearoa/Rekohu through a commitment to the aims, aspiration and singleness of purpose that is the essence of kaupapa waka.
 - IV. To encourage the promotion of kaupapa waka as a focus for restoring mana (pride/prestige) to young people through education and involvement with kaupapa waka.
 - V. To strengthen and enhance biculturalism in Aotearoa/New Zealand through the interaction of tangata whenua and Pakeha through Kaupapa Waka.
 - VI. To foster the concept of Kaupapa Waka an integral component of the culture of Aotearoa/Rekohu.
 - VII. To promote, maintain and preserve the religions and ancient rituals and karakia associated with Kaupapa Waka.
 - VIII. To build on the goodwill and enthusiasm generated at Waitangi 1990 for kaupapa waka as a foundation for achieving lasting benefits for all New Zealanders.
 - IX. To purpose all avenues of funding of Kaupapa Waka at all levels, receiving funds from government departments, local bodies, legislative institutions, incorporated or unincorporated bodies, charitable bodies, or any person which may assist in the advancement of these objectives or any of them.
 - X. To encourage the establishment of training courses and employment opportunities in the conception, design, construction, and utilization of Waka.
 - XI. To set up efficient communications systems for the distribution of information to the Members.
 - XII. To collect, collate and store information for the distribution of information to the Members.
 - XIII. To conduct regular hui (meetings) with iwi on a regional/national level to update, assess and evolve the aims and objectives of the Society.
 - XIV. To promote the market Kaupapa Waka in the best interests of the Members whether at a commercial cultural level and to ensure that the sanctity, integrity, and mana of Kaupapa Waka are observed at all times.
 - XV. To provide direction and advice for planning and carrying into effect regional and national initiatives relating to Kaupapa Waka.

- XVI. To respond to assist wherever possible in planning of overseas Waka Expeditions.
- XVII. To become a receptacle for all information of Kaupapa Waka and to be responsive to the needs and reasonable requests of the various Waka.
- XVIII. To promote the use of Te Reo Māori among the waka whanau and the wider community.⁵

1.5.3 Arawai Ltd

Arawai Limited (CC31044) is a registered New Zealand Limited Company incorporated on the 26 January 2001 under the Companies Act to engage in commercial activities in Kaupapa Waka for tourism. The current directors are Stanly Conrad, John Panoho, Sarah Petersen, Peter Phillips, Charles Wilson, and David Wilson. The total number of shares held by Arawai Limited is 200 held equally by Te Tai Tokerau Tarai Waka Incorporated and Hekenukumai Nga Iwi Charitable Trust.⁶ Arawai Limited is set up to provide a source of income for the two shareholding charitable organisations to assist to promote Kaupapa Waka and Tarai Waka.

The charitable purposes for which the company was established are as follows:

- (a) to maintain, promote and enhance the continued development in respect of Kaupapa waka in order to preserve the rich heritage of waka in general.
- (b) to encourage the promotion of kaupapa waka as a focus for restoring mana to young people through education and involvement with waka.
- (c) to foster the concept of kaupapa waka as an integral component of Aotearoa/Rekohu.
- (d) to strengthen and enhance biculturalism in Aotearoa/New Zealand through the interaction of tangata whenua and pakeha with kaupapa waka.
- (e) to provide funding for the advancement of these objectives.
- (f) to respond to and assist wherever possible in planning of New Zealand based waka expeditions.

Arawai Limited values are: Arawai is committed to a path of sustainable development. The companies' values are based on key tenets of Māori culture:

- (a) Manaakitanga: nurturing relationships, looking after people and being careful about how others are treated is a key component of Māori culture. The principles and values attached to it underpin all tikanga Māori. Manaakitanga focuses on positive human behaviour, the nurturing of relationships and respecting the mana of other people no matter what their standing in society may be. Being hospitable and looking after visitors is given a high priority.
- (b) Kaitiakitanga: (interpreted in the modern sense as) guardianship, protection of the environment based in alignment with the natural world.
- (c) Kotahitanga: being united in a common purpose.

Arawai Limited policies and practices have been influenced by, and have been developed to be consistent with:

- (a) The World Tourism Organisations Global Code of Ethics for Tourism.
- (b) The principles of the International Cultural Tourism Charter established by the International Council on Monuments and Sites (ICOMOS).
- (c) The New Zealand Tourism Strategy.

⁵ Charities Services. (2023). Te Tai Tokerau Tarai Waka Incorporated. Retrieved December 29,2023 from: [Charities Services | Home](#).

⁶ New Zealand Companies Office. (2023). Companies Register. Arawai Ltd (1113573) Registered. Retrieved December 29, 2023 from: [View All Details \(companiesoffice.govt.nz\)](#).

(d) The Code of Ethics of the Tourism Industry Association of New Zealand.

Arawai Limited supports “Geotourism” embodied in the Geotourism Charter developed by the National Geographic Center for sustainable destinations. Geotourism is defined as “tourism that sustains or enhances the geographical character of a place – its environment, culture aesthetics, heritage, and wellbeing of its residents. Key elements of Arawai Limited path towards sustainable operations included (but are not limited to):

- (a) Employing local staff and offering tourism work-experience to students.
- (b) Developing joint products with other local operations and promoting local attractions.
- (c) Choice of right-sized, fuel efficient, four stroke motor for maneuvering the waka.
- (d) Managing and minimizing wastewater discharges through encouragement of passengers to use shore-based toilets; installation of marine toilet with holding tank on the waka, and observation of proper disposal procedures.
- (e) Encouragement of passengers and crew to ensure no debris/litter goes overboard.
- (f) Separation of waste and use of the recycling system at our berth.

2. Raramata, Parapara, Te Mata, Ōkokori

2.1 Parapara Block Turtons Private Purchases Deed 54

Parapara Block, Centre of Doubtless Bay, Mangonui District, Kaitaia November 14, 1839:

Whakarongo E nga tangata katoa ki tenei pukapuka kua tuhituhia e matou E Nopera Pānakareao ma ki tetahi taha ko te Matiu ki tetahi taha, kua oti tenei pukapuka te tuhituhi i te tekau ma wa o nga ra o Nowema i te tau o to tataou Ariki a Ihu Karait kotahi mano e waru rau e toru tekau ma iwa. Kua tuhituhia tenei pukapuka e matou are a Nopera Pānakareao ma i tetahi taha ko te Matiu ki tetahi taha hei tino tohu ki a tatou katoa ki nga tangata katoa ano hoki, kua oti te tuku e matou e Nopera Pānakareao ma ki a te Matiu tetahi wahi wenua oti tonu atu me nga rakau katoa me nga aha katoa me nga aha noa katoa e tupu ana i runga i taua wenua me nga mea katoa o raro o taua wenua. Ko te nuinga o taua wenua kotahi mano ekara nui ake ranei nohinohi iho ranei. Ko nga ingoa nui o taua wenua Ko Raramata Ko Parapara Ko Tapuirau Ko te Mata. Ko te kaha o taua wenua ki te Ita ka timata i te Moana pu ki te tikauga o Haetureroa ka kake ki Pukewau a Pukenui a ka heke a te Pua kahikatoa ka haere atu a te io a ka marere a te wai a te Kauri, a ka wawati i reira ka marere i te Papa ka haere tonu i roto i te wai o Parapara te awa e tika atu ana ki Tapuirau (te ngaherehere kauri). Ko te kaha ki te Hauta ua tata ki Tapuirau ka mahue te wai ka kake ki Maui ka haere atu i te io wakawaho o Tapuirau ki puta ki Owakatete. Ko te kaha ki te Weta ka heke ki Waipuna ka marere ki te awa o te Wakatakere ka puta ki te Upoko Ngawa ka haere ka witi ki Owia. Ko te kaha ki te Nota kei Waikotio ka haere ka marere ki te Pikinga ki te Tiki a Pae ki te Moana nui o Tokirau o ka hoatu te kaha i reira i te tahataha o te moana a tae noa ki Raramata ka witi i te awa i reira ra te tahataha tonu o te moana tae Receipt.noa ki Haetureroa ano te timatanga o te kaha. Ko nga utu enei mo taua wenua Kotahi kaho Tupeka E rua tekau Paraikete &c. E rima tekau topu Tara, ara e ono tekau ma ono Pauna moni te ritenga o nga utu katoa. Mo te Matiu te wenua ake ake ake ratou ko ona tamariki. A mo nga tangata Māori o Parapara te nuinga o Raramata ake ake ake kia kotahi tekau ekara mo te Matiu kei te Awamutu.

Kai tuku—

- | | |
|----------------------|------------------|
| ▪ Nopera Pānakareao. | ▪ Morenga. |
| ▪ Watene Wera. | ▪ Paratene Hamu. |
| ▪ Ihaka Huapuku. | ▪ Karu wero. |
| ▪ Kingi Kohuru. | ▪ Wetekia. |
| ▪ Raniera Patuware. | ▪ Takamoana. |
| ▪ Riki. | ▪ Wiremu Kapu. |
| ▪ Wiremu Pikahu. | ▪ Huhu. |
| ▪ Hira Kuri | ▪ Waitaha. |

Kai Titiro—

- | | |
|--------------------|-----------------|
| ▪ Wm. G. Puckey. | ▪ Kepa Waha. |
| ▪ Aperahama More. | ▪ Tamati Pawau. |
| ▪ Rapata Wakanotu. | ▪ Taha. |
| ▪ Reihana Morenui. | ▪ Puia. |
| ▪ Puru.Karu. | ▪ Hahakai. |

True Copy.

H. TACY KEMP.

Translation Kaitaia, November 14, 1839, Mangonui District:

Know all men by this Book. Written by us Nopera Pānakareao and Mr. Matthews written on the fourteenth day of November one thousand eight hundred and thirty-nine, selling a piece of land to Mr. Matthews known by the names of Raramata, Parapara, Tapuirau, Mata. Bounded on the East by the sea at Haetureroa, ascending to Pukewau, to Pukenui, descending to Pua Kahikatoa going to the Ridge descending to the [800 acres.] Wai o te Kauri, diverging and descending at the papa following the water of the Parapara, the river that runs straight to Tapuirau. The kauri forest on the South near to Tapuirau leaving the water ascending to Maui, going from the outer ridge of Tapuirau, emerging at Owakatete. On the West descending to Waipuna down to the water of Wakatakere emerging at the Upoko Ngawa, continuing, and crossing to Owia. On the North at Wai Kotio continuing and descending to the Pikinga to the Tiki a Pae to the East Coast; following the seacoast, from thence to Raramata, crossing the river, then following the coast to Haetureroa, the beginning of the boundary. Payment, One Cask Tobacco, Twenty Blankets, One hundred Dollars, Ten acres of Raramata for Mr. Matthews, the remainder for the Natives.

[Witnesses.]

True Translation. H. Tacy Kemp. No. 163A. O.L.C.A True Transcript of Certified Copy of Original Deed and Translation. Wellington, 28th November 1878. H Hason Turton. [Signatures.]⁷

Figure 5: Haetureroa.



The Waitangi Tribunal (1988 p. 24) in the Mangonui Sewerage Report confirmed that:

The lands still held by Ngāti Kahu are certainly not large. They are roughly divided into the eastern, central, and northern portions described. On the eastern headland of the Bay are smallish but significant residues of the Waimahana, Taemaro and Waiaua reserves, while to

⁷ New Zealand Electrotonic Text Collection. Te Puhikotuhi o Aotearoa (2023). Māori Deeds of Old Private Land Purchases in New Zealand, From the Year 1815 to 1840, with Pre-Emptive and Other Claims. Parapara Block, Centre of Doubtless Bay, Mangonui District. Retrieved December 14, 2023 from: [Parapara Block, Centre of Doubtless Bay, Mangonui District | NZETC \(victoria.ac.nz\)](https://www.victoria.ac.nz/nzetc/collections/maori-deeds-of-old-private-land-purchases-in-new-zealand-from-the-year-1815-to-1840-with-pre-emptive-and-other-claims).

the south of the Mangonui harbour are the Kohumaru – Kenana lands, some 950 ha in numerous blocks, with 190 ha in pasture and the balance in rough scrub.

At the centre, a short distance from Taipa, the Ōkokori block stands over Aurere beach. Three kilometres up the Parapara valley behind it are the Parapara and Te Ahua lands. Until recently they supported substantial Māori settlements, but through fragmentation and land sales, only some 600 ha remains. Most is multiply owned fragmented titles under grazing arrangements. The important Ōruru valley that adjoins has not been Māori owned since the 1850s, but in the fertile Peria valley behind it, 410 hectares remain.⁸

In a Memorandum of Counsel by Tamaki Legal (2020, March 31) responding to the Waitangi Tribunal Memorandum of Directions in the matter of the Renewed Muriwhenua Land Inquiry (Wai 45) regarding the Raramata, Parapara and Te Mata – Ngāti Tara land blocks they stated:

... We refer in particular to claims concerning the Raramata, Parapara and Te Mata blocks. These lands are well within Ngāti Tara's traditional boundary. Parapara, of course, is where Ngāti Tara's principal marae is situated and indeed it is referred to as Parapara marae. With regard to the Raramata block, Mr. Bassett gave evidence before the Ngāti Kahu Remedies Tribunal about legal proceedings brought by Reihana Kiriwi over a native reserve said by Reihana to have been created on Raramata...⁹

The Tribunal refers to Reverend Joseph Matthews' Raramata claim at pages 230-234 of the Muriwhenua Land Report stating that the *"Matthew's transaction covered three adjoining Māori blocks, Raramata, Parapara and Te Mata, for 7317 acres (2961 ha) in all, but the deed was clear that all but 10 acres of the first-named block, Raramata was for Māori."*¹⁰

The Muriwhenua Land Tribunal discussed the evidence of Matthews and Pānakareao before Godfrey's inquiry that Raramata had not been sold – "it belongs to the natives still" – according to Pānakareao.¹¹ Then before Commissioner Bell a decade later, with Pānakareao now dead, Matthews, Reihana Kiriwi and certain other Māori placed a survey plan of the Raramata block before the Commissioner. The land was defined as *"the whole of the land north of the Aurere Stream as 2967 acres (1201 ha)"*¹² and extending to Te Pikinga. In a sworn statement, Matthews stated that the intention was *"to make a sufficient reserve for the natives for their canoes, nets and other purposes."*¹³ Bell declined to accede to Matthew's request but agreed *"to make them a reserve of 300 acres (212 ha) at Raramata."*¹⁴

Bell's Commission was not the last judicial body to field evidence concerning Ngāti Tara's interests in Raramata. 40 years later in 1897, Timoti Puhipi restated Reihana Kiriwi's case to the Native Land Court:¹⁵ *"Reihana [Kiriwi] alone appeared in the Court before Commissioner Bell, he was asking for the whole surplus to be returned to him. But the Commissioner cut of this reserve – 340 acres only."*

⁸ Waitangi Tribunal. (1988). Mangonui Sewerage Report. NZ Government Printers: Wellington, New Zealand.

⁹ Bassett, R. (2012, August 22). Brief of Evidence of Raniera Bassett. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal, #R38, at [71-74].

¹⁰ Muriwhenua Land Report, Wai 45, Waitangi Tribunal Report 1997, chapter 7, at [7.2.6].

¹¹ Ibid, p. 232.

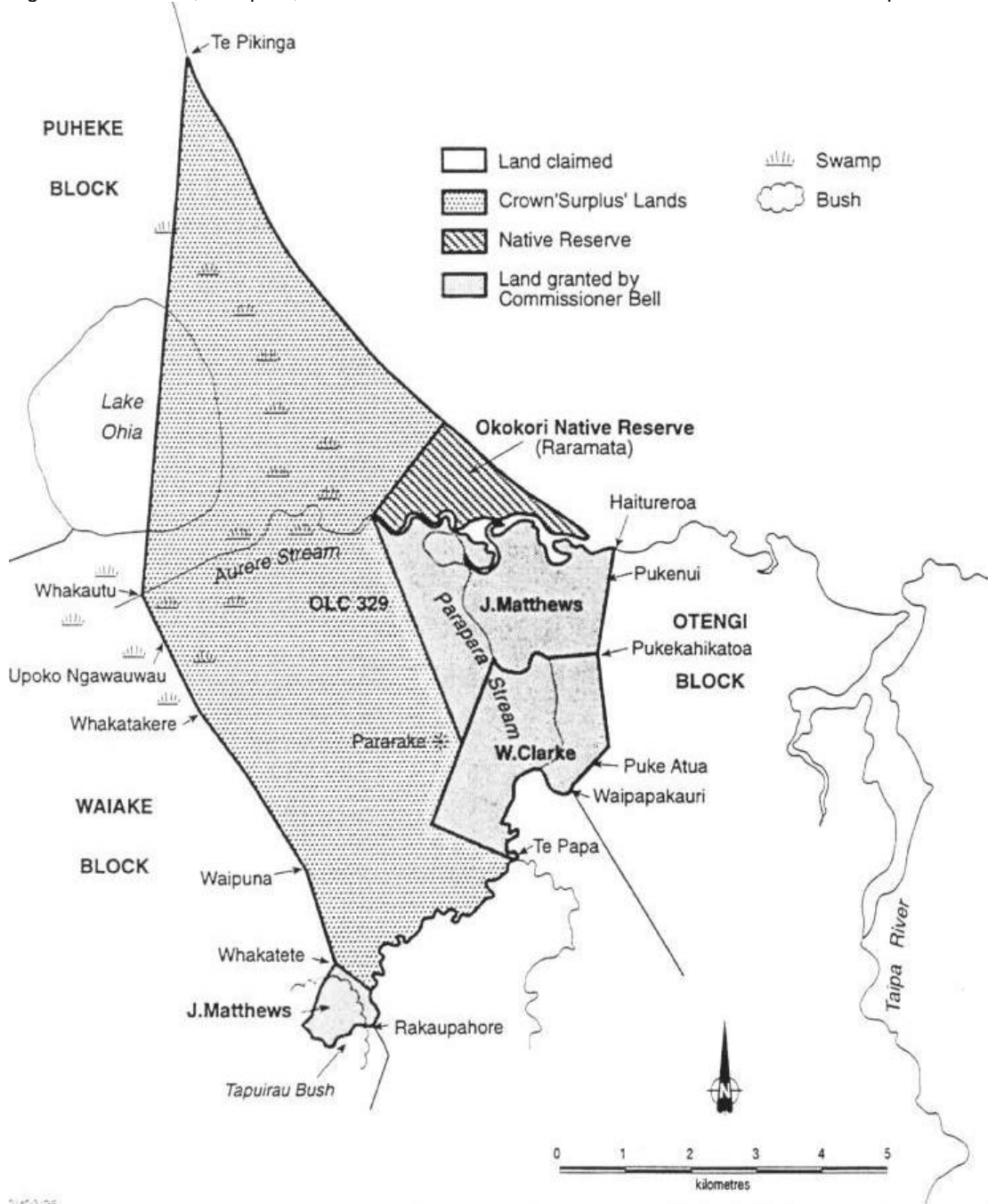
¹² Ibid.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Ibid, p. 234.

Figure 6: Raramata, Parapara, Te Mata: award to Matthews and Clarke and Government Surplus.



In 1948 a Report of Royal Commission to enquiry into and report on claims preferred by members of the Māori Race touching certain lands know as surplus lands of the Crown. Petition No. 2 of 1923, of Heta Kiriwi and others, concerning the Aurere Block (File N.D. 1924/439). The Royal Commission reported that the petitioners in respect of the Aurere Block prayed for relief upon the alleged ground that no arrangement had ever been made for sale of the land to European or the Crown, and that the land had been "confiscated". The Royal Commission stated that:

Reverting now to the Aurere petition, plainly any suggestion of confiscation is out of the question, and even if the question involved were merely one of a promise by Mr. Mathews to return the land, clearly the land came within the category of "surplus lands". And in law, as Judge McCormick rightly says, the promise could not be effective. That, however, still leaves

open the question which was expressly reserved by both Judge McCormick and Mr. Justice Sim's Commission and is now before us for consideration – that is to say, the question, there being surplus land in these cases, whether the Māori vendors would have had a right in equity and good conscience to return of the surplus areas, and we have considered this petition on that basis. What we have said in regard to Aurere and Tangonge is said merely by way of explanation, though we doubt whether such explanation was really necessary, because Mr. Cooney expressly and correctly admitted that the grounds upon which the petitions were based could not be supported, and that the only question that arose consideration in respect to the petitions was the question of surplus lands.¹⁶

Maurice Alemann (N/D pg. 24) in his evidence '*Muriwhenua Land Claim Mangonui, Native Reserves and Opouturi reported that the Ōkokori or Awapoko*' that only three reserves in the Mangonui Block amounting to 3% of the total land area was "reserved" for Māori. He noted that Ōkokori which was on the sea was a barren strip of sand without agricultural potential. On the 14 November 1839 a private purchase (Turton's Deed 54) was entered into with Nopera Pānakareao for a block called Parapara. The Deed stated, "*A mo nga tangata Māori o Parapara te nuinga o Raramata ake ake ake kia kotahi tekau ekara mo te Matiu kei te Awamutu*", this is translated as "*Ten Acres of Raramata for Mr. Matthews, the remainder for the Natives.*" In 1943 Matthes brought the claim before Godfrey on the basis of the price he had paid and was awarded 306.5 acres of the land in Parapara, this was subsequently amended by Governor Fitzroy who awarded a further 493.5 acres. Alemann noted that:

In 1857 Matthews brought his claim before the Land Commissioner FD Bell and he stated in Court on 5 October 1857 (reconstructed SLC File of OLC 326, page 13) that "*the river goes by the name of Raramata, and the intention was to make a sufficient reserve for the Natives for their canoes, huts, and other purposes. When the survey was made it was carried along the beach from the entrance of the river to the stump of a tree at Te Pikinga, and I am desirous in performance of my promises to the Natives, the whole of the land between Raramata (or Anopoka) river and Te Pikinga should be give up as a Reserve for their use.*"

The total area surveyed for Parapara was 7317 acres (OLC Map 9), and on it is marked a Native Reserve of 240 acres. This is a considerable reduction on some 3000 acres which should have been reserved, but FD Bell did not accept Matthews' argument that he had promised this land to the "Natives". He decided to award only 340 acres (138 ha) ...¹⁷ cut out as Ōkokori native reserve and gave no grounds for doing so.

On 5 October 1897 this land now called Ōkokori or Te Awapoko was brought before the Native Land Court (NMB No. 17, page 379), a survey Plan ML 6783 was produced in 1900. The Judge awarded this land to 6 Māori "as Trustees for those in Mawena Kiriwi's list" on the 5 October 1897 50 acres.

In 1954 this block came again before the Māori Land Court (NMB 81 p. 291) and was portioned into two portions, A of 50 acres and B of 351 acres. This block of 351 acres was sold, and only 50 acres remained as Māori Land.¹⁸

¹⁶ National Library. Papers Past. Parliamentary Papers. Appendix to the Journals of the House of Representatives. 1948 Session I. Report of Royal Commission to Inquire into and Report on Claims Preferred by Members of the Māori Race Touching Certain Lands Known as Surplus Land of the Crown. New Zealand. Retrieved December 29, 2023 from: [Papers Past | Parliamentary Papers | Appendix to the Journals of the House of Representatives | 1948 Session I | REPORT OF ROYAL COMMISSION TO INQUIRE INTO AND...](https://paperspast.parliamentary.nz/Document/1948/SessionI/REPORT_OF_ROYAL_COMMISSION_TO_INQUIRE_INTO_AND...) (natlib.govt.nz).

¹⁷ It is further telling that, when the reserve was finally given, at 340 acres (138 ha) at the mouth of the Aurere or Raramata River, it was called Ōkokori, not Raramata, for Raramata was a larger area and a kokori describes just a small inlet on a coast. Waitangi Tribunal. (1987). *Muriwhenua Land Report*, p. 234).

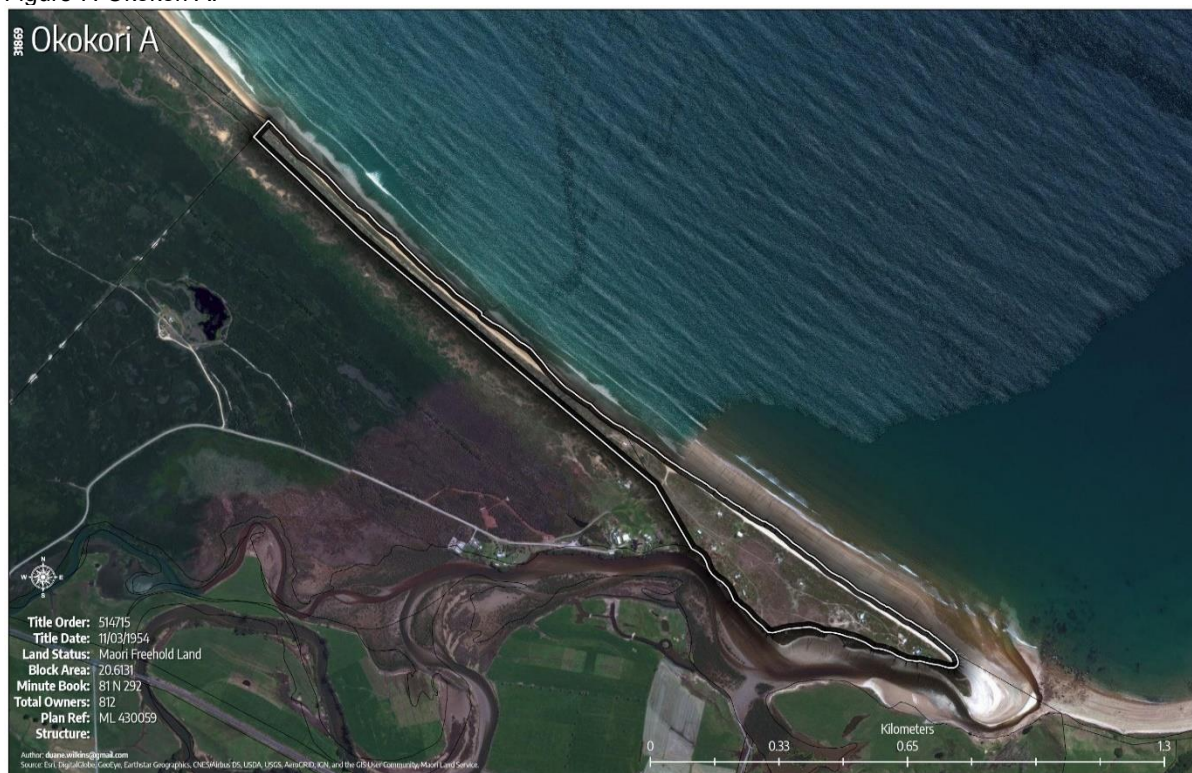
¹⁸ Maurice Alemann (N/D pg. 24). *Muriwhenua Land Claim Mangonui, Native Reserves and Opouturi reported that the Ōkokori or Awapoko*.

Robert Gabel (2012) in his brief of evidence before the Waitangi Tribunal stated: *“I was told that the Ōkokori block was managed by and belonged to my Grandfather Henare Piripi and Wiremu Piripi. They had 351 acres of farmland but gave 50 acres back to Ngāti Tara. It is now a reserve known as Ōkokori. The remaining lands were taken by the local council for unpaid rates. This was Ōkokori B and is now occupied by Hector Busby. My mother was an owner in the Ōkokori B block before it was purchased by Hector Busby.”*¹⁹

2.2 Awapoko Reserve – Ōkokori A

The Awapoko Reserve was also known as Whakautu and Ōkokori.²⁰ Awapoko River is an estuary almost 2 km (1.2 miles) long, where the Aurere and Parapara Streams merge before entering the Doubtless Bay.²¹ Awapoko Reserve is adjacent to the coastal marine area of Tokerau Moana (Doubtless Bay) east coast, and is registered in the Māori Land Court, Tai Tokerau as Māori Freehold Land (ML 430059). The area of land is 20.6131 hectares, and a total of 907 owners, 109 shares and no registered land administrators.

Figure 7: Ōkokori A.



Under S338(1) of the Te Ture Whenua Māori Act 1993, Māori reservations for communal purposes the Māori Land Court may make an order to set apart as Māori reservation any Māori freehold land or any General land:

- (a) For the purposes of a village site, marae, meeting place, recreation ground, sports ground, bathing place, church site, building site, burial ground, land place, fishing ground, spring,

¹⁹Robert Gabel. (August 22, 2012). Brief of Evidence. An application by Ngāti Tara for an Order of the Waitangi Tribunal pursuant to Section 8A(2)(a)(ii) of the Treaty of Waitangi Act 1975.

²⁰ New Zealand Government. (1908). Native Lands and Native-Land Tenure: Interim Report of Native Land Commission, on Native Lands in the Counties of Whangarei, Hokianga, Bay of Islands, Whangaroa and Mangonui. Appendix to the Journals of the House of Representatives, 1908 Session I, G-01J.

²¹Wikipedia. (2021). Awapoko River. Retrieved 2023, December 29 from: [Awapoko River - Wikipedia](https://en.wikipedia.org/wiki/Awapoko_River).

- well, timber reserve, catchment area or other source of water supply, or place of cultural, historical, or scenic interest, or for any other specific purposes or
- (b) that is a wahi tapu being a place of special significance according tikanga Māori.

The Māori Land Court record sheet shows that a subdivision order was made on 11 March 1954 for Ōkokori A (Ōkokori or Awapoko Reserve) containing 20.2342 ha (50 acres). Keene, F. (1963) wrote:

Aurere is situated at the mouth of the Awapoko River, a few miles north of Taipa. It was great tragedy that gave this beautiful place its name and this was related by an old kaumatua, Ngakuku, He Ngakuku, He began the story by saying: *“Ko te tini o Toi, ko te mano o Toi, I mate I te Rautahio atua,”* many thousands of Toi's people perished under a sweeping thrust of the gods. This was a terrible epidemic that carried off so many that there were not enough able-bodied men left to bury the dead. For many days and nights all that could be heard were the heart broken wailings of the dying and those who had escaped death. So, from this tragic happening the picturesque spot was given the name Te Aurere Tanga, which means the universal groanings and wailings of the dead. Later, Te Aurere Tanga was shortened to Aurere. Ngakuku also known as Nopera Pānakareao.²²

2.3 Sites of Significance to Māori – M23

Powell, E. (N/D) Team Leader of the Resource Consents for the Far North District Council regarding the southeastern portion of Ōkokori A & B Block are scheduled in the Far North District Plan as a Site of Significance to Maor referenced as MS05-38. The site was originally scheduled as reference in Appendix F under the Town and Country Planning Act 1977 and was carried over into the operative District Plan under Schedule 1 of the Resource Management Act 1991. Appendix F refers to Ōkokori / Kaimaua reserve and its purpose is as a recreation reserve and wahi tapu (Pt Ōkokori Blk 27.04 ha (Awapoko Reserve) administered by the Māori owners.

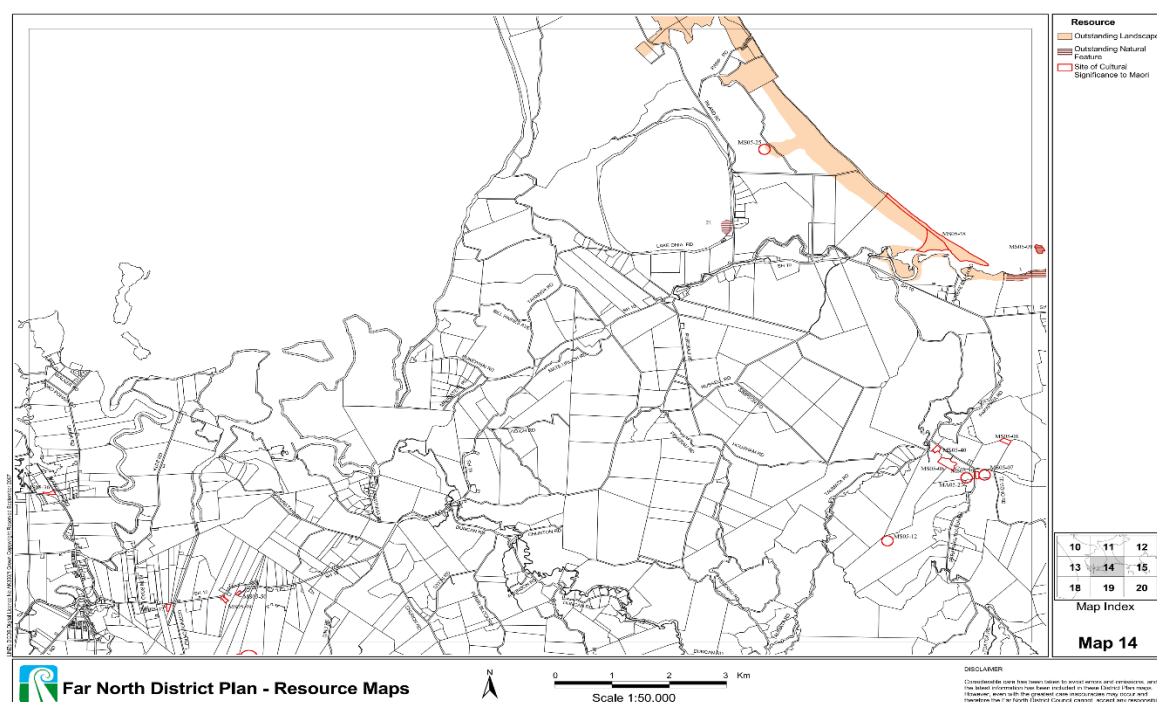
The name of the wahi tapu is Kaimaua and is located on the Ōkokori A (Ōkokori or Awapoko Reserve). As described by Keene (1963) this occurred through the early epidemics which decimated hapu in the 1800's not only at Aurere but also in the Ōruru Valley. Powell noted that:

In Busby MLC (50TTK 9) [2012], Ambler J comments that when the Court dealt with the partition of Ōkokori into A and B in the 1950s that there was express reference to “tapu” being on Ōkokori A. In the minute of the meeting Prichard J referred to the proposed reservation to be partitioned (that would become Ōkokori A) as being for a camping and fishing reserve and to include the tapu. It is noted in the excerpt Mangonui County Operative District Scheme Appendix F that Pt Ōkokori Block is also called Awapoko Reserve (see Figure 3). The minutes by Prichard J (11 March 1954) confirm that Ōkokori A is Awapoko Reserve. The Title Order from 1954 further confirms this.

In light of the above, it seems reasonable to conclude that the Site of Significance to Māori Scheduling may have been applied in error by Council to Ōkokori B Block within the District Plan during the transition from the Town and Country Planning Act 1977 planning environment to the Resource Management Act 1991.

²² Keene, Florence. (1963). Tai Tokerau. The Naming of Aurere, p. 24 - 25. Anne and John Keene, PO Box 833, Whakatane.

Figure 8: Far North District Council Resource Maps. Site of Cultural Significance to Māori.



Source: Far North District Council Resource Maps.

2.4 Ōkokori B Block

The land in question borders the Aurere stream and the Awapoko River, and the Ōkokori A Block which fronts Tokarau Beach.²³ The Māori Land Court record sheet shows that a subdivision order was on the 1 June 1954 containing 115.8000 ha (ML15115). In March 1966 the owners of Ōkokori B (Māori freehold land) resolved to sell the land to Mr. Busby (3 Kaitiā MB340 (3 KT 340)). The land was superseded by Hector Busby, and it was noted that it was now European Land (TK7637) on the 22 April 1966 (85/772).

Ōkokori B comprises 115.8 hectares. The site was purchased by Sir Hector Busby in 1966 as a freehold title. However, Alemann, M. notes that *“In 1954 this block came again before the Māori Land Court (NMB 81 p. 291) and was portioned into two portions, A of 50 acres and B of 351 acres. This block of 351 acres was sold, and only 50 acres remain as Māori Land.”* The sale was given effect by the Māori Trustee on 22 April 1966, pursuant to section 2(2)(f) of the Māori Trustee Act 1953²⁴, the status of the land changed to general land upon the transfer being registered.²⁵ The current Māori Land Court record shows Ōkokori B as Māori Freehold Land (ML 515115) containing 115.8000 ha (286 acres) and Hector Busby as having 10 shares absolute.

²³ Reserved Judgement of Judge DJ Ambler. (October 26, 2012). In the Māori Land Court of New Zealand Tai Tokarau District. Under Section 338, Te Ture Whenua Māori Act 1993 in the matter of Ōkokori B between Hector Busby, Applicant.

²⁴ The powers conferred on the Māori Trustee by this Act are in addition to the powers conferred on him by the Māori Affairs Act 1953, and nothing in either of the said Acts shall be construed to limit the provisions of the other Act.

²⁵ McLean, S. (2022, January 18). Senior Planner, Planning Hearings Report S42A. Far North District Council.

Figure 9: Ōkokori B.



Source: Arawai Ltd. Sir Hek Busby Waka Centre: Land Issues.

2.5.1 Ōkokori B Block – Te Awapoko Waka Wānanga Reserve

On the 17 January 2013 in the Māori Land Court, the Court made an order recommending that part of Ōkokori B in (NA46C/958), North Auckland Land Registry to be set aside as a Māori reservation for the purpose of a whare Wānanga for kaupapa waka, to be known as Te Awapoko Waka Wānanga Reserve for the benefit of the trustees for the time being of the Hekenukumai Nga Iwi Trust.

On the 23 May 2013, the land was set apart as Māori Freehold Land as a Māori Reservation was in the New Zealand Gazette pursuant to section 338(1) of Te Ture Whenua Māori Act 1993, on the recommendation of the Māori Land Court, the Māori freehold land described in the Schedule hereto, as delineated on the hand-written plan submitted with the application held by the Māori Land Court, is set apart as a Māori reservation for the purpose of Whare Wānanga for kaupapa waka, to be known as Te Awapoko Wānanga Reserve for the benefit of the trustees for the time being of Hekenukumai Nga Iwi Trust. North Auckland Land District Schedule – Part of the general land contained in Computer Freehold Register NA46C/958 North Auckland Land Registry and described as follows: 2.1000 hectares, Part Ōkokori B.²⁶

Judge DJ Ambler (2 July 2013) in the Māori Land Court at Whangarei on Ōkokori B – Recommendation for a Māori Reservation (Te Awapoko Māori Reserve) under section 338, Te Ture Whenua Māori Act 1993 confirmed:

C Rawhiti, for Registrar: At 52 Tai Tokerau MB 133-134 dated 17 January 2013 the Court made an order recommending that part of Ōkokori B being the land described in NA46C/958, North Auckland Land Registry be set aside as a Māori reservation for the purpose of a whare Wānanga for kaupapa waka, to be known as Te Awapoko Waka Wānanga Reserve for the benefit of the trustees for the time being of the Hekenukumai Nga Iwi Trust.

²⁶ NZ Gazette. (2023). New Zealand Gazette. Land Notices. Setting apart Māori freehold land as a reservation. Notice number 2013-In3089, pg. 3089, Issue Number 64. NZ Government. Wellington.

The Court further directed that upon the Māori Reservation being gazette, the application be referred to the Chambers to appoint trustees to hold and administer the Māori reservation. That part of the said land has been Gazetted as a Māori Reservation for the said purpose and the said class of persons by gazette notice number 64, page 3089 issued on 23 May 2013.

The file is referred to the Court to appoint Hekenukumai Busby, Charles Peter Wilson, Robert Gabel, Stanley Sedman Conrad as responsible trustees of Te Awapoko Waka Māori Reserve and vest the reserve land in them in their capacity as responsible trustees.

The Courts attention is also drawn to an issue that was raised by Court staff who are responsible for registering orders.

It would appear that LINZ has flagged the said land (NA46C/958) as potentially Māori freehold land.

There are several Court minutes with respect to this application that purport that the said land is General land.

There are other documents with respect to this land that support this land being General land, i.e. the alienation notice transferring the land to Mr. Busby recorded by the Court at R5/779 or TK 7637 dated 21 April 1966 notes on the face of the alienation notice that the land is declared/deemed to be general title. Further, the transfer instrument transferring the land to Mr. Busby was transmitted to the Land Transfer Office and registered on 29 July 1980.

Regardless of documentation supporting the land is General land, due to the absence of a Court order either determining status or changing status or changing status LINZ has flagged the land as potentially Māori freehold land.

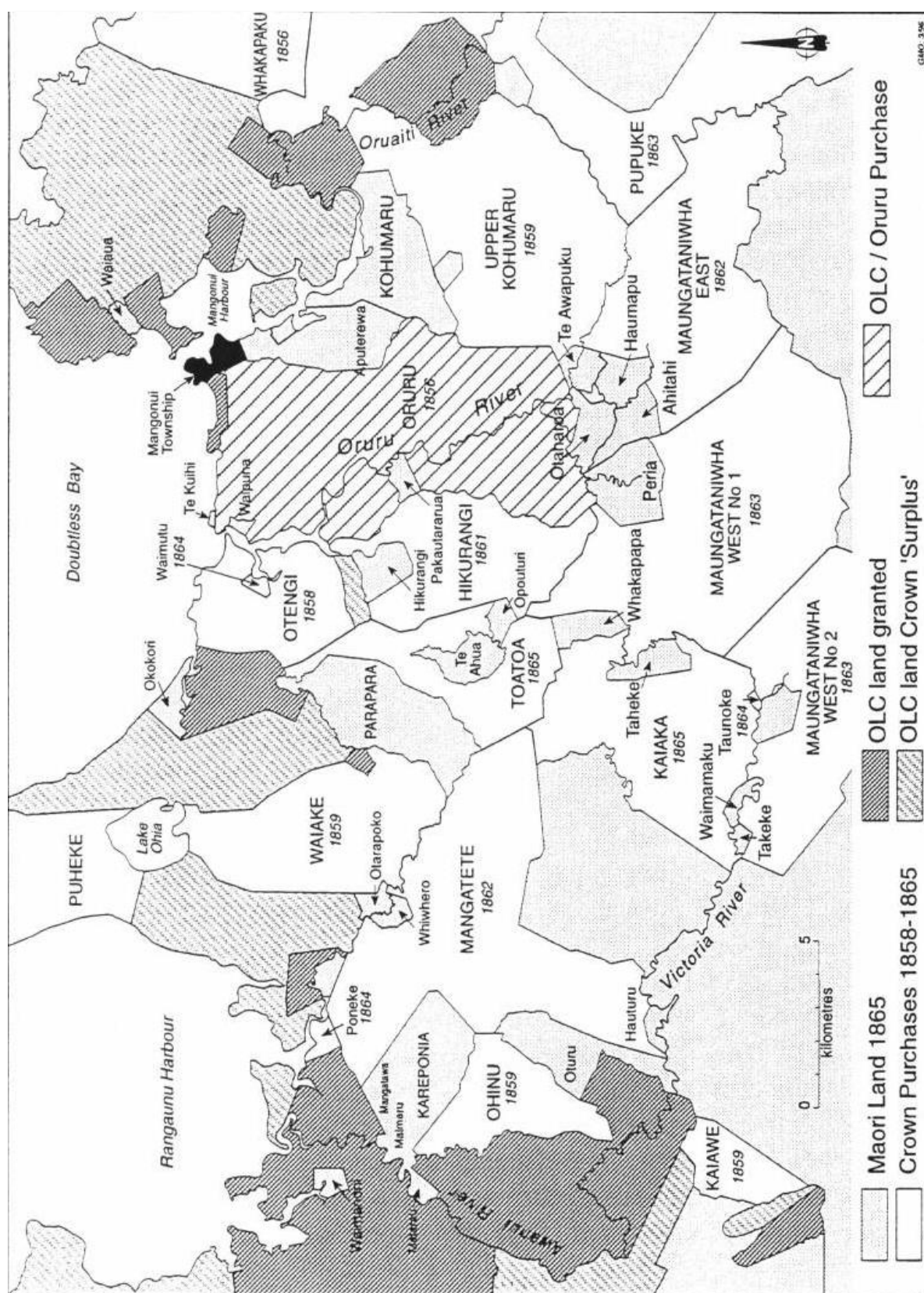
To tidy things, the Court is asked to make an order determining that all that land known as Ōkokori B and described in NA46C/985, North Auckland Land Register is General Land.

The Court makes orders pursuant to section 338(7) of Te Ture Whenua Māori Act 1993 (a) appointing Hekenukumai Busby, Charles Peter Wilson, Robert Gabel, and Stanley Sedman Conrad as responsible trustees of that party of Ōkokori B set aside as a Māori reservation gazette notice number 64 page 3089 issue on 23 May 2013 to administer the same for the benefit of those named in the said notice; and (b) Sections 37(3) and 131 determining that Ōkokori B being all that land described in NA46C/985, North Auckland Registry is General land.

Pursuant to rule 7.5(2)(b) of the Māori Land Court Rules 2011, these orders are to issue immediately.²⁷

²⁷ Te Kooti Whenua Māori. (2023). Pataka Whenua. Ōkokori B. Minutes of DJ Ambler, Judge, Tai Tokerau Māori Land Court, 2 July 2013, 61 Tai Tokerau MB 29. Retrieved December 12, 2023 from: [End User Portal \(maorilandcourt.govt.nz\)](https://maorilandcourt.govt.nz).

Figure 10: Government transactions, central Muriwhenua, 1850-65.²⁸



²⁸ Waitangi Tribunal. (1997). Muriwhenua Land Report. Transactions: Central and Eastern Districts, p. 227. Government Print: New Zealand, Wellington.

3. Ngāti Kahu

3.1 Treaties

He Wakaputanga o te Rangatiratanga o Niu Tirenī 1835 and Te Tiriti o Waitangi (Treaty of Waitangi 1840) are important documents as is the Declaration on the Rights of Indigenous Peoples. Te Matenga Paerata, Rangatira signed He Wakaputanga o te Rangatiratanga o Niu Tirenī on the 28th of October 1835 in Paihia, for the tribe of Te Rarawa and people (iwi) of Te Patu Koraha. Ururoa, also known as Paora signed the He Wakaputanga on behalf of Ngāpuhi, Ngāti Kahu and Te Tahawai. Nopera Pānakareao signed He Wakaputanga on behalf of Te Rarawa and Te Paatu.

Te Matenga Paerata also signed the Treaty as did Nopera Pānakareao on the 28 April 1840 at Kaitia. Other northern chiefs that signed Te Tiriti o Waitangi (Treaty of Waitangi 1840) included Hare Matenga Kawa who signed Te Tiriti o Waitangi on the 28 April 1840 in Kaitia for the tribe of Te Rarawa and iwi (people) of Te Patu Koraha. Hare Popata Waha signed Te Tiriti o Waitangi on behalf of Te Rarawa, Ngāti Kahu, Kaiote, Te Patu Koraha and Ngai Taranga. Tana Te Wheinga Taua signed Te Tiriti o Waitangi on behalf of Te Rarawa and Te Paatu. Tamati Pawhau also signed Te Tiriti o Waitangi at Kaitia on 28 April 1840 and is also Te Paatu. Matiu Tauhara signed the Treaty of Waitangi on the 28 April 1840 on behalf of Ngāti Kahu and Te Roroa at Kaitia as a young man. Rawiri Awarau also signed Te Tiriti o Waitangi as Te Rarawa and Patu Koraha as did Karaka Kawau as Te Rarawa and Te Paatu at Kaitia on 28 April 1840.

He Whakaputanga o Rangatiratanga o Niu Tirenī 1835 establishes this authority, and the Te Tiriti o Waitangi (Treaty of Waitangi 1840) supports this. The Waitangi Tribunal in the Muriwhenua Fishing Report 1988 recognised that:

Since 1835 (the signing of the Declaration of Independence), Britain had recognized the independent authority of Māori as a right of sovereignty and New Zealand as an independent state. The Crown cannot argue now against that recognition. (Waitangi Tribunal, 1988:291 (i)).

Article 2 of the Treaty of Waitangi 1840 provides for the principle of self-management or the Rangatiratanga principle. Article 2 guarantees to Māori the control and enjoyment of those resources and taonga which it is their wish to retain. In the *New Zealand Māori Council v Attorney General* (1987) 1 NZLR 641, 644 the Court of Appeal observed that:

... the duty of the Crown is not merely passive but extends to active protection of Māori people in the use of their lands and waters to the fullest extent practicable.

The Report on Stage 1 of the Paparahi o Te Raki Inquiry – He Whakaputanga me te Tiriti the Declaration and the Treaty the Waitangi Tribunal (2014, p. 529) concluded:

- (a) The Rangatira who signed te Tiriti o Waitangi in February 1840 did not cede their sovereignty to Britain. That is, they did not cede authority to make and enforce law over their people or their territories.
- (b) The Rangatira agreed to share power and authority with Britain. They agreed to the Governor having authority to control British subjects in New Zealand, and thereby keep peace and protect Māori interests.
- (c) The Rangatira consented to the treaty on the basis that they and the Governor were to be equals, though they were to have different roles and different spheres of influence. The detail of how this relationship would work in practice, especially where the Māori and European populations intermingled, remained to be negotiated over time on a case-by-case basis.

- (d) The Rangatira agreed to enter into land transactions with the Crown, and the Crown promised to investigate pre-treaty land transactions and return any land that had not been properly acquired from Māori.
- (e) The Rangatira appear to have agreed that the Crown would protect them from foreign threats and represent them in international affairs, where that was necessary.

The Waitangi Tribunal (2014, p. 529) explain “*that the Rangatira in essence agreed to the power to control British subjects and thereby to protect Māori.*”

As endorsed by the New Zealand Government Article 26 of the United Nations Declaration on the Rights of Indigenous Peoples:

Confirms indigenous peoples have the right to the lands, territories, and resources which they have traditionally owned, occupied or otherwise used or acquired. Indigenous peoples have the right to own, use, develop and control lands, territories, and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired. States shall give legal recognition and protection of these lands, territories, and resources. Such recognition shall be conducted with due respect to customs, traditions and land tenure systems of the indigenous peoples concerned.

3.2 Ngāti Kahu Tribe

Taipā features in the earliest records of a human presence in Aotearoa New Zealand.²⁹ Kahutianui is the tupuna that gives her name to the Ngāti Kahu tribe. Kahutianui is the daughter of Tūmoana and Kahukura-ariki. Tūmoana was the Rangatira of the Tinana waka. His mokopuna (nephew) Te Parata, is reputed to have refashioned the Tinana at Rangiātea [Ra’iātea] after Tūmoana had returned there from Tauroa, Aotearoa. After the refashioning, the Tinana was renamed Māmaru which guided by Te Parata back to Aotearoa. It is said Parata had returned with tohunga, including Tangauru³⁰ whose Pa is located on the Taipa Headland. Bassett, R (2012, August 22) explains:

Tangauru, the tohunga on the Māmaru, built their first pa and named it Otangauru. Whilst there was a plentiful supply of kaimoana, the Māmaru people found that the land was not very fertile and so they went inland a short distance and made large gardens at Parapara and elsewhere nearby.

According to our kaumātua, Mamangi and her people also lived on Te Paraua adjacent to Otangauru and both Kahutianui and Mamangi died here and were buried nearby at Otengi. It was at Otengi that the Māmaru people had one of their Wānanga and it was on Kohatutapu that many sacred ceremonies were performed.

The name refers to the ‘Taiapa’ that surrounded the kāinga known today as the Taipa Point. On the arrival of the Māmaru, Te Parata married Tūmoana’s daughter Kahutianui. The descendants and people of the Māmaru spread out through the Ōruru valley right to the base of Maunga Taniwha and along the coast to Tākou and headed west to Whangapē. For various reasons, these people moved mainly south and unlike other iwi and tūpuna they were not a static and inbreeding community. Bassett, R. (2012, August 22) in his evidence before the Waitangi Tribunal describes the land of the Māmaru waka as follows:

²⁹ The Waitangi Tribunal’s Mangonui Sewerage Report – Wai 17 summarises the oral evidence given by Ngāti Kahu Kaumatua.

³⁰ Bassett, R. (2012, August 22). Brief of Evidence of Raniera Bassett. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal.

According to our traditions, the Māmaru landed at Ikatiritiri near Taipa. But long before it did, Kupe, his wife Kura-marō-tini and members of their crew made landfall at Taipa in their waka Matawhaorua. It was late in the day when they paddled past Karikari and headed towards the southern end of Tokarau beach. Kupe looked for an area that would provide a safe landing. He spied some water that the setting sun had turned a golden colour and so he decided to land nearby. He named the place Waitohu.

Due to the bountiful supply of fish and shellfish. Kupe and his people stayed there for some time. They planted gardens which they named Ngātiti and built ngā whare for themselves. Skids were used to beach Matawhaorua. Following this, they were planted on a nearby headland where some still grow today. They are named Tawapou and carry a strong tapu. After a while, it was decided that Kura-marō-tini and some of the others would stay behind while Kupe continued his voyage of exploration. Some say that when he returned to Waitohu, he left Matawhaorua here and travelled overland via the Paranui valley to Mangamuka. There he prepared for the return to Hawaiki.³¹

The Waitangi Tribunal reported on the Ngāti Kahu – Mangonui Sewerage Claim (WAI 17) in August (1988 p.1-3). The Waitangi Tribunal summarised the early inhabitants of the Taipa area:

Tokerau or Doubtless Bay, in New Zealand's Far North, has been the Ngāti Kahu homeland since time began. That at least is a tribal perspective for the tribe was founded some seven hundred years ago when Parata arrived at Taipa from distant Hawaiki to meet and dwell with Kahutianui, the ancestress for whom Ngāti Kahu (the descendants of Ngāti Kahu) are named. They made their home on the Otengi headland beside the Taipa beach, and at Taipa a tribe was born.

The children of Kahu spread across the whole of the Doubtless Bay lands adopting a variety of hapū or clan names. In broad terms, their settlements were in their divisions, at Karikari, the northern sentinel of the Bay, at central Taipa, the gateway to the villages of Ōruru, Peria and Parapara in the hinterland, and in the eastern Taemaro ranges, where Waiaua, Taemaro and Waimahana nestled into the coastal folds.

Those broad settlement divisions still prevailed but unity was based upon central Taipa. Though distanced by circumference of the Bay, signal fires on the hilltops of Karikari, Otengi and Taemaro were a reminder that they were kindled from common hearth.

The valley behind Taipa was the choicest part, the Taipa-Ōruru river serving a line of villages strung along 22 kilometres of watery highway. Eighteenth century explorers were warned of a fighting force there 2,000 strong, suggesting a total population of 8,000 or more, so densely encamped that messages were said to pass in moments by call from pa to pa. It was possibly one of the heaviest concentrations of Māori in the country.

The evidence today of the former Māori presence in the Ōruru valley is some 57 pa sites, but little else remains. The first European visitors brought diseases unknown to Māori to whom even the common cold could mean death. The devastation was worst in thickly settled places and the Ōruru population is thought to have been reduced by well over a half in less than two decades.

³¹ Bassett, R. (2012, August 22). Brief of Evidence of Raniera Bassett. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal.

Population losses exposed Ngāti Kahu to attack from related tribes on their western and southern flanks. When settlers and the Crown arrived, there were two rival conquerors neither of whom had scored a conclusive victory over the other; but nor had Ngāti Kahu been removed. The conquerors were also their close kin. The two rival chiefs of the adjoining tribes purported to prove their rights to the Ngāti Kahu lands by selling them. They did so although they in fact lived elsewhere in their own tribal areas.

The Native Land Court that was established much later, put far more weight on actual occupation to determine ownership, but at that time, when 'might was right', and although the Treaty proposed a safer rule of law, it was politic for the settlers and the Crown to treat with the mighty. Some blocks sold were so large that no small-scale map could encompass them.

Taipa-Ōruru was most at risk for it was the best land. Needless to say, the main tribal wars were fought there. In fact, the last battle in the district was a part of the Ōruru war fought in 1843 on the Taipa foreshore to settle the very question of who had the selling rights. Forty-six died on the beach.

The result, a draw for the two rival chiefs, was a victory for the Crown. Though both chiefs sought land reserves for themselves, the Crown paid off each to remove the belligerent Māori entirely from the Taipa-Ōruru scene, and to keep it clear for the settlers.

Thus did Ngāti Kahu lose the Taipa-Ōruru lands, eventually without so much as a reserve for their own needs. The most they could do, in the exigencies of the time, was to concur politely in the hope of being paid or to protest mildly and have nothing. Ngāti Kahu regrouped on the lands that remained but through much intermarriage with the neighbouring rival tribes it was not until several decades later that the common tribal name was restored. The central base was sold, and the focus was on the small areas retained. Those lands were held as before in the three districts described but the holdings were so reduced in size that the traditional economies could not be maintained. The remnants of those lands are still there, and in planning for Māori needs, any planner should know where they are. They are at Karikari in the north, at Peria and Parapara in the central hinterland with Ōkokori on the coast, and at Waiaua, Taemaro and Waimahana in the east with holdings at Kohumaru-Kenana nearer Mangonui.

Though it was inherent in the Treaty that each tribe would retain a sufficient area for its needs, in fact the reserves were grossly inadequate, and people had to leave. Through subsequent successions and title fragmentation, some areas now support no more than one or two families. Small though the lands may be for the maintenance of a tribe, they are still the spiritual base for many who have moved away. Their cultural value has intensified through the other losses sustained.

The Waitangi Tribunal Mangonui Sewerage Report (1988 p.13 – 15) describes how Taipa was centre of the Ngāti Kahu lands. The Mangonui Sewerage Report summarises the history of Taipa as follows:

When the Māori settlers arrived on Māmaru canoe, possibly 700 years ago, they settled at Taipā, and the original dwelling place at Otengi headland is sacred to this day. The people's main pā was built there. The main shellfish beds were nearby too.

According to local history, it was at Taipa that Kupe first landed. He is credited with discovering the country, but it is not certain that he did so. Recent archaeological evidence indicates that Māori were clearing the Northland forests as early as 500 AD.

He called the Taipa River Ikatiritiri (to apportion fish) because of the abundant fish life to be found. At the adjoining Otengi headland, he made a place for his daughter to stay while he

explored the country. It was from Taipa that Kupe returned to Hawaiki, according to Ngāti Kahu history.

In Hawaiki Kupe gave instructions on how to reach here and on the places to be found. Those descriptions, it seems, were passed down over some generations as Kupe's descendants set sail.

Whatever navigational aids were used they appear to have been accurate for Tūmoana was to bring his canoe, Tinana, to the very places that Kupe had described. His people, including his daughter Kahutianui, were to dwell at Tauroa near Ahipara, but Tūmoana journeyed back to Hawaiki, promising to send his nephew Parata, as a husband for Kahutianui, and prophesying that certain signs would announce Parata's arrival at Taipa.

At Hawaiki, the Tinana canoe, re-adzed and enlarged, was relaunched under the new name of Māmaru, under Parata's command. Landfall was made at the Otengi headland at Taipa, amidst a gathering storm. The lightning, we were told, alerted Kahutianui who knew the time had come to journey to the Bay. She was a woman of great lineage, courage and leadership and it is from her that Ngāti Kahu take their name.

The coast was explored by Māmaru and at Karikari peninsula, or Rangiawhia as they called it, the first pa was erected to stand sentinel over the bay. Eventually, however the canoe was beached at Otengi, where Kupe's daughter had stayed, and it was there that Parata and Kahutianui made their home. It was to be the birthplace of Ngāti Kahu. Thus was the tribal pepeha raised:

**Ko Māmaru te waka
Ko Parata te tangata
Ko Kahutianui te wahine
Ko Ngāti Kahu te iwi**

**Māmaru was the canoe
Parata was the man
Kahutianui was the woman
And Ngāti Kahu began**

Two logs or skids, carried from the homeland to beach the canoe, were then planted there. Two tawapou trees are there to this day. From cuttings, others have been established on the lands of related tribes.

At Taipa an abundance of fish was found, and shellfish of great variety—toheroa, tipa (scallops), kokota (pipi), huai (cockles), karahu (periwinkles), kutai (mussels), tio (oysters), kina, pupu and koramarama (rock periwinkles), paua, patiotio (limpets), ngakihikihi (small mussels) and kotoremoana (shell-less paua). The kokota beds at the Taipa river mouth exceed five acres; there are large huai beds a little upstream and karahu are found on the nearby mangrove mudflats.

Fresh water was available by digging holes in the Taipa sands, a practice that continued to modern times.³²

At Otengi headland a defensive Pa was built, called Mamangi, after the daughter of Parata and Kahutianui. Parata and Kahutianui lived alternately at three important headlands of the Bay, at Karikari to the north, Otengi at the centre and at Taemaro on the east. But Otengi at Taipa was the main base, where there were direct lines of sight to the other headlands and to promontories inland. As the descendants settled the whole of the Doubtless Bay lands, signal fires were used to maintain contact between them.

³² Waitangi Tribunal. (1988) Mangonui Sewerage Report WAI 17. See documents A2 and B26. Wellington: NZ Government.

In the course of time the people multiplied and grew, supplemented from marriages with other Māori from the many other canoes that came. Originally there were three hapū or clans on the Māmaru canoe, Te Rorohuri, Patu Koraha and Te Whanau Moana. Those names have always been maintained but in later years numerous sub-tribal groups adopted additional tribal names that came to apply to different localities. For convenience, we refer to the sub-tribes collectively as Ngāti Kahu, although the name was not revived until the 1920's, and although for the greater period of the time described, different groups of the same people preferred their separate hapū names.

By the eighteenth century the main settlements were broadly in three areas, at the eastern peninsula leading to Mangonui Harbour and in the surrounding valley and hills; in the central area inland from Taipa and nearby coastal places; and at the Karikari peninsula on the northern extremity of the Bay. In all these places, pa was built, but villages were everywhere.

It is likely that for every coastal headland there was a pa, and many were built inland, on well drained hills, at strategic spots on communication lines, and at places with ready access to the resources of the dense forests and the open seas. On carefully chosen sites, extensive gardens were established.

Taipa, and the Ōruru valley behind it, remained the most popular of the places, though few Māori live there today. Hikurangi became the main Ngāti Kahu pa and was located at Taipa on what became the Adamson's farm. Most of the people however, had spread up the Ōruru Valley, where the river provided an easy pathway to the sea, extending as far as the fertile Peria valley, where Kauhanga pa was maintained. Dr Susan Bulmer, regional archaeologist for the New Zealand Historic Places Trust, provided this description:³³

The Ōruru was an extraordinary valley, one of the longest in Northland (22km) and it had excellent garden land. It possibly supported one of the densest concentrations of population in the country; a late 18th century map recorded a fighting force of 2,000 men, suggesting there may have been around 8,000 people in the Ōruru Valley at that time. This population was gone by the early 19th century and Leigh Johnson concluded from his studies that this was likely to have been a consequence of a devastating epidemic of disease about 1794. There were 57 pa along the ridges of Ōruru valley, and each had many associated pit and terrace sites of undefended settlement. Altogether this adds up to one of the most spectacular archaeological landscapes in the country.

We were advised that the area was so densely settled that news and messages could be shouted from Taipa to Kauhanga, from one pa to the next.

Bassett, R. (2012) in his brief of evidence before the Waitangi Tribunal also acknowledged Ngāti Kahu tradition has it that Kupe first made landfall at Taipā on his arrival from Hawaiiki on the Matawhaorua waka accompanied by this wife Kura-marō-tini and members of the crew. He named the river mouth Ika-tiri-tiri. Assured of a plentiful food supply, he left his daughter on Otengi Point while he explored the coastline. On his return to Hawaiiki, Kupe gave detailed directions for the return journey.³⁴

Kawiti Tomars before the Waitangi Tribunal (August 1988) in the Mangonui Sewerage Claim evidenced that:

³³ Waitangi Tribunal. (1988) Mangonui Sewerage Report WAI 17. See document A14. Wellington: NZ Government.

³⁴ Bassett, R. (2012, August 22). Brief of Evidence, 35. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal.

Kupe visited many places on this canoe, including the Chatham Islands. On his return to Hawaiki, he handed the Canoe to Te Parata and Tūmoana. During the Great Migration the Canoe, Māmaru was anointed to migrate to Aotearoa (New Zealand). The High-Ranking Chiefs and Tohunga of the Ngāti Kahu Tribe who landed at the entrance into the Taipa River, known as Ikatiritiri (Ika-tiri-tiri). Here they lived and thrived on shellfish, fish, and an abundance of other sea food. They moved inland to Ōruru where they made many fortified pā. Their parent Pā being Hikurangi which stands on the land of Mr. G. Adamson, on the western side of Taipa Bay.

Today a monument marks the spot where Te Māmaru landed at Te Ikatiritiri, now called Taipa, at the mouth of the river there.³⁵

Florence Keene (1975 p. 23) wrote:

Māmaru was of special interest for tradition says that before it left its homelands, a tohunga chanted many incantations making it sacred for the conveyance of chiefs of high rank only and asking the mighty atua to guard it from danger as it raveled the ocean.

The people of Ngāti Kahu claim that this canoe was unique as it was the only one in the Great Migration to possess such a privilege. They also claim that this was the second trip for Māmaru and that many years before it had been one of the first canoes to disturb the waters of the great Moananui-ā-Kiwa.

The area was so densely settled that news and messages could be shouted from Taipa to Kauhanga, from one pa to the next. In the course of time the people multiplied and grew, supplemented from marriages with other Māori from the many other canoes that came. Originally there were three hapū or clans on the Māmaru canoe, Te Rorohuri, Patu Koraha and Te Whānau Moana.

One of the great ocean-going voyaging canoes in the migrations that settled Aotearoa New Zealand³⁶ the Waipapa waka was captained by Kaiwhetu and Wairere³⁷, the tohunga of the Waipapa waka was Kahukura who was an important ancestor of the Ngāti Tara people. The Waipapa waka made its first landing at Karikari Peninsula,³⁸ at Rangiaowhia.³⁹ Bassett, R. (2012, August 22) stated "*At a later stage, the waka sailed across Doubtless Bay and paddled up the Kohumaru River. The crew went past our whanau at Kenana and buried Waipapa further up that river.*"⁴⁰

The Takitimu waka was captained by Tamatea and landed at Awanui in the Rangaunu Harbour. In the Muriwhenua Land Report the Waitangi Tribunal (1997) reported that the Takitimu waka landed at Karikari captained by Tamatea-ariki-nui.⁴¹ An important connection, Ngāti Kahu were sometimes known

³⁵ Keene, F. (1974). Tai Tokerau. Sixth Printing, August 2005. Keene Family.

³⁶ Wikipedia. (2021). Waipapa (canoe). Retrieved 14 December 2023, from: [https://en.wikipedia.org/w/index.php?title=Waipapa_\(canoe\)&action=history](https://en.wikipedia.org/w/index.php?title=Waipapa_(canoe)&action=history)

³⁷ Rāwiri Taonui, 'Muriwhenua tribes - Ngāti Kurī, Ngāi Takoto, Te Pātu and Ngāti Kahu', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/muriwhenua-tribes/page-2> (accessed 14 December 2023).

³⁸ Bassett, R. (2012, August 22). Brief of Evidence of Raniera Bassett. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal.

³⁹ Keene, Florence. (1963). Tai Tokerau. The Waipapa Canoe, p. 24. Anne and John Keene, PO Box 833, Whakatane.

⁴⁰ Bassett, R. (2012, August 22). Brief of Evidence, 35. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal.

⁴¹ Waitangi Tribunal. (1997). Muriwhenua Land Report. The People of the Land, p. 17. Wellington: GP Publications.

as Ngāi Tamatea.⁴² It is said that the name of Ngāti Kahu prior to the naming of Te Paatu was Ngāi Tamatea. This hapū derives its name from Tamatea-iti, the brother of Kahutianui. Ngāi Tamatea fell at the hands of Ngāti Tama at Kohukohu, however the Ngāi Tamatea line still exists today through Waipuarangi's marriage to Moroki from the Kahutianui line.⁴³

Rigby, B. (1991) in a Historical Report commissioned by the Waitangi Tribunal 4 February 1991 wrote: *"Rima Edwards has explained how Pānakareao's ancestral links extended beyond Te Rarawa to the other four Muriwhenua iwi, and even to Ngāpuhi. Rev. Māori Marsden confirms this with evidence of Pānakareao's descent from Ngāi Tamatea, a group which joined forces with Ngāti Kahu before the arrival of Pakeha ..."*⁴⁴

Rigby, B. (1991) further explained that a letter to London Matthews stated: *"... These Te Patu (Paatu) people, like Ngāi Tamatea, appear to have joined forces with Ngāti Kahu before 1830. In March 1839, Matthews reported Te Patu, a "once wicked" people "called 'the bush tribe'," had begun to accept the CMS..."*⁴⁵

The Rukakamea waka was captained by the chief Moehuri and his son Tukiata(o)⁴⁶ was guided by a large shark into the Mangonui Harbour.⁴⁷ Another version says Te Uriparaoa and Te Papawi were the captains.⁴⁸ Keene, F. (1963)⁴⁹ wrote that the Ruakamea canoe arrived about 1450 A.D. and after some time it turned into a long, flat, canoe-shaped rock and lies under the sea at the mouth of the harbour where it can still be seen. Moehuri built his principal pa at Mangonui and named the pa after his wife Rangikapiti and Tukiato established his pa at Otanenui.

The Riukakara waka also landed at Mangonui captained by Paoa.⁵⁰

⁴² Rāwiri Taonui, 'Muriwhenua tribes - Ngāti Kuri, Ngāi Takoto, Te Pātu and Ngāti Kahu', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/muriwhenua-tribes/page-2> (accessed 14 December 2023).

⁴³ Reverend Māori Marsden. (ND).

⁴⁴ Rigby, B. (1991, February 4). The Oruru Area and the Muriwhenua Claim (Wai-45). A Historical Report commissioned by the Waitangi Tribunal. Wellington: New Zealand.

⁴⁵ Rigby, B. (1991, February 4). The Oruru Area and the Muriwhenua Claim (Wai-45). A Historical Report commissioned by the Waitangi Tribunal. Wellington: New Zealand.

⁴⁶ Bassett, R (2012, August 22). Brief of Evidence of Raniera Bassett. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal.

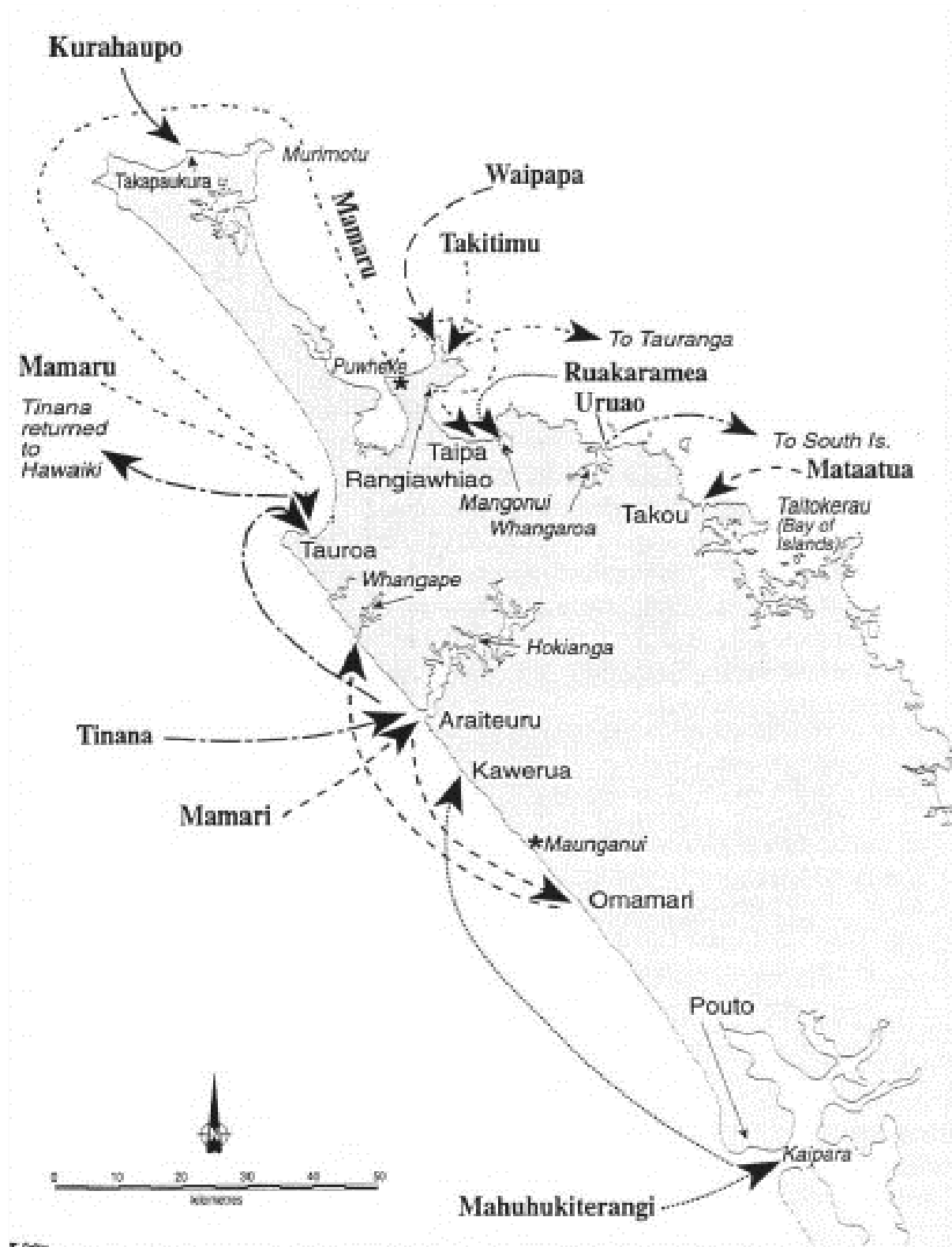
⁴⁷ Goddard, Melina. (2011). Rangikapiti Pā Historic Reserve. Heritage Assessment, p. 5. Kaitiaki: Department of Conservation. Cited in Rangikapiti pā file DOC 1955.

⁴⁸ Rāwiri Taonui, 'Muriwhenua tribes - Ngāti Kuri, Ngāi Takoto, Te Pātu and Ngāti Kahu', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/muriwhenua-tribes/page-2> (accessed 14 December 2023).

⁴⁹ Keene, Florence. (1963). Tai Tokerau. Ruakamea Canoe p. 24. Anne and John Keene, PO Box 833, Whakatane.

⁵⁰ Rāwiri Taonui, 'Muriwhenua tribes - Ngāti Kuri, Ngāi Takoto, Te Pātu and Ngāti Kahu', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/muriwhenua-tribes/page-2> (accessed 14 December 2023).

Figure 11: Waka Landing Tai Tokerau.⁵¹



⁵¹ Waitangi Tribunal. (1997). Muriwhenua Land Report. Waitangi Tribunal Report 1997, p. XXI. GP Publications, Wellington: New Zealand.

3.3 Te Paatu

Mōroki was the primary ancestor of Te Paatu. He was the rangatira of Kauhanga, it was at Kauhanga pā that Mōroki cleverly outwitted the great force of Ngāpuhi, and it was here that he retained the mana of Ngāti Kahu. Te Paatu whakapāpā also incorporates Whānau Moana. While there is whakapāpā that is not included. There is also a hapū named after Mōroki including Ngāti Mōroki which is presently situated in Ahipāra.

Atihana Moana Johns a kaumatua from Whānau Moana and Te Paatu states that Mōroki is in fact the older brother of Koropeke and Kakaitawhiti whose father had already passed on before the tribe Te Paatu came about. As stated earlier, after the attack of Ngāpuhi at the Kauhanga pā approximately around the 1870's. The hapū name for Te Paatu was derived from their sharp-witted intelligence that drove the Ngāpuhi away. Therein lies the close hapū affiliation between Te Paatu and Ngāti Kahu.

The name of the hapū Te Paatu derived from an historical event that occurred in the Ōruru Valley, around 1780 – 1800. Mōroki was the son of Kakaitawhiti. Pereniki Tauhara (2012) provided evidence in his submission to the Waitangi Tribunal which was told by the elders is as follows:

Mōroki built a strongly fortified pā which did withstand the attacks by all invaders, while on the flats surrounding it, they established flourishing plantations. For a while, life flowed smoothly along, until one day a scout brought word that a strong taua of Ngāpuhi from the middle north was advancing along the Valley towards their stronghold, burning and destroying the many small Pā in their wake. There is a whakatauki 'Ōruru Karanga Pā Tahataha' one pā that calls to one another; this was the warning device that was used to warn against invasion of enemies.

Mōroki prepared for an onslaught, but before this was completed the enemies attacked. With war cries that echoed along the Valley, both sides danced savage haka that would put fear into the hearts of the bravest warrior. Then the grim battle began, fighting desperately, Mōroki and their warriors withstood attack after attack. At last, the Ngāpuhi temporarily repulsed, and retired to the foot of the pā for a conference. Strategy always played an important part in Māori Warfare, and that night the people in the pā watched anxiously as the Ngāpuhi set up camps surrounding their stronghold, which was soon dimly silhouetted by the glow of the enemy fires.

Mōroki soon discovered that they were to be victims of a siege. Down on the flats the Ngāpuhi feasted on the fruits of the gardens, and the fat eels from the river. They were in no hurry, for here was the food in plenty. Mōroki called his tohunga to him and said, *"Our Gourds are fast emptying of lifegiving water. Seek, O Te Au and Te Aratapu, seek out a spring on this hill or we die of thirst. To emphasize these words he added, "He huahua te kai? He wai te kai." Are preserved birds the best food? No, water is."* So, the two Tohunga searched every crevice and gully until they found a spring of crystal-clear water bubbling up into a rocky pool. Mōroki was very grateful, and Mōroki said, *"It is good. The mighty Atua looked with favor upon us. Our people will not die of thirst."*

Day after day dragged by, the Ngāpuhi continued to feast and grow fat on the plantations below, but the besieged people on the pā had almost eaten all their food supply, and day by day they grew thinner and hungrier. Mōroki called together his two Tohunga and said, *"He wai te kai? Aue, he huahua hoki te kai." Is water the best food? Alas, preserved birds are also."* Having uttered those wise words of his ancestors, he went on to say, *"The desire of the Ngāpuhi is to starve us out, and our food is almost gone. Come, O Teau and Te Aratapu, find a way to outwit Ngāpuhi or we will surely die."* To be captured was more feared by warriors than death, for then they could surely be killed or made slaves, something too humiliating to be contemplated. Fully

aware of their responsibilities to avert this catastrophe, the two Tohunga retired to their whare to plead with the Atua to save them all from such dreadful fate.

Their voices rose and found that they chanted karakia after karakia to their Gods. Meanwhile, the gaunt face people on the pā waited anxiously. Would they be saved? The strength was fast ebbing away for the want of food. After about an hour, Te Au and Aratapu emerged from the dim light of their whare saying, *“Come near, oh Mōroki, listen to our words. The mighty Atua have looked on us with favor and have told us of a clever strategy to deceive the Ngāpuhi. Call all the women together and tell them to work through the night and make hundreds of flax kits. Then order your men to hang one on every pole of the palisades so that the Ngāpuhi will think we have an abundance of food. Go. We have spoken.”* So, the women worked throughout the night and as they made kit after kit, the men hung them round the palisades. The next morning, when the Ngāpuhi saw hundreds of kits that apparently were full of Kumara and other delicacies, they muttered among themselves, *“we have wasted our time. It will take too long to starve out these people for they still have an abundance of food. Let us find easier prey”*. So, saying this, they marched off feeling furious at the wasted days. As soon as the Ngāpuhi had left the Valley, Mōroki ordered their men to tear down the whare that they had built at the foot of the pā, which they did with great enthusiasm, chanting and singing as they did so. The first parts to be pulled down were the Paatu, or side walls, and from this victorious action, the tribe was given the name, Paatu. Not long after the Paatu tribe had withstood the siege of the Ngāpuhi, Mōroki took a taua to Ngāpuhi territory to seek utu for the loss of all their produce of their gardens. They raided the Ngāpuhi plantations and destroyed what they could not carry home. Overwhelmed by their success and feeling that their mana had increased; they travelled back to their pā at Ōruru.⁵²

Keene, F. (1963) writes: ⁵³

Not long after the Paatu tribe had withstood the siege of Ngāpuhi, the chiefs Koropeke and Mōroki took a tauā to Ngāpuhi territory to seek utu for the loss of all their produce of their gardens. They raided the Ngāpuhi plantations and destroyed what they could not carry home. Elated at their success and feeling that their mana had been increased they travelled back to their pā at Ōruru... When Koropeke and Mōroki died, the mana of the Paatu tribe was given to the great chief Poroa of Rarawa and when Poroa died, this mana was passed on to Nopera Pānakareao who was chief of both Rarawa and Paatu during the wars of the early 1800s. A gentle man with a commanding presence, Pānakareao became the protector of the Kaitaia Mission Station until his death in 1856.

3.4 Ngāti Tara

Ngāti Tara originally resided in the Ōruru Valley in the pā known as Taharoa (Otaharoa). This pā was situated in close proximity to Te Kauhanga pā, Wereweretehe pā, Te Reinga and Ngaupiu. Directly below Taukamo which was the main lookout in the Ōruru Valley. From this lookout, it had a clear view to the east, west, north, and south. During the siege of Ngāpuhi, Te Rarawa, Mahurehure in the Ōruru valley, the Otaharoa pā was defeated to Ngāpuhi hence Ngāti Tara fled from the area. Ngāti Tara also resided at Taipa and in Parapara to which they reside today.⁵⁴

⁵² Kuia Waitonga Kaitoa, Florence Keene Tai Tokerau.

⁵³ Keene, Florence. (1963). Tai Tokerau. The Mana of The Paatu Tribe, p. 3. Anne and John Keene, PO Box 833, Whakatane.

⁵⁴ Brief of Evidence of Pereniki Tauhara (August 20, 2012). Pereniki Tauhara on behalf of himself and on behalf of the descendants of Matiu Tauhara, Te Rina Kingi Waiaua, Pene Te Kaitoa. In the Matter of the Treaty of Waitangi Act and an Application for Remedies on behalf of Te Runanga-a-Iwi o Ngāti Kahu.

Gabel, R. (2012) confirms that Ngāti Tara has been a prominent hapū for centuries. The records show that Te Paatu was very prominent during the 19th Century and accords Te Paatu iwi status and Ngāti Tara is a hapū of Te Paatu. Gabel, R. (2012) provided further evidence before the Waitangi Tribunal:

The heart of Ngāti Tara is Parapara. The principal Ngāti Tara marae is Parapara Marae which sits under the sacred mountains of Hikurangi, Maungataniwha, Te Ahuponga and Taratara. Although Parapara is the heart of Ngāti Tara, Ngāti Tara has mana whenua beyond Parapara...

Ngāti Tara occupied land at Parapara, Lake Ohia, Aurere, Werowero, and further up to Puheke. Ngāti Tara also spent much of their time along the coastline fishing and gathering shellfish. Tokarau Beach was one of the major sources of kaimoana and we ranged all over it for this purpose. We didn't stop at Tokarau Beach either. If we wanted to, we would often go fishing and gathering shellfish on the Rangaunu side of the peninsula...

There is a land block named at Aurere named Ōkokori and Ngāti Tara have strong ties to this land. The Ōkokori block is located north of the Awapoko River and runs along the coastline of the Tokerau Beach. Adjacent to the Ōkokori block is a block of land which is currently administered by the Department of Conservation (DOC). The land block is now part of the Lake Ohia Reserve...

The old people would move to the coast when the fish were fat. This was a seasonal thing, and they could only fish at certain times of the year. There were grave consequences if the fished out of season as this would affect the number of mullet, snapper or kahawai that were available for the rest of the hapu...

Ngāti Tara descends from the tupuna Mania who father was Te Rurunga, he explained that there are also accounts of her father being Kahukura and confirms Te Parata and Waitonga are also eponymous tupuna of Ngāti Tara.⁵⁵

Atihana Moana Johns in his evidence before the Waitangi Tribunal (2012) explains the relationships to the whenua as:

Parapara is considered as a Ngāti Tara kainga. Those residing at Parapara and were present at the Native Land Court hearing claimed that they had mana whenua interests in this area, as indicated by their korero found in Northern Minute No. 37 (1877, March 5).

- Henare Kepa: I belong to Ngāti Te Rurunga and reside at Parapara. He claimed from Mania who is a Whanau Moana tupuna and child of Kahukura like Hinetewai.
- Wiremu Pikaahu: I belong to Ngāti Te Rurunga. He claimed from Houmeaiti Mania's brother. He claimed that he was also Te Paatu.
- Timoti Popata: I belong to Ngāti Te Rurunga but reside at Kareponia.
- Tere Te Hau: I belong to Ngāti Tara, a hapu of Te Paatu. My mother was born at Parapara, but I was born at Hokianga.
- Winiata Tomairangi Papahia. I belong to Ngāti Te Rurunga and live at Te Wairoa.

... There were other papakainga on the Tokerau side from Aurere to Parakarake. Among these were Te Pikinga which was a place where tuatua and toheroa were harvested, roasted, shelled, and strung on flax for easy transport. The beach from Ōkokori to Te Pikinga had toheroa beds. Ngāti Tara and Te Rurunga had a fishing ground called Kouranui off Te Pikinga.

⁵⁵ Gabel, R. (August 22, 2012). Brief of Evidence. An application by Ngāti Tara for an Order of the Waitangi Tribunal pursuant to Section 8A(2)(a)(ii) of the Treaty of Waitangi Act 1975.

This was not a permanent settlement, but a seasonal one. Ngāti Tara were among the hapu involved. Middens testify to this activity. Waiotaraire and Te Kopua O Rangiriri were others...

Hapu still continued fishing and harvesting kai moana and kuaka after gum digging began. This was often part of that industry and their subsistent economy. Settlements were usually seasonal and during the fishing season, sharks and other species were sun dried and smoked, and tuangi gathered. This harvest was taken back to more permanent settlements of the hapu. Kina and paua were harvested between Kohanga, Motutara and Puheke.

4. Sites of Significance

4.1 Ko Maunga Taniwha te Maunga

Olwyn Ramsey (2001) in her book “In the Shadow of Maungataniwha” describes Maunga Taniwha as:

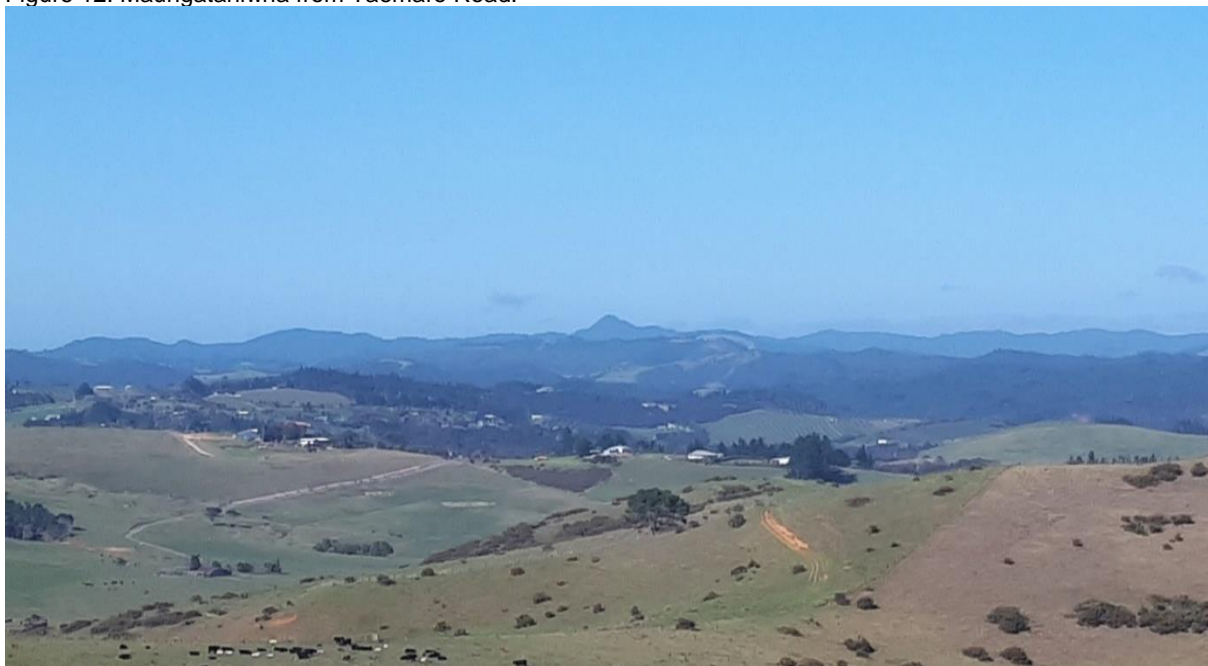
Maungataniwha dominates the last mountain range of the northern peninsula. Such a prominent landmark could not fail to impress the old time Māori, and Maungataniwha figured in their legends and myths handed down through the generations.

Long, long ago they believed the taniwha that came up the tributaries of the Hokianga were “something very powerful”. They lived in the rivers, valleys and mountains and were aggressive, frequently attacking one another. According to this legend Maungataniwha is inhabited by evil taniwha, hence the name Maunga (mountain) taniwha. (A television mast was erected on Maungataniwha in 1966. An invasion of the sacred landform, at the time this insensitive action was resented).

Mythology has it that Maungataniwha was the chief mountain without rival, was proud of it and ruled far and wide, but the hill towards Whangaroa, called Maunga Taratara, began to grow conceited and put on airs and started to build himself up taller so that he would be the chief mountain. This came to the ears of Maungataniwha, so he decided to go to see for himself. One evening he strolled quietly over towards Whangaroa only to find that all that he had been told was true. So great was the range? towards the mountain that he rushed at him giving him a good kick, then went home to his place.

The effect of that kick can still be seen to this day. When you look at Maunga Taratara you see the ragged rock now split and the great pieces scattered about. The pinnacle is where he was raising himself up before Maungataniwha finished him off. Maungataniwha now stands majestically in his place, and Maunga Taratara has never again presumed to usurp his position as the dominant peak in the north.

Figure 12: Maungataniwha from Taemaro Road.



4.2 Puketū Island Māori Reservation

Figure 13: Puketū Pā, Te Aurere.



Puketū Island Māori Reservation is currently registered plan reference (ML 396735) as Māori Freehold Land approximately an area of 2 hectares and is located adjacent to the Awapoko River. There are 18 registered owners in the Māori Land Court as:⁵⁶ Puketū pā or Puketū Island was registered in the New Zealand Gazette in 1982 (p. 3717) as a Māori Reservation for the purposes of preservation of a place of historical importance.

- | | |
|------------------|-----------------------|
| ▪ Ahuahu | ▪ Te Matiu |
| ▪ Henare Kopa | ▪ Te Puhipi |
| ▪ Ihaka | ▪ Te Waka Rangaunu |
| ▪ Kaio | ▪ Te Wiremu Hakakai |
| ▪ Matiu | ▪ Tipene Haha |
| ▪ Matiu Tuhara | ▪ Wakangi |
| ▪ Pene Kohe | ▪ Watene Patonga |
| ▪ Reihana Kiriwi | ▪ Wiremu Kingi |
| ▪ Te Hira | ▪ Wiremu Kingi Nganga |

Keene, F. (1963) describes how Porirua escaped death:

A few years before 1800 there was an old tohunga living alone on top of Puketū, a beautifully-shaped islet of Waitapu Beach at Aurere. Although surrounded by water most of the time, at low tide it was quite easily accessible on foot.

⁵⁶Te Kooti Whenua Māori. Māori Land Court. (2023). Pataka Whenua. Puketū Island. Retrieved January 12, 2023 from: [End User Portal \(maorilandcourt.govt.nz\)](https://maorilandcourt.govt.nz/).

4.3 Tai-ipa/Taipa

Taipa was also known to be the landing place of other waka, such as Ruakamea, Waipapa, Ngā Tokimatawhaorua, Mataatua, Kurahaupō and Takitimu. There is a monument that is erected there in remembrance of the wakas landing at Taipa. The first monument that was erected was a Pou Whenua surrounded by ngā poupou representing ngā waka (Mangonui Māori Council Henare Kingi Waiaua, Hone Wi Kaitaia, Timoti Hetaraka, Pereiha Matiu Tauhara, Pereene Tukariri and others). This monument rotted and was taken down and a new one was erected that is there today. The old pou were given to the Rangiahia Kura and some are in Peria (Tauhara, P. 2012).⁵⁷

New Zealand History Nga Korero a Ipurangi o Aotearoa (Ministry for Culture & Heritage, Mantu Taonga) 2017 provide the meaning of the origin of the name Taipa advising that “... *a dispute between two chiefs arose over possession of shellfish beds. They arrived at a compromise whereby a fence was erected between the pā, each iwi to keep to its allotted area. The place was then called Taiapa (dividing fence or boundary), eventually shortened to Taipa.*”

Florence Keene (1963) provides four versions of the dividing fence or boundary regarding Taipa/Tai-ipa as follows:

Version 1: It is said that there were two chiefs who had been very good friends until they disregarded violently about the shellfish beds in Taipa River. One of these chiefs was Kauri, and enterprising but impatient man. The chiefs and their followers fought many pitched battles, but neither could beat the other. After this state of warfare had lasted for a long time the two tribes agreed on a compromise. They erected a dividing fence between two given points. The warriors of each tribe were to keep on their own side of the barrister. If any man violated this agreement he would be killed instantly. For this reason, the place was called Taiapa (dividing fence or boundary). Later, through lazy usage, Taiapa became Taipa.

Version 2: The chief Kauri envied the tribes living on the flats near Taipa River and beach because the fish and shellfish were so plentiful there that one had only to put a hand in the water to touch some kind of seafood. For that reason, Kauri called the place he coveted Taipa (tai, seawater; pā, touch).

Version 3: It is said that the name Taipa originally applied to a large boulder that can still be seen on the riverbank just below the bridge and that it was given this name for the following reason: Some men from the neighboring sub-tribe were paddling their canoes down the Taipa River to rob the pipi beds. To prevent this, the tribe in occupation put great boulders across the river. When this ruse halted the marauders, a fierce battle took place, and they were driven back. Thus, this rock, probably because it was the largest one used, was called Taipa (tai, seawater; pā; obstruct). In that time the settlement took its name from the rock.

Version 4: The fourth version of the story says that many years ago a great tidal wave washed right over the pā on the seashore, temporarily submerging it. After the excitement of this catastrophe had died down, the survivors called the place Taipa (tai, seawater; pa, village).

4.4 Ikatiritiri

The Waitangi Tribunal (1988) reported:⁵⁸

⁵⁷ Tauhara, P. (2012). Brief of Evidence of Pereniki Tauhara, WAI 1842, p. 46? In the Waitangi Tribunal WAI 45. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal.

⁵⁸ Waitangi Tribunal (1988). Mangonui Sewerage Report, p. 13-15. Wellington. New Zealand. Government Print.

He (Kupe) called the Taipa River Ikatiritiri (to apportion fish) because of the abundant fish life to be found. At the adjoining Otengi headland, he made a place for his daughter to stay while he explored the country. It was from Taipa that Kupe returned to Hawaiki, according to Ngāti Kahu history.

Figure 14: Entrance of Ikatiritiri facing Otangauru Pā.⁵⁹



Tuki Tahua in his map drawn on Norfolk Island in about 1793 before Lieutenant-Governor King of the Penal Colony there drew a building on Ikatiritiri and said it was a place where wānanga were held (Johns, A. N/D). Our Heritage (2017) further elaborates as follows:

In May 1793, Tuki Tahua and Ngahuruhuru, two Northland Māori chiefs were kidnapped and taken on board the ship *Daedalus*. These young chiefs were kidnapped for the purpose of teaching convicts on Norfolk Island the techniques for manufacturing flax. Tuki Tahua and Ngahuruhuru stayed on Norfolk Island from May to November in 1793. By all accounts they were treated as guests by Lieutenant-Governor King, lived in Government House, ate at the Governor's table, and were excused from manual labour.

Unfortunately, relatively little information about working with flax was passed on. This was due to the poor quality of Norfolk Island flax and the fact that flax manufacturing within Māori society was a skill, which women traditionally mastered.

However, the most remarkable achievement of the kidnapping was the production of Tuki Tahua's map; a unique record of Māori thinking. The map was originally drawn in chalk on the floor in Government House. Other maps were produced in this early contact period, but Tuki

⁵⁹ Source: Adapted. Alexander Turnbull Library. Manuscripts & Pictorial. Taipa, on the west bank at the mouth of the Ōruru River at Doubtless Bay. A scow is at anchor in the distance. Photograph taken ca 1910 by Arthur Northwood. Retrieved December 29, 2023, from: <http://mp.natlib.govt.nz/detail/?id=73679&recordNum=1&t=items&q=Taipa&f=collection%24Heritage+Images&l=en&tc=0&numResults=20>.

Tahua's is unique because it includes social, mythical, and political information written at his dictation."⁶⁰

Popata, L. (2012) in his brief of evidence before the Waitangi Tribunal submitted:⁶¹

According to Ngāti Kahu custom, Ikateretere was the land place of the Matawhaorua waka, captained by Kupe. From Te Moananui-ā-Kiwa, Kuramarotini, the wife of Kupe was said to exclaim when she saw land; *'he ao, he ao, he Aotearoa - land of the land white cloud.'* From here Kupe explored the region and named several sites from his experiences. He take taunaha. Waipuiārangi is a rock formation that depicts Kupe's daughter. This is at Waiari on the Karikari Peninsula. Te Kupenga a Kupe are rocks on Tokerau Beach, depicting the petrified remains of Kupe's net. Kupe is also famed as naming the Ikateretere river due to the abundance of fish swimming swiftly therein.

Ikateretere is the mouth of the river with an abundance of food that sustained the hapū over many generations and unto this day.

At the entrance of the Taipa mouth is a place known as the 'food basket' of our people – Te Ika Tiritiri. Even today this place is plentiful with mataitai (seafood), pipi and kutai (mussels) and the fish entering are abundant and still assist in feeding our people (Tauhara, P. 2012).

4.5 Ōruru

The Pēria River, Waikainga, Te Awapuka Streams and numerous smaller streams all drain from the steep hill country of Maunga Taniwha, converge just downstream towards Pēria to become the Ōruru River. The Ōruru River originates from the Otangaroa Forest and flows northwards for another seven to eight kilometers before reaching the tide, joining with the Paranui River, and becoming the Taipā River (Northland Regional Council, 2013).⁶²

An important historical feature of the Ōruru valley is our hapū awa - the Ōruru River. The Ōruru river was once a waterway used by our ancestors to travel and transport trade produce up and down the Ōruru valley. In the early 1800's the Ōruru River was used to transport kauri trees from the Ōruru valley. In those days there was significant scope for trading based on the large population of the area and the vast source of produce available. People were coming and going on a regular basis.⁶³

The Ōruru river is also the main water source within the Ōruru valley and hapū and whānau. The flow of the Ōruru River begins from Maunga Taniwha and moves eastward to *'te wahapū o Taipā'* and further to *'Tokerau moana'*. It is the mauri of our whenua, the life essence for our tribe, fish, tuna, trees, gardens, birds, animals, and insects.⁶⁴ At the end of Taipa beach towards Otengi it is said that the waka Māmaru was buried, but there are other versions. Taipa was also known to be the landing place of other waka, such as Ruakamea, Waipapa, Ngā Tokimatawhaorua, Mataatua, Kurahaupō and Takitimu.⁶⁵

⁶⁰ Tuki Tahua and Ngahuruhuru, "Reproduced Map of New Zealand originally drawn in chalk on the floor by two Māori Chiefs, Tuki Tahua and Ngahuruhuru, at Norfolk Island.," *ourheritage.ac.nz | OUR Heritage*, accessed December 22, 2023, <http://otago.ourheritage.ac.nz/items/show/6302>.

⁶¹ Popata, Lloyd (June 29, 2012). Brief of Evidence in the Waitangi Tribunal, WAI 45 #R15 pg. 26. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal.

⁶² Northland Regional Council. (2013). Draft Catchment Description Doubtless Bay, pg. 3 Northland.

⁶³ Brief of Evidence of Pereniki Tauhara (August 20, 2012). Pereniki Tauhara on behalf of himself and on behalf of the descendants of Matiu Tauhara, Te Rina Kingi Waiaua, Pene Te Kaitoa. In the Matter of the Treaty of Waitangi Act and an Application for Remedies on behalf of Te Runanga-a-Iwi o Ngati Kahu.

⁶⁴ Ibid.

⁶⁵ Brief of Evidence of Pereniki Tauhara (August 20, 2012). Pereniki Tauhara on behalf of himself and on behalf of the descendants of Matiu Tauhara, Te Rina Kingi Waiaua, Pene Te Kaitoa. In the Matter of the Treaty of Waitangi Act and an Application for Remedies on behalf of Te Runanga-a-Iwi o Ngati Kahu.

The catchment is prone to erosion due to the fine textured clay sediment which reduces water quality. Livestock access to the rivers, and sediment associated with runoff is causing land erosion and decline in water quality. *E. coli* bacterium is also an indicator of human or animal fecal contamination affecting ecosystems and human consumption in which fresh water is extracted from the lower reaches of the Peria River for household consumption within the Doubtless Bay catchment area. There are 9 known species within the Doubtless Bay catchment area including longfin eel, shortfin eel, inanga, giant bully, common bully, smelt, torrent fish, redfin bully and banded kokopu.⁶⁶

Figure 15: Taipa West Bank at the Mouth of the Ōruru River.⁶⁷



4.6 Te Paraua (Otengi Bay)

According to our kaumātua, Mamangi and her people also lived on Te Paraua adjacent to Otanguru and both Kahutianui and Mamangi died here and were buried nearby at Otengi. It was at Otengi that the Māmaru people had one of their wānanga and it was on Kohatutapu that many sacred ceremonies were performed (Bassett, R. 2012).⁶⁸ Keene, F. (1963) wrote:⁶⁹

When the first Māori arrived in the North, some of them landed in the tiny but very picturesque bay known as Otengi, about two miles north of Taipa. They carried skids, by means of which

⁶⁶ Northland Regional Council. (N/D).

⁶⁷ Source: Adapted. Alexander Turnbull Library. Manuscripts & Pictorial. Taipa, on the west bank at the mouth of the Ōruru River at Doubtless Bay. A scow is at anchor in the distance. Photograph taken ca 1910 by Arthur Northwood. Retrieved December 29, 2023, from: <http://mp.natlib.govt.nz/detail/?id=73679&recordNum=1&t=items&q=Taipa&f=collection%24Heritage+Images&l=en&tc=0&numResults=20>.

⁶⁸ Bassett, R. (2012, August 22). Brief of Evidence. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal.

⁶⁹ Keene, Florence. (1963). *O Te Raki. Māori Legends of the North*, p. 87. Paul's Book Arcade. Auckland and Hamilton.

they could pull their heavy canoes up the beach, just as Pākehā use rollers for small craft. When they had hauled their canoes above the high-water mark, they stuck the skids, which were of green orewa wood, into the ground and left them there. They grew and can be seen at Otengi Bay today.

The orewa resembles the native karaka, its leaves being similar in shape to the karaka but of a slightly reddish tinge. It is found in both America and New Zealand. There are a few orewa trees at Mount Camel near Houhora in the Far North also. These probably took root there under similar circumstances to those in Otengi Bay, but the Māori claim that the orewa trees at Otengi were the first to be grown in New Zealand.

Figure 16: Otengi Headland, Ngāti Kahu Historical Site of Significance.



4.7 Otengi Headland

The sale of Taipa particularly rankled for it was the birthplace of the tribe at the centre of the bay. It was extremely significant therefore when G P Adamson gifted back a part of the Otengi headland in 1974, and in 1986 when the tribe acquired the main farm. For many its symbolized hopes for a tribal rebirth, especially as in the colonization process, the reserves had been broken up and individualized and none but that now regained at Taipa tribally owned.⁷⁰

⁷⁰ Waitangi Tribunal. (1988). Mangonui Sewerage Report. Report of the Waitangi Tribunal on the Mangonui Sewerage Claim (Wai-17). Part 1 – Outline. 1 Overview and Summary Report p. 3. Wellington, New Zealand: Government Printing Office.

4.8 Otako

Popata L. Rev. (2012) in his brief of evidence before the Waitangi Tribunal submitted:

Te Parata navigated the Māmaru waka to Aotearoa and eventually make landfall at Otako. This is the Tauranga waka Ngāti Kahu acknowledges where their founding tupuna arrived from Hawaiiki.

Prior to the Māmaru waka, Ngāti Kahu trace their descent from Tūmoana, who captained the Tinana waka from Rangiātea to Hokianga. Tūmoana established his people on the western coast between Hokianga and Ahipara. His daughter Kahutianui and son Tamahotu inherited the mana of their father over the lands and people. Kahutianui resided at Te Tauroa and was born at Te Kohanga in Ahipara. Te Kohanga is known as the birthplace of Ngāti Kahu.⁷¹

4.9 Otangauru

The pā of Otangauru is named after the Tohunga of the Māmaru waka. The pā is situated on the highest point of the Taipa headland, 56.5m above sea level and extends Eastwards along the ridge to the coast. The main part of the pā measures 80 x 52m and contains 11 terraces, 1 platform, 2 pits and is defended by an L-shaped ditch and steep natural scarps. The terracing is well fined, however some of the areas have been cut by stock tracks and further erosion. The eastern point area is less well preserved, containing an 8-metre-wide cut through the bank, while the platform has eroded edges. The terraces and scarps below are the most disturbed with a large number of stock tracks crisscrossing the slopes and ascending the ridge. The site is also reputed from which the chief Kauri departed his journey back to Hawaiiki (Robinson, D. 1963, April 10).

It said that Parata had returned with tohunga, including Tangauru⁷² (Otangauru) whose pā is located on the Taipa Headland. Bassett, R (2012, August 22) explains: Tangauru, the tohunga on Māmaru, built their first pā and named it Otangauru. While there was a plentiful supply of kaimoana, the Māmaru people found that the land was not very fertile and so they went inland a short distance and made large gardens at Parapara and elsewhere nearby.⁷³

The site is also reputed from which the chief Kauri departed his journey back to Hawaiiki (Robinson, D. 1963, April 10).⁷⁴ Bassett, R. (2012) also describes Kauri as being responsible for building key Ngāti Tara defensive pā. One was built to the east and named after his mokopuna Tirepa, while another pā was also built by Kauri to the west of Parapara.⁷⁵

⁷¹ Popata, L. Rev. (June 29, 2012). Brief of Evidence of Rev. Lloyd Popata in the Waitangi Tribunal, WAI 45 #R15 pg. 26. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal.

⁷² Bassett, R. (2012, August 22). Brief of Evidence of Raniera Bassett. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal.

⁷³ Ibid.

⁷⁴ Robinson, D. (1963, April 10).

⁷⁵ Bassett, R. (2012, August 22). Brief of Evidence of Raniera Bassett. Application for remedies on behalf of Te Runanga ā Iwi o Ngāti Kahu to Waitangi Tribunal.

Figure 17: Otangauru Pā.⁷⁶



It is said that the last battle was fought at Otangauru pā, using muskets, as part of the Ōruru war, and 46 died on the sands. On the eastern sentinel at the other end of the beach stood the Te Huiki (Kuihi) and Pekehorohoro pā. The Waitangi Tribunal (1988) reported in the Mangonui Sewerage Report:⁷⁷

Further down the headland, overlooking the Taiapa beach, is the site of Otangauru pā. There the last battle was fought, using muskets, as part of the Ōruru war, and 46 died on the sands. On the eastern sentinel at the other end of the beach stood the Te Huiki (Kuihi) and Pekehorohoro pā.

4.10 Te Kuihi

Hensley, V.H. (2000, February) in an Archaeological Assessment of Te Kuihi Block reported that:

James Berghan alleges in 1839 he bought 40 acres from the chief “Ewarri” a section of land at Typa (Taipa) for various articles of merchandise to the value of seventeen pounds sterling on 9 November 1839. On 12 May 1847 the sale was disputed in the Court of Claims by commissioner Godfrey who awards the Claimant 438 acres elsewhere than Mangonui. Governor Fitzroy ignores the report and makes an award of one thousand one hundred and forty-six pounds which was never paid.

The Court of Claims later in 1859 again considers the Berghan claim and makes a grant of 1862 acres 3R8P part of which is in Doubtless Bay. We note a reference to O.L.C. 259f 40 acres being the original section known as Typa (Taipa) becomes the property of James Berghan, the original trade being 1 piece of print 28 yards, 1 piece of calico 28 yards, 4 regatta shirts, 1 Guernsey frock, 1 case or 128lbs of tobacco.

⁷⁶ Tanguru was known as the Tohunga of the Māmaru which was captained by Te Parata.

⁷⁷ Waitangi Tribunal. (1988). Mangonui Sewerage Report. Report of the Waitangi Tribunal on the Mangonui Sewerage Claim (Wai-17). Part III Conclusions, 6.8 Ancestral Associations p. 55. Wellington, New Zealand: Government Printing Office.

In 1899 Te Kuihi which was described as a Crown Grant (Toby's) and then owned by Mr. Henry Littleproud was sold on the 2 October to Mr. Charles Harris.

Located at Trig 1605, an area which has been modified to form a terrace 14 metres x 18 meters. The site is located on a slightly elevated ridge which descends in a NW direction and has a steep drop off on the southern side. The late Mr. Viv Gregory, kaumatua Te Rarawa, explained to Mr. Laurent, a resident adjacent to the site that this was inf act a "Lookout" known as Te Kuihi. The site has also been recorded as N7/9 D. W Robinson, described as a pā, Ikatiritiri, destroyed. I do not think this was the case though the hill could have this unconfirmed name. 004/896 Grid Reference E541 N8975 Terrace-Possible lookout tower site.

Figure 18: Te Kuihi Recreation Reserve & Esplanade Reserve.



4.11 Wahakaionepe

Wahakaionepe is translated as 'mouth full of mud'. The first casualty of the Pororua Nopera War of 1843, fell somewhere opposite the quarry before the Taipa Bridge. When his body was retrieved his mouth was full of mud. That became the name for this war. Thirty-four warriors were killed by the end of it (Johns, A. March 2017).

Pororua and Hone Heke had a pa in the proximity of the quarry as Nopera Pānakareao's taua came down from Ōruru on their way to Kaitaia via Taipa and Aurere. He deliberately chose that route in order to confront Pororua when he could have gone via Mangataiore (Johns, A. March 2017).

The battle was fought with muskets and hand to hand and took place from the bridge down to the point and onto the beach in front of the Resort. The sand was red with blood. Nopera and what was left of his taua were chased to Aurere. He was about to reorganise their war party and go back for another go when a Missionary caught up to him and urged him not to. Pororua had also agreed not to continue (Johns, A. March 2017).

The cause of the battle was because Governor Hobson had secretly bought Ōruru off Nopera and when Pororua a claimant of Ōruru found out he threatened to occupy Ōruru. Hone Heke's involvement was

utu for Nopera Pānakareao's role in defeating him at Te Ahuahu. Nopera Pānakareao sided with Wakanene (Johns, A. March 2017).

Figure 19: Tane Purapura Pā, Taipa River.



4.12 Taipa Monument

The first Taipa monument was principally erected to honor Kupe, which is thought to be the first landing place in Aotearoa New Zealand, and the ancestors of the Ngāti Kahu iwi (people). The monument includes a memorial commemorating 30 local servicemen who were killed in the Second World War. These men were from the wider district of the Far North, all of almost who served in the 28th Māori Battalion (Ministry of Culture and Heritage, 2013).

The first monument that was erected was a Pou Whenua surrounded by nga Poupou representing nga waka (Mangonui Māori Council) included Henare Kingi Waiaua, Hone Wi Kaitaia, Timoti Hetaraka, Pereiha Matiu Tauhara, Perene Tukariri and others. This monument rotted and was taken down and a new one was erected that is there today. The old pou were given to the Rangiahia Kura and some are in Peria.⁷⁸

Kaumatua Atihana Moana Johns explains in (March 2017) explains:

Henare Kingi Waiaua was the chief initiator of the monument and provided the kaupapa. The marae there is a war memorial whare (house / marae) called Karipori or Gallipoli after the World War 1 battle involving New Zealand and the Māori Pioneer Battalion. It is also an acknowledgement of the waka arrival from Hawaiki to Aotearoa. Many did arrive on the east coast including Taipa and made their way south. Taipa was well populated before the arrival of Captain Cook who did not enter Tokerau Moana (Doubtless Bay).

⁷⁸ Tauhara, P. (August 20, 2012). Pereniki Tauhara on behalf of himself and on behalf of the descendants of Matiu Tauhara, Te Rina Kingi Waiaua, Pene Te Kaitoa. In the Matter of the Treaty of Waitangi Act and an Application for Remedies on behalf of Te Runanga-a-Iwi o Ngati Kahu.

In 1996 the Northern News headlined that a “*Kaumātua Questions European Slant on History – Taipa Monument Has Wrong Waka*”. Northern News reported that “*the monument bears an inscription that tells of the war waka Māmaru being one used by the great navigator to cross the ocean from Hawaiki.*” It was further reported that Kaumatua John Marsden said:

Figure 20: Taipa Monument Pou, Second World War Memorial 28th Māori Battalion.⁷⁹



Kupe's waka was called Matahau, and when he went back to Hawaiki, he gave it to his grandson Nuku Tawhiti who, after sea trials, asked if he could readze the cumbersome vessel. The waka was then called Ngatoki Matawhau Rua (adzed for the second time).

The eastern side of the monument reads:

Me tonu whakamaharatanga tenei mote waka Taua o “Ngāti Kahu” kia Māmaru I hoea mai ai Te Moana nui a Kiwa e kupe I Hawaiki I Tuteitia ai e ne moutere ia mua atu I etahi atu waka katoa I u mai nei ki Wharetawa (Wharekauri) takiwa ano o Taipa a I taiawhiotia ai enei moutere katoa ai hoiki ano e Kupe ki Hawaiki a kariro mai ano a Māmaru I a Tumoana raua ko Te Parata ka u ano ki Ikatitiri Wahapū o Taipa ko te waka raNgātira, lo te waka mana, ko te waka tapu, ko te waka toa tenei O nga hoea mai I Hawaiki ki enei moutere.

Etahi atu o nga waka o Ngāti Kahu, Ruakamea, Waipapa, Kurahapū, Matatua, Ngatokimatawhaorua.

On the western side of the monument reads:

This monument is erected to commemorate and proclaim to all peoples, that the war canoe 'Māmaru of the Ngāti Kahu' was the canoe in which Kupe, that great Polynesian navigator and explorer, used in his voyage from Hawaiki, across the Pacific Ocean and discovered New Zealand. According to Māori tradition, and Polynesian legend, the voyage was made thirty-four

⁷⁹ Source: Te Ahu Archives and Museum, Kaitiāia.

generations before the great migration and is claimed to be the first vessel to disturb the waters of the Pacific Ocean, land here at Ikatiritiri, at the mouth of the Taipa river, hence the erection of this monument here. From here he made numerous voyages round New Zealand and visited the Chatham Islands. When Kupe returned to Hawaiiki, the canoe Māmaru was taken over by Te Parata and Tūmoana who came to New Zealand during the great migrations, bringing with them, the ancestors of the Ngāti Kahu tribe.

Māmaru was anointed at Hawaiiki, only for the conveyance of elders of high rank, authority, and sacredness, and is claimed to be the only canoe in the great migration to possess such privileges. Other canoes of the Ngāti Kahu are Rukakamea, Waipapa, Kurahaupo, Matatua and Ngatokimatawharua.

5. Māori Cultural Landscapes

The importance of archaeological sites as part of hapū or iwi cultural heritage is recognised by relevant sections of the Resource Management Act 1991, Heritage New Zealand Pouhere Taonga Act 2014 and regional and national policy statements and plans. Interpretation of archaeological sites within the context of traditional Māori history can provide clear evidence of traditional use of the land over many generations by a hapū or iwi. Oral history explains the deeper meanings of the marks on the land, in terms of people and events associated with them. Archaeological evidence gives substance to the stories, precise locations, specific activities, and the detail of daily activities not recorded among the stories of ancestors, wars, and other notable events (Clough:1996).⁸⁰

This overview examines the cultural landscape within this area by researching archaeological reports and archaeological surveys, and a review of all relevant research reports. The outcomes of the overview are to identify areas surrounding that by the density and distribution of archaeological sites, can clearly be shown to be of traditional and historical importance to hapū and iwi thereby illustrating the cultural values intrinsic in all these aspects.

5.1 Tokerau Beach Archaeology

Figure 21: Archaeology Sites at the southern end of Tokerau Beach.

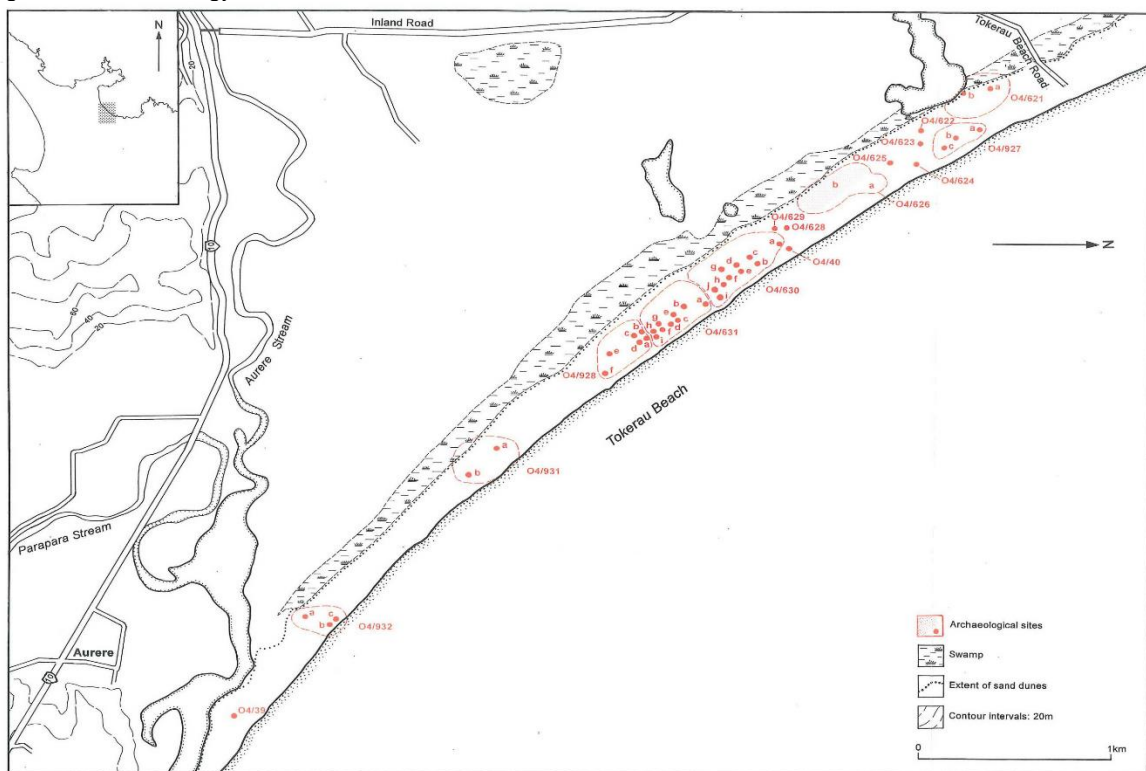


Figure 4. Archaeological sites at the southern end of Tokerau Beach

Source: Slocombe, A. (N/D). *An Archaeological Survey of the Sand Dunes at Tokerau Beach*. Department of Conservation: Whangarei.

Slocombe A. (N/D) archaeologist for the Department of Conservation conducted an archaeological survey of the sand dunes at Tokerau Beach, and several volunteers over a seven-day period between April and June 1997. The area surveyed was largely administered by the Department of Conservation, except for a Far North District Council Recreation Reserve hallway along the beach and a portion in Māori ownership at the southern end. John Coster and Caroline Phillips conducted previous surveys

⁸⁰ Clough R, (1996). *An Archaeological Assessment of the Northern Kaipara*, Clough and Associates, p. 4,6,7,8.

and were examined during the survey to determine the extent of deterioration over the intervening years.

Tokerau Beach extends 15 kms along the eastern margin of a tombolo that joins a number of ancient volcanic islands at Puwheke, Rangiawhia and Rangiputa to the mainland. Slocombe, A. wrote regarding the sand dunes:

The core of the tombolo, known as Karikari Peninsula, comprises a parabolic dune field of land Pleistocene age in the west and arcuate foredunes of the last interglacial age to the east (Brook 1999:338). To the east of this again are younger Holocene foredunes which form the present coastal dune belt. It is within this area that this survey was conducted.

The Holocene foredunes which began to form about 6,500 years ago are approximately 500m wide and composed of quartzose sands with mafic minerals derived from the volcanic rocks at the head of the Karikari Peninsula. They consist largely of sub-parallel lines of hummocks separated by meandering interdune hollows many of which contain deposits of Loisel's pumice (a dense, hard, grey pumice) (Millener 1981:199, Brook 1999:340).

The oldest sands of the present coastal dune belt are the semi consolidated, generally structureless, yellow to brown sands which form the basis of upstanding hummocks and are often exposed by deflation in the interdune hollows. It was from whin these older sands that Millener recorded an extensive and varied faunal assemblage which included the sub-fossil remains of land birds (including moa bone and moa eggshell), seabirds, reptiles, and land snails (Millener 1981:220-221).

This faunal evidence, combined with that from remnant paleosols, indicates that there was extensive forest cover on the Holocene dunes until approximately 1000 years ago (Millener 1981:294).

Figure 22: Archaeology Sites at the northern end of Tokerau Beach.



Figure 3. Archaeological sites at the northern end of Tokerau Beach

Source: Slocombe, A. (N/D). *An Archaeological Survey of the Sand Dunes at Tokerau Beach*. Department of Conservation: Whangarei.

Figure 23: Land Tenure at Tokerau Beach.



Figure 2. Land tenure at Tokerau Beach

Source: Slocombe, A. (N/D). *An Archaeological Survey of the Sand Dunes at Tokerau Beach*. Department of Conservation: Whangarei.

Two new site groupings were recorded, and eleven previous recorded sites were resurveyed by Slocombe and volunteers. Slocombe, A. writes

Most of these sites consisted of deflated and eroded midden and scattered hangi stones often including smaller deposits of 'in situ' midden material. The contents were largely shell, bone and cooking debris and in stark contrast to the sand dunes of the Far North there was almost no evidence of stone impact fragments, the by-product of tool manufacture...

Middens, both deflated and partially 'in situ,' constitute the most numerous sites found on the sand dunes at Tokerau Beach and most appear to have been associated with seasonal campsites where food was prepared and consumed. Noticeably absent was evidence of fishhook, ornament and tool manufacture that is generally associated with more permanent occupation.

Shellfish were a major food item, and some would have been transported 4 or 5 kilometers from the closest source at Rangaunu Harbour. Birds, sea mammals and fish were also exploited for food.

There are still a large number of sites with intermittent patches of 'in situ' midden and it is probable that these contain the last vestiges of information about settlement of the area. Radiocarbon dates have been obtained by Millener from midden in the vicinity of site 004/909 and 004/910 indicating occupation at these locations between the late 15th and late 17th centuries (Millener 1981:1848) ...⁸¹

5.2 Ōkokori B Block Archaeological Assessment

ASL Archaeology Solutions Ltd (20221) was contacted in early January 2021 to undertake a field assessment of the land in question. ASL noted that Melina Goodard undertook a filed survey in February 2021. It was noted that no archaeological sites were recorded previously on the extent of the proposed development and no new archaeological sites were recorded during that survey. Dr. Hans-Dieter Bader (2021, 27 March) in correspondence to Tohu Consulting of Kaitaia writes:

The site O04/932, a shell midden, is the closest recorded site to the proposed development. It is in fact 3 middens that have been grouped as one site. One of them is 22x7m. They are 170m inland from the high tide mark in the dunes and not part of the upgrade area. Attached is an archaeological survey map which shows that other midden runs right up the beach. This was a well-used area in the past.

Despite the fact that no archaeological features or deposits were previously recorded or encountered during the current survey, the general location, and the density of previously recorded sites, does not rule out the presence of subsurface unrecorded shell midden and / or hearths. The highest risk to encounter such unrecorded sites is close to the beach (the planting area) or along the river side where the ramp and waka shed are to be built, #4 on the map. The risk will be lower at #7, #8, and the car park. ⁸²

Table 1: NZAA O04/932.

Object ID	34967
NZAA ID	O04/932
Status	Approved
Update Type	Field Visit
Site Summary	Middens
NZTM E	1638104

⁸¹ Slocombe, A. (N/D). An Archaeological Survey of the Sand Dunes at Tokerau Beach. Department of Conservation: Whangarei.

⁸² Dr. Hans-Dieter Bader. (27 March 2021). Communications. Tohu Consulting, Kaitaia. Project: Okokori B Block Archaeological Assessment. ASL Archaeology Solutions Ltd.

NZTM N	6129238
Site Type	Midden/Oven
Date Last Checked	29/07/2007, 12:00 pm
Update Date	01/01/1997, 1.00 pm

Figure 24: Tokerau Beach South Archaeology Overview.

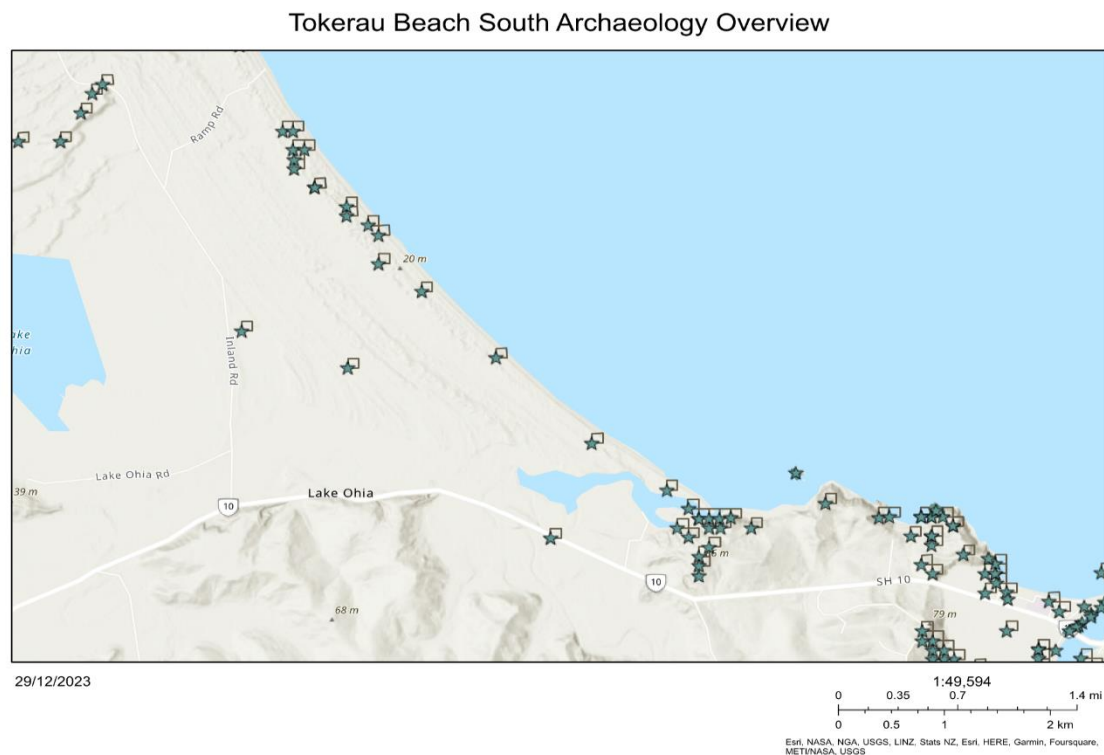
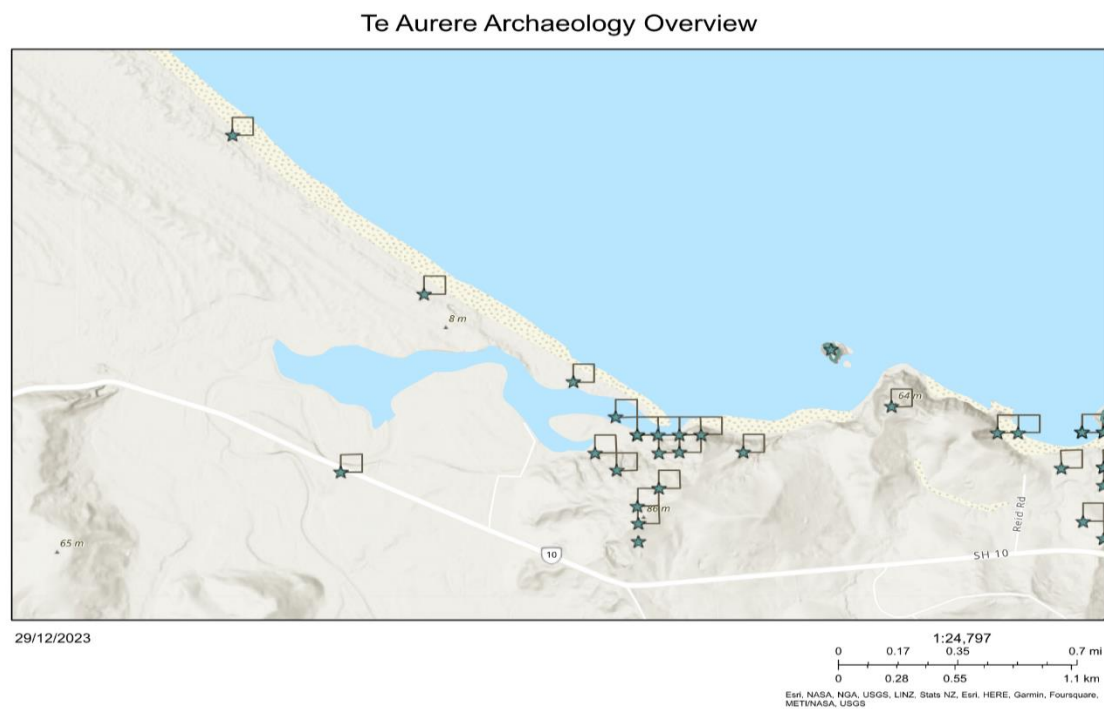


Figure 25: Te Aurere Archaeology Overview.



5.3 Ōruru Valley

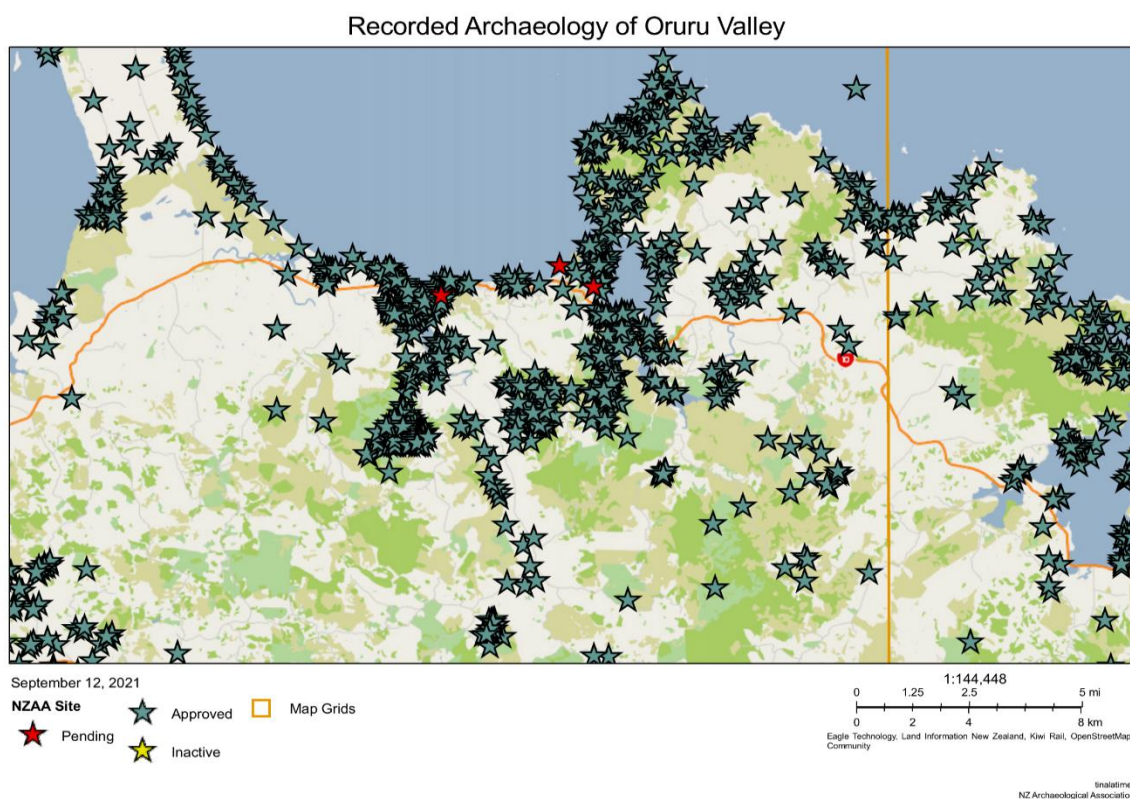
The traditional and archaeological evidence is that the valley was heavily populated due to fertile alluvial soils on the valley floor. Heavy periodic flooding would replenish the valley floor with fertile silt. These soils were gardened and because of good soils, water and warmth crops and people flourished. The ngahere on the surrounding hills provided timber, thatching and birds, the awa eels and ducks and kaimoana on the coast.

Because of these ideal conditions the valley was contested and fought over for generations for its rich resources. The valley is a complex archaeological landscape with pa sites, terraces, and pits clearly visible on both sides of the valley. There are also wahi tapu and named places of significance to hapū along the valley. When the Pākehā arrived at the valley they undertook pastoral farming which means that the pa and other archaeological sites are visible with moderate damage.

The recorded archaeological sites have been recorded in clusters associated with coastal development and forestry operations. There are 10 archaeological authorities recorded at coastal Taipa while only one authority for the Ōruru Valley and this is reflected in the New Zealand Archaeological Association site recording scheme map.

In 1986 a thesis was published by Leigh Johnson *Aspects of the prehistory of the Far Northern Valley Systems*. In the thesis which had a large component of field work Johnson examined wetland and dryland horticultural field systems by using an environmental model of looking at resources and how these influenced settlement patterns.

Figure 26: Recorded Archaeology of the Ōruru Valley.⁸³



⁸³ Source: New Zealand Archaeology Association (NZAA) site recording scheme December 2023.

Dr Joan Maingy provides a brief excerpt of archaeology, which resulted from a regional assessment of archaeology in Northland for the New Zealand Historic Places Trust (now Heritage New Zealand Pouhere Taonga) during 1985-86. The excerpt was made available to the Waitangi Tribunal at its sitting at Ahipara during the week of 1 March 1987 (Historic Places Trust, 1986 p.18). Dr Joan Maingy reports that:

Pā, pits, and terraces are concentrated on the slopes and hills surrounding Ōruru, Victoria and Takahue Valleys – approximately 1,000 sites were recently recorded in the Ōruru Valley alone (Johnson pers. Comm.). The Victoria Valley forms part of Maungataniwha and has been partially surveyed on the southern side and was recorded in 1979. A Project on the north side of the valley was not completed. Recorded sites should be rechecked, the remainder need to be surveyed and a full report made of the valley system (Historic Places Trust, 1986 p. 18, 35).

Figure 27: Taipa West Bank at the Mouth of Ōruru River.⁸⁴



The Taipa land areas have a long area of human occupation extending back at least six centuries. Tangata whenua of this land are Ngāti Kahu and their associated hapū. There are several archaeological sites in close vicinity to the Taipa Bridge as reported by Harris J, when undertaking an archaeological report for the construction of Storm water, just south of the Taipa Bridge having been commissioned in by the Far North District Council in 2009 (Plate 6.3 and 6.4). While there has been little archaeological excavation of the Taipa area, the excavation and investigation of the midden (Q04/1022) provided a base line of pre-European Māori occupation of the area through radiocarbon results suggesting that the occupation period was between the mid-15th and 17th centuries and providing an important part of the wider landscape (Harris, J., 2010, April 9).

The outcomes of the overview are to identify areas surrounding that by the density and distribution of archaeological sites, can clearly be shown to be of traditional/historic importance to Ngāti Kahu thereby

⁸⁴ Source: Adapted. Alexander Turnbull Library. Manuscripts & Pictorial. Taipa, on the west bank at the mouth of the Oruru River at Doubtless Bay. A scow is at anchor in the distance. Photograph taken ca 1910 by Arthur Northwood. Retrieved December 29, 2023, from: <http://mp.natlib.govt.nz/detail/?id=73679&recordNum=1&t=items&q=Taipa&f=collection%24Heritage+Images&l=en&tc=0&numResults=20>.

illustrating the cultural values intrinsic in all these aspects.

5.4 Relevant Legislation

The key legislation in respect of archaeology in New Zealand includes the Coroners Act 2006, Heritage New Zealand Pouhere Taonga Act 2014, and the Protected Object Act 1974.

5.4.1 Coroners Act 2006

Under the Coroners Act 2014 S13(1)⁸⁵ *“a person who finds a body in New Zealand must report the finding to a Police employee as soon as practicable unless the person believes that the finding is already known to the New Zealand Police...”* Under the Act the discovery of all human remains must be notified to the New Zealand Police.

5.4.2 Heritage New Zealand Pouhere Taonga Act 2014

The purpose of the Heritage New Zealand Pouhere Taonga Act 2014 (Act)⁸⁶ is to *“promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand.”*

The purpose and principal of the Act at s4 is to recognise:

- (a) The principles that historic places have lasting value and provide evidence of origin of a distinct society.
- (b) The principle that the identification, protection, preservation, and conservation of New Zealand's historical and cultural heritage should:
 - i. take account of all relevant cultural values, knowledge, and disciplines; and
 - ii. take account of material of cultural heritage value and involve the least possible alteration or loss of it.
 - iii. safeguard options of present and future generations; and
 - iv. be fully researched, documented, and recorded, where culturally appropriate; and
- (c) The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga.

Section 6 (Interpretation) defines an archaeological site as:

- (a) Any place in New Zealand, including any building or structure (part of a building or structure) that:
 - i. was associated with human activity that occurred before 1900 or is the site of a wreck of any vessel where the wreck occurred before 1900: and
 - ii. provides or may provide, through investigation through archaeological methods; evidence relating to the history of New Zealand; and
- (b) includes a site of which a declaration is made under s43(1).

Section 7 provides for the Treaty of Waitangi (Te Tiriti o Waitangi) in order for the Crown's responsibility to give effect to the Treaty of Waitangi (Te Tiriti o Waitangi) ss (a-i) in consultation with the Minister of Māori Affairs provide for the appointment of at least 3 Māori members to the Board of Heritage New Zealand Pouhere Taonga, and provides for the powers and functions to be a heritage protection

⁸⁵ Coroners Act 2006. Retrieved December 14, 2023, from: <http://www.legislation.govt.nz/act/public/2006/0038/latest/whole.html>.

⁸⁶ Heritage New Zealand Pouhere Taonga Act 2014. Retrieved December 14, 2023, from: <http://www.legislation.govt.nz/act/public/2014/0026/latest/DLM4005421.html>.

authority under Part 8 of the Resource Management Act 1991; and to make recommendation to relevant local authorities to be entered on the New Zealand Heritage List/Rārangī Kōrero.

Key functions and powers under s13 of the Act include:

- (a) to identify, record, investigate, assess, list, protect, and conserve historic places, historic areas, wāhi tūpuna, wāhi tapu, and wāhi tapu areas or enter such places and areas on the New Zealand Heritage List/Rārangī Kōrero, or to assist in doing those things, keeping permanent records of that work, and providing support for persons with a legal or equitable interest in such places and areas.
- (b) to continue and maintain the New Zealand Heritage List/Rārangī Kōrero.
- (c) to advocate the conservation and protection of historic places, historic areas, wāhi tūpuna, wāhi tapu, and wāhi tapu areas.
- (d) to foster public interest and involvement in historic places and historic areas and in identifying, recording, investigating, assessing, protecting, and conserving them, maintaining the New Zealand Heritage List/Rārangī Kōrero, and entering such places on that list.
- (e) to issue authorities in accordance with this Act.
- (f) to establish and maintain a list of places of outstanding national heritage value, to be called the National Historic Landmarks/Ngā Mana whenua o Aotearoa me ōna Kōrero Tūturu.
- (g) to act as a heritage protection authority under Part 8 of the Resource Management Act 1991 for the purposes of protecting—
 - i. the whole or part of a historic place, historic area, wāhi tūpuna, wāhi tapu, or wāhi tapu area.
 - ii. land surrounding the historic place, historic area, wāhi tūpuna, wāhi tapu, or wāhi tapu area that is reasonably necessary to ensure the protection and reasonable enjoyment of the historic place, historic area, wāhi tūpuna, wāhi tapu, or wāhi tapu area.

Section 22 of the Act the Trust shall establish and maintain a register of historic places, historic areas, wāhi tūpuna, wāhi tapu and wāhi tapu areas for the purpose of:

- (a) informing members of the public.
- (b) notifying owners, where necessary for purpose.
- (c) to assist in the protection of the Resource Management Act 1991.

The register shall consist of the following parts:

- (a) Category: 1: places of special outstanding historical or cultural heritage significance or value.
- (b) Category 2: places of historical or cultural heritage significance or value.
- (c) Historic areas.
- (d) Wāhi tapu.
- (e) Wāhi tapu areas.

The Māori Heritage Council (2009) identifies key heritage areas and examples in Table 6.1 below.

Table 2: Māori Heritage Council Heritage Areas and Examples.⁸⁷

Identifying Key Heritage Areas	Heritage Examples
Wāhi tapu Wāhi tapu areas	Pā, ko nga kainga, ko etahi o te pā, tuwatawata – villages, raised and fortified. Urupa – burial grounds Unga waka – canoe landing sites

⁸⁷ Source: Adapted Māori Heritage Council, Tapuwae (2009). December 14, 2023 from: http://www.historic.org.nz/en/Publications/~/_media/Corporate/Files/Publications/Tapuwae%20English.ashx.

	Puna – springs Kohatu – rocks Ana – caves Toka-tu-moana – rocks standing in waterways. Maunga – mountains Wahi horoi tupapaku – places where corpses were cleaned. Rakau tapu – sacred trees
Historic places and areas of Māori interest	Churches Māori schoolhouses Buildings and structures Kainga and fishing villages Landscape features Mahinga kai – places where food is collected or prepared Stone quarries Rock art sites Archaeological sites

Under s42 Archaeological sites not to be modified or destroyed unless an authority is granted under s48, ss56(1)(b), or s62 in respect of an archaeological site, no person may modify or destroy, or cause to be modified or destroyed, the whole or any part of that site if that person knows, or ought reasonably to have suspected, that the site is an archaeological site.

An application for approval of a person to carry out activity under s45 of the Act. Prior to activity being carried out under an authority, the authority holder must apply to Heritage New Zealand Pouhere Taonga for approval of any person to undertake the activity. Heritage New Zealand Pouhere Taonga must be satisfied that the nominated person:

- (a) has sufficient skill and competency, is fully capable of ensuring that the proposed activity is carried out to the satisfaction of Heritage New Zealand Pouhere Taonga, and has access to appropriate institutional and professional support and resources; and
- (b) in the case of a site of interest to Māori has the requisite competencies for recognizing and respecting Māori values; and has access to appropriate cultural support.

Section 56 (1) (a) enable exploratory investigation and (b) and may authorise in writing those who apply to carry out an exploratory investigation. In considering the application under Section 56(1) (b) Heritage New Zealand Pouhere Taonga must under Section 56(3)(a) refer to the Māori Heritage Council any application that relates to a site of interest to Māori for recommendation that the Council thinks appropriate. Section 56(3)(b) Heritage New Zealand Pouhere Taonga must take into account:

- (a) The nature and purpose of exploratory investigation.
- (b) Whether the person has adequate skills to carry out that investigation; and
- (c) Whether the person has access to institutional and professional support including resources.

That under Section 65 of the Heritage New Zealand Pouhere Taonga Act historic places, historic areas, wahi tupuna, wahi tapu and wahi tapu areas be entered on the register of the New Zealand Heritage List / Raranga Korero as historic places under:

- (a) Section 65(4)(a)(i) Category 1: places of special or outstanding historical or cultural heritage significance or value.
- (b) Section 65(4)(a)(ii) places of historical or cultural heritage significance; and
- (c) Section 65(4)(b) separately identifies historic areas, wahi tupuna, wahi tapu, and wahi tapu areas.

Under the Regional Plan (2017) Policy D.1.6 Places of Significance to Tangata Whenua for protecting:

- (a) a historic heritage resource.
- (b) ancestral land, water, site, wahi tapu, or other taonga; and
- (c) within a protected customary rights area.

5.4.3 Protected Objects Act 1975

The purpose of the Protected Objects Act 1975⁸⁸ (Act) under ss1A(f-g) is to ensure the establishing and recording of the ownership of ngā taonga tūturu and controlling the sale of ngā taonga tūturu in New Zealand. The legal key definitions of taonga tūturu means an object that:

- (a) Relates to Māori culture, history, or society; and
- (b) Was, or appears to have been, -
 - (i) manufactured or modified in New Zealand by Māori; or
 - (ii) bought into New Zealand by Māori; or
 - (iii) used by Māori; and
- (c) Is more than 50 years old.

In the interpretation at S2 of the Act 'Found' means in relation to any taonga tūturu, discovered or obtained in circumstances which do not indicate with reasonable certainty the lawful ownership of the taonga tūturu and which suggest that the taonga tūturu was last in the lawful possession of a person who at the time of finding is no longer living.

Under S11 of the Act, all newly found taonga tūturu are in the first deemed to be prima facie the property of the Crown, until ownership has been established by the Crown. All taonga tūturu shall be notified within 28 days of finding the taonga tūturu and notify the chief executive of the Ministry of Arts Culture and Heritage or the nearest public museum of the finding of taonga tūturu.

5.5 Archaeology Protocol

- (1) Contractors and sub-contractors involved in project works are to be familiar with the archaeological management plan prior to the commencement of works.
- (2) Ensure that conditions and protocols outlined in an authority and archaeological management plan are observed by contractors and sub-contractors.
- (3) Archaeological authority and management plan to be kept on site.
- (4) Archaeologist and representative to be on site prior to the start of works for a briefing on archaeological requirements.
- (5) Kaumatua and kuia to provide cultural induction and karakia prior to commencement of operations for all sub-contractors and contractors should this be required.

5.5.1 Cultural Monitors

Where earthworks are required in areas of site or place of significance, cultural monitoring will be required to ensure sites are managed under a tikanga Māori process, preserved, and protected. Engagement of a cultural monitor for a consent application is prompted when one or more of the following applies:

- (a) by recommendation of a cultural effect's assessment.
- (b) all archaeological investigations.

⁸⁸ Protected Objects Act 1975. New Zealand Legislation. Retrieved December 14, 2023, from: <http://www.legislation.govt.nz/act/public/1975/0041/latest/DLM432116.html#DLM432125>.

- (c) as part of a consent condition, e.g., if there are known sites of significance.
- (d) where there are earthworks within 50 metres of a registered archaeological site or site of significance.
- (e) upon recommendation of a qualified archaeologist undertaking the project archaeology.
- (f) upon justifiable recommendation from or as prescribed by a iwi or hapū environmental management plan; and
- (g) in the course of the project, accidental discovery which identifies that cultural monitoring needs to be undertaken.

A cultural monitor will have an understanding of tikanga and have the authority of Arawai Ltd to act in the capacity as a cultural monitor. Cultural monitors will have:

- (a) an understanding of consenting processes.
- (b) an understanding of planning documents.
- (c) an understanding of relevant legislation, policies, and the implementation thereof.
- (d) will have the relevant qualifications and/or skills including construct safe and/or site safe.
- (e) will hold a current first aid certificate.
- (f) be responsible of the management of their health and safety.
- (g) wear the correct personal protective equipment (PPE) including wet weather to undertake cultural monitoring.
- (h) undertake a site, health, and safety induction.
- (i) attend all site meetings.
- (j) comply with timeframes and schedules.
- (k) will throughout the project monitoring assess any environmental effects occurring, and report the same to Council and Arawai Ltd.
- (l) keep accurate daily and/or weekly reports.

5.5.2 Discovery of Koiwi

Under sections 51-55 of the Burial and Cremation Act 1964 it is an offence to *“remove any body or the remains of any-body buried in any cemetery, Māori burial ground, or other burial ground or place of burial without licence under the hand of the Minister.”* Should tangata koiwi be discovered:

- (a) earthworks should cease immediately.
- (b) the area should be cornered off to ensure no further destruction or modification of the site.
- (c) notify the chair or nominated person of the Trust.
- (d) notify the NZ Police Iwi Liaison to determine that the site in which any koiwi (human remains) which are discovered is not a crime scene.⁸⁹
- (e) notify HNZPT to confirm with NZ Police Iwi Liaison to confirm tangata koiwi discovery.
- (f) notify the project archaeologist to record archaeological information in accordance with HNZPT.
- (g) notify the District Health Board.

In accordance with tikanga, kaumātua will undertake a formal ceremony, blessings or whakanoa (removing of tapu) of a site or impose a rahui over the area until such time and agreed protocol has been put in place for tangata koiwi within 24 hours.

The kaumātua may request an exploratory investigation of any site or locality. The application that relates to a site of interest to Arawai Ltd must be referred to the Māori Heritage Council (MHC). The

⁸⁹ Required by Section 14(1) of the Coroners Act.

MHC may within in 10 working days after receipt of an application may decline or approve the application. Any investigation must have the consent of landowner.⁹⁰

In collaboration with Arawai Ltd, the kaumātua will agree to a protection mechanism for tangata koiwi. Should the kaumātua agree to the reburial of koiwi, HNZPT will at the wishes of the kaumātua record the site. Records will be held in accordance with the wishes of a kaumātua. Should tangata koiwi be required to be removed from a worksite, a kaumātua will determine the appropriate reburial site within 48 hours.

5.5.3 Discovery of Taonga Tūturu

The Trust is a registered collector (4407) under section 14 of the Protected Objects Act 1975 (PO's).⁹¹ Protected objects include taonga tūturu as defined by in the PO's any artefact removed from an archaeological site which:

- (a) relates to Māori culture, history, or society and
- (b) was, or appears to have been –
 - a. manufactured or modified in New Zealand by Māori; or
 - b. brought into New Zealand by Māori; or
 - c. used by Māori; and
 - d. is more than 50 years old.

Should taonga tūturu be discovered during any project works the following person should be immediately contacted:

- (a) contractor for the project.
- (b) the archaeologist appointed to the project.
- (c) Arawai Ltd; and
- (d) Heritage New Zealand Pouhere Taonga.

5.5.4 Statutory Protection Mechanisms

HNZPT may enter into a heritage covenant with the owner of a historic place, historic area, wahi tupuna, wahi tapu to provide for the protection, conservation, and maintenance. A heritage covenant may:

- (a) include the terms as parties agree including public access.
- (b) provide for perpetuity or specified term.
- (c) be varied or cancelled by agreement between the parties; and
- (d) binds all subsequent owner of the land.

HNZPT will acquire consent from the owner of the land or any other person having an interest in the land prior to a heritage covenant being entered into. A heritage covenant is registered under the Land Transfer Act 2017 and is binding on all subsequent owners.⁹²

Any person may apply to the Māori Heritage Council to enter a wahi tapu, wahi tupuna or wahi tapu on the Rārangī Korero/New Zealand Heritage List. An application must:

- (a) provide a legal description of the area.

⁹⁰ Heritage New Zealand Pouhere Taonga Act 2014. Part 3 Exploratory Investigations, Section 56. New Zealand Government. Wellington.

⁹² Heritage New Zealand Pouhere Taonga Act 2014. Part 3 Protection of places and areas of historical and cultural values, Section 39-41. New Zealand Government. Wellington.

- (b) include the general nature of area.
- (c) be a publicly notified application giving notice to the owner of the land; and
 - (a) be publicly notified to the person who has an interest in the land, including occupants Works in the area of the discovery shall not recommence until authorised in writing by the archaeologist in consultation with any identified affected parties or Heritage New Zealand Pouhere Taonga.

6. Maunga Taniwha Ecological District

6.1 Conservation

The Department of Conservation is committed to working with hapū, whanau, and iwi within their rohe for effective management of conservation. The Department of Conservation will engage with hapū, whanau, and iwi to ensure that we understand their perspective and views regarding management of Public Conservation Land for all New Zealanders. The relationship is governed by section 4 of the Conservation Act 1987, which states *“this Act shall so be interpreted and administered as to give effect to the principles of the Treaty of Waitangi.”*

The principles that apply generally in the Department of Conservations work include:

- (a) Partnership – mutual good faith and reasonableness: The Crown and Māori must act towards each other reasonably and in good faith. These mutual duties of reasonableness and good faith describe the nature of the relationship between the Crown and Māori. They are the core of what has been described as the Treaty partnership. This principle is about how the Crown should behave to Māori and Māori to the Crown.
- (b) Informed decision-making: Both the Crown and Māori need to be well informed of the other's interests and views. When exercising the right to govern, Crown decision makers need to be fully informed. For Māori, full information needs to be provided to contribute to the decision-making process. This is connected closely to the principles of good faith and active protection. Consultation is a means to achieve informed decision-making.
- (c) Active protection: The Crown must actively protect Māori interests retained under the Treaty as part of the promises made in the Treaty for the right to govern. This includes the promise to protect tino rangatiratanga and taonga. Active protection requires informed decision-making and judgement as to what is reasonable in the circumstances.
- (d) Redress and reconciliation: The Treaty relationship should include processes to address differences of view between the Crown and Māori. The Crown must preserve its capacity to provide redress for proven grievances from not upholding the promises made in the Treaty. Māori and the Crown should demonstrate reconciliation as grievances are addressed.

6.2 Conservation Act 1987

Under Part 5, Section 25 of the Conservation Act 1987 every stewardship area shall be managed to ensure that its natural and historic resources are protected. Part 4A was inserted by Section 15 of the Conservation Law Reform Act 1990. Part 4A refers to Marginal Strips under Section 24 of the Conservation Act 1987 which states *“there shall be deemed to be reserved from the sale or other disposition of any land by the Crown a strip of land 20 metres wide extending along and abutting the landward margin of any foreshore... the bed of any river or any stream... being a bed that has an average width of 3 metres or more...”*

6.3 Reserves Act 1977

The Reserves Act 1977 shall be administered by the Department of Conservation:

- (a) providing, for the preservation and management for the benefit and enjoyment of the public, areas of New Zealand possessing:
 - (i) recreational use or potential, whether active or passive; or
 - (ii) wildlife; or
 - (iii) indigenous flora or fauna; or
 - (iv) environmental and landscape amenity or interest; or
 - (v) natural, scenic, historic, cultural, archaeological, biological, geological, scientific, educational, community, or other special features or value.
- (b) ensuring, as far as possible, the survival of all indigenous species of flora and fauna, both rare and common place, in their natural communities and habitats, and the preservation of representative samples of all classes of natural ecosystems and landscape which in the aggregate originally gave New Zealand its own recognisable character.
- (c.) ensuring, as far as possible, the preservation of access for the public to and along the seacoast, its bays and inlets and offshore islands, lakeshores, and riverbanks, and fostering and promoting the preservation of the natural character of the coastal environment and of the margins of lakes and rivers and the protection of them from unnecessary subdivision and development.

6.4 Protected Natural Areas

Protected Natural Areas Programme (PNAP) commenced in 1981 as a means of evaluating areas worthy of protection. A series of ecological districts were created as part of the PNAP, and by 2001, 83 of the approximate 270 districts had been surveyed. The Reserves Act 1977 was the legislative basis for the PNAP (Bellingham, P: 1993)⁹³.

Protected Natural Areas and the evolving relationship between the Department of Conservation, Councils, landowners and hapū are important to the protection and conservation of Ngāti Kahu heritage and indigenous biodiversity within the Maunga Taniwha Ecological District. The Maunga Taniwha Ecological District is summarized as follows:

Maunga Taniwha Ecological District is a large area east of Kaitaia characterized by mosaics of forest and regenerating shrublands on dissected hill country, often with extensive linkages between habitats. However, considerable fragmentation of habitats has occurred, particularly in the west, where there are numerous small broadleaf remnants, and the district is distinctive for the presence of NI brown kiwi in many, quite fragmented, sites. Wetlands are diminished in extent and coastal ecosystems are degraded. Natural areas of ecological significance were identified from a reconnaissance survey undertaken in 1994/95 together with information from existing databases... Natural areas identified totaled 204. Of these, 152 were considered to contain natural values of regional or national significance, although in many cases the values of the remaining areas were not able to be fully assessed due to the inability to survey all identified areas in detail. Priority areas for protection in the district include wetlands, coastal habitats, podocarp and kauri forests, riparian vegetation, shrublands, habitats on limestone and

⁹³ Bellingham, Peter (2001). Evaluating methods for the Protected Natural Areas Programme. Wellington, New Zealand: Department of Conservation.

podzolized sand, and recovery sites for NI brown kiwi and NZ pigeon (Maunga Taniwha Ecological District for the Protected Natural Areas Programme, 2002).

Ngāti Kahu hapū considers that the Protected Natural Areas Programme (PNAP) and the evolving relationship between the Department of Conservation and Māori is important to the protection and conservation of Ngāti Kahu heritage and indigenous biodiversity. The areas assessed within the vicinity of the Taipa area are identified within the Maungataniwha Ecological District Protected Natural Area Plan.

For the purpose of this cultural effects assessment there are no known protected natural areas within the extent of the Maungataniwha Ecological District.

6.5 Department of Conservation

The Department of Lands and Survey in (1980) undertook a coastal reserves investigation of Tokerau Beach. The area surveyed at that time being a total area of 491.7960 hectares. The survey was undertaken at the eastern edge of Karikari Peninsula's isthmus fronting Doubtless Bay. The purpose of the investigation was for a Recreation Reserve with provision of areas for nature conservation. The blocks surveyed included:⁹⁴

Legal Description	Owner	Area
Crown Land Blk III Rangaunu S.D.	Crown	143.23 ha
Pt Sec 9 Blk V Rangaunu S.D.	Crown	5.90 ha
Pt Sec 12 Blk V Rangaunu S.D.	Crown	39.16 ha
Pt Sec 12 Blk V Rangaunu S.D.	Crown	7.2160 ha
Crown land Blk V Rangaunu S.D.	Crown	199.06 ha
Crown land Blk V Rangaunu S.D.	Crown	97.23 ha

The Department of Lands and Survey in (1980) described the area as:

Tokerau Beach consists of a gently sweeping expanse of sand 14 kilometres in length. At its northern end the beach finishes abruptly against the base of the hillsides below Whatuwhiwhi settlement. The mouth of the Awapoko River is formed at its southern end. Throughout much of its length the land behind the beach undulating, consisting of the remnants of ancient sand dunes now covered with manuka scrub, gorse, and scattered groves of pine trees. There are also extensive swampy areas and a number of small shallow lakes.

The extent of the beach combined with natural condition of lengthy sections of its landward margin offers a considerable range of opportunities for outdoor recreation, scenery preservation, nature conservation and related purposes. For instance, visitor pressure at present experienced along Taipa-Coopers Beach shoreline would be relieved by the opening up and improvement of amenities at selected places on Tokerau Beach for coastal recreation.

The presentation situation is safeguarded in that a 10-kilometre section of Tokerau Beach backs onto wide area of Crown-owned open country. In these circumstances there are additional possibilities for using parts of the area within the proposal for land exchange purposes. Overall, the range of land use options applicable in the Tokerau Beach situation is such that a land use report of the area is required.⁹⁵

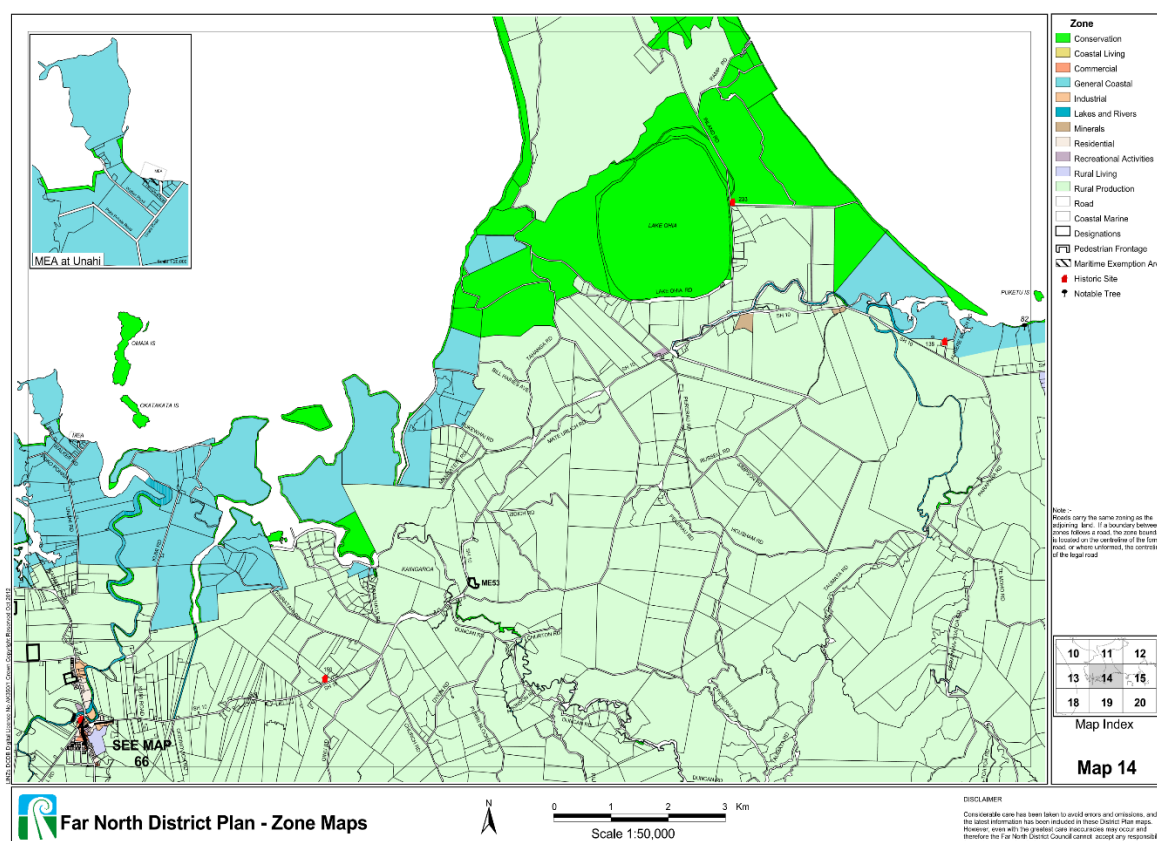
⁹⁴ Department of Lands and Survey. (1980). North Auckland Land District. Coastal Reserves Investigation. Report on Mangonui County p. 85. Department of Lands & Survey. Wellington: NZ Government.

⁹⁵ Ibid.

Lake Ohia is a 500-ha site of charred stumps and gum land scrub in a former lake bed that is dry over the summer, wet in winter. The site of a drowned forest, with a maze of 30,000-year-old kauri tree stumps exposed when the lake was drained earlier this century for gum-digging. Important habitat for rare ferns, mosses, and orchids. The surrounding swamps and shrubland contain threatened fish and bird species.⁹⁶

Lake Rotopokaka is a dune lake adjacent to Tokerau Beach on the east coast of the Karikari Peninsula. Lake Rotopokaka is also known as 'Coca Cola' lake' as the peat and tannis in the water give the lake a distinct 'cola' colour. The lake has no inflows or outflows. The surrounding catchment is a mixture of manuka scrub, pohutukawa, cabbage tree and flax. Common bullies (*Gobiomorphus cotidianus*), inanga (*Galaxias maculatus*), longfin eels (*Anguilla dieffenbachii*) and the nationally threatened black mudfish (*Neochanna diversus*) were recorded from this lake in 1993 (DoC SSBI).⁹⁷

Figure 28: Far North District Council Zone 14.



Source: Far North District Council Zone 14.

⁹⁶ Northland Regional Council. (2023). Wetlands you can visit in the Northland Region. Retrieved January, 14 2024 from: [Microsoft Word - Northland wetlands to visit new format2_4 .doc \(wetlandtrust.org.nz\)](#).

⁹⁷ Northland Regional Council. (2023). Karikari Peninsula, central and east. Lake Rotopokaka. Retrieved January, 12 2024 from: [Search - Northland Regional Council \(nrc.govt.nz\)](#).

7. Legislation & Policy

7.1 Local Government Act 2002

The key purpose of the Local Government Act 2002 (Act) is to provide for democratic and effective local governance that recognises the diversity of New Zealand communities. Section 4 of the Local Government Act 2002 requires a regional or territorial authority to take appropriate account of the principles of Te Tiriti o Waitangi 1840 (Treaty of Waitangi).

Parts 2 and 6 of the Act provides for principles and requirements of regional, territorial, and unitary authorities to facilitate greater participation by Māori in local authority decision making processes. Section 14 and 81 of the Act provide an opportunity for Māori to participate in the management of their estates and territory.

Section 75(b) of the Act defines the obligation of local authorities to consider Māori involvement in the decision-making processes. Section 77(1)(c) of the Local Government Act 2002 requires local government to take appropriate account of the relationship of Māori to their estates and territory in the course of the decision-making process, and s79 which provides for compliance procedures allowing local government to use their own discretion or judgement.

7.2 Resource Management Act 1991

The Resource Management Act 1991 (Act) requires the Crown and their representative agencies to 'take into account' the principles of the Te Tiriti o Waitangi 1840 (Treaty of Waitangi). Key principles include the:

- (a) Principle of essential bargain (Kawanatanga principle).
- (b) Principle of self-management (Rangatiratanga principle).
- (c) Principle of equality; principle of co-operation.
- (d) Principle of redress; principle of good faith and the principle of active protection.

These principles also extend to the need for compromise by Māori and the wider community.

- (a) The Crown cannot divest itself of its obligations.
- (b) The right to development.
- (c) The Crown's right of pre-emptive and its reciprocal duties.
- (d) The principle of options (Hayward, 2008, p. 477, Waitangi Tribunal).

Kaitiakitanga includes the right to participate in the decision-making process affecting natural resource management under Article 2 of Te Tiriti o Waitangi 1840 (Treaty of Waitangi). The principles of Te Tiriti o Waitangi 1840 are fundamental to developing any relationship, policies and plans regarding the management of natural resources.

Under Section 2 of the Resource Management Act 1991 'mana whenua' is described as those who have:

Customary authority exercised by an iwi or hapū in an identified area, and '*kaitiakitanga*' to mean the 'exercise of guardianship' by the tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources and includes the ethic of stewardship.

The Resource Management Act Section 4 the Act is to bind the Crown with the exception of Section 9(3) does not apply to any work or activity of the Crown within the boundaries of any area of land held or managed under the Conservation Act 1987. The activity must be consistent with a conservation management strategy, conservation management plan, or management plan established under the Conservation Act 1987.

Under section 5 (1-2) of the Resource Management Act 1991 the purpose of the Act is to promote the sustainable management of natural and physical resources. Sustainable management means:

... managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Section 6 of the Resource Management Act 1991 must ensure:

The preservation, protection, maintenance, enhancement, and the relationship of Māori to the cultural and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga.

Under section 6 (a) and (e) of the Resource Management Act 1991 activities must maintain the character of the coastal marine area including rivers, wetlands and margins and provide for the protection of amenity values and public access to natural and physical resources and the protection of outstanding natural features and landscapes from inappropriate development and use.

In achieving the purpose of the Resource Management Act 1991 section 8:

All persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

Section 12 of the Resource Management Act 1991 provides for the restriction on certain activities of the coastal marine area, beds of lakes, rivers, and discharges to water, including disturbance, coastal reclamation and draining of a riverbed, and creating adverse effects through the destruction or modification to the foreshore and seabed, disturbing freshwater fisheries habitats and aquatic life in the terrestrial area.

Under section 15 (1) (a) and (b) no person shall discharge contaminants to land or water unless enabled by a national environmental standard, regulation, rule in regional plan or proposed regional plan or a resource consent.

Under section 16 (1) of the Resource Management Act 1991 a consent applicant carrying out an activity in the coastal marine area shall adopt best practice methods to ensure the emission of noise from land and coastal marine activities do not exceed a reasonable level.

Functions of Regional Councils under Section 30 of the Resource Management Act 1991 is to control the use of the land for the purpose of soil conservation, maintenance, and enhancement of the quality of water in water bodies and coastal water.

Under Section 32(1) (c) of the Resource Management Act 1991 an evaluation report containing:

a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

Under Section 229 of the Resource Management Act 1991 a contribution to the protection and on conservation values must be made to esplanade reserves and esplanade strips by maintain or enhancing the natural functioning of the adjacent sea, river, or lake by enhancing water quality, aquatic habitats and protecting the natural values associated, enable public access to or along any sea, river, or lake, or to enable public recreational use.

7.2.1 Cultural Wellbeing Effects

Cultural wellbeing is identified under s5(2) of the Act as sustainable management which means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations.
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems.
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Cultural wellbeing is also supported through customs and practices as follows:

- (a) Mana (Authority): The exercise of mana (authority) over an area, which embraces the exercise of customary authority, as well as kaitiakitanga or guardianship responsibilities, which often contributed to the sustainable management of a resource.
- (b) Practice, customs, and traditions (tikanga): Practices, customs, and traditions (tikanga) integral to a distinctive Māori culture and way of living (for example, the practice of fishing, gathering, and hunting for food and other resource uses).
- (c) Sites of Significance: Specific activities that are connected to a particular place, for example, the custom of visiting and protecting places of cultural and spiritual importance due to the location of taonga (treasures), urupa (burial grounds) or wahi tapu (sites of significance), nohoanga (temporary camping and traditional food gathering places).⁹⁸

7.3 Resource Management Amendment Act 2017

The purpose of Mana Whakahono a Rohe agreements is to provide a mechanism for councils and iwi to come to agreement on ways tangata whenua may participate in the Resource Management Act 1991 (Act) decision-making, and to assist councils with their statutory obligations to tangata whenua the Resource Management Act 1991.

Schedule 1 of the Act has been amended to insert clause 4A which requires Councils to:

- (a) provide a copy of any draft policy statement or plan, once prepared but before it is notified, to any iwi authorities that were previously consulted under clause 3 of Schedule (1).
- (b) allow adequate time and opportunity for those iwi authorities to consider the draft and provide advice back to council.
- (c) have particular regard to any advice received from those iwi authorities before notifying the plan.

⁹⁸ Marine and Coastal Area (Takutai Moana) Act 2011.

Under s3A enables councils to appoint commissioners for hearings on proposed plans and policy statements under Schedule 1 of the RMA (among other things). S34A (1A) has been amended to require councils, when appointing commissioners for plan or policy statement hearings to:

- (a) consult with iwi authorities about whether it is appropriate to appoint a commissioner who understands tikanga Māori and the perspectives of local iwi and hapū.
- (b) if council considers it appropriate, appoint at least one commissioner who understands these matters, in consultation with the relevant authority.

7.4 Marine and Coastal Takutai Moana Act 2014

The purpose of the Marine and Coastal Area (Takutai Moana) Act 2011 is to:

Recognise the mana toku iho exercised in the marine and coastal area by iwi, hapū, and whānau as tangata whenua; and provide for the exercise of customary interests in the common marine and coastal area; and acknowledge the Treaty of Waitangi (te Tiriti o Waitangi).

Under the Marine and Coastal Area (Takutai Moana) Act 2011 developers have duties to customary marine title applicant groups to notify and seek the views of any group that has applied for recognition of customary marine title in the area.⁹⁹

The Marine and Coastal (Takutai Moana Act) 2011 came into force on 1 April 2011 and repeals Foreshore and Seabed Act 2004, the Act restores customary interests extinguished by former. The purpose of the Act is to:

- (a) establish a durable scheme to ensure the protection of the legitimate interests of all New Zealanders in the marine and coastal area of New Zealand.
- (b) recognise the mana toku iho (inherited right or authority derived in accordance with tikanga) exercised in the marine and coastal area by iwi, hapū, and whānau as tangata whenua.
- (c) provide for the exercise of customary interests in the common marine and coastal area (CMCA).
- (d) acknowledge the Treaty of Waitangi (te Tiriti o Waitangi).

In order to take account of the Treaty of Waitangi (te Tiriti o Waitangi), the Act recognises, and promotes the exercise of customary interests of Māori in the common marine and coastal area by providing:

- (a) For the participation of affected iwi, hapū, and whānau in the specified conservation processes relating to the common marine and coastal area.
- (b) For customary rights to be recognised and protected.
- (c) For customary marine title to be recognised and exercised.

The Act applies to the area formerly known as the foreshore and seabed, which is now known as the marine and coastal area and creates a common space in the marine and coastal area (the CMCA) that cannot be owned by anyone and therefore cannot be sold. The Act also provides legal recognition and protection of customary interests in the CMCA, through protected customary rights (PCRs) and customary marine title (CMT).

Local authorities are prohibited from granting a resource consent for an activity that will, or is likely to, have more than minor adverse effects on the exercise of a PCR (with some exceptions) unless the PCR

⁹⁹ Ministry of Justice (2017). Māori land & Treaty. Marine & Coastal Area – Takutaimoana Act. Information for developers. Retrieved December 2023 from: <https://justice.govt.nz/Māori-land-treaty/marine-and-coastal-area/information-for-developers/>.

group gives its approval. Rights conferred by Customary Marine Title include the right to give or decline permission for activities being carried out under a resource consent in a CMT area (with some exceptions) and the right of CMT groups to create a planning document, and that the exercise of rights associated with CMT, and PCR cannot limit or affect:

- (a) resource consents in place at the commencement of the Act.
- (b) any activities that can be lawfully undertaken without resource consent or other authorization (except in a wāhi tapu area – see below).
- (c) resource consents for emergency activities.
- (d) future coastal permits to allow existing aquaculture activities to continue on the same site.
- (e) in the case of CMT, activities in the national and regional interest such as certain future infrastructure and regional council research and monitoring.

The Act creates two pathways for establishing legal recognition of PCR and CMT: in the High Court or via a recognition agreement directly with the Crown and requires that where a recognition agreement recognises CMT then that part of the agreement must be given effect through legislation. The Act also provides for public rights of free access, fishing, and navigation to coexist with CMT, except in wāhi tapu areas (defined areas of significance to CMT holders, such as burial grounds).

7.4.1 Where does the Act apply?

Relevant provisions in the Act that apply to local authorities include:

On commencement of the Act, the Crown and every local authority were divested of land in the CMCA to the extent this land had not already been divested by the 2004 Act. Local authorities can seek redress from the Minister of Conservation for any such land acquired after commencement of the 2004 Act, provided this was by purchase and the claim is accepted by the Minister.

The Crown is deemed to be the owner of any ‘abandoned’ structures in the CMCA. A structure is considered abandoned if it has no current resource consent and if, after following a specified process of inquiry, the relevant council is unable to determine the identity or whereabouts of the owner.

The ownership of roads remains with the current owner and formed roads are not part of the CMCA. Unformed roads are excluded from the CMCA for a temporary period allowing local authorities to promote or initiate formation of roads they wish to be permanently excluded from the CMCA.

The reclamation provisions provide greater certainty than under the 2004 Act. Changes include provision for an interest in land to be determined before a reclamation is completed (vesting happens after completion), and the ability for developers (including local authorities) to obtain fee simple title. Applicants seeking an interest in reclaimed land must apply to Land Information New Zealand (LINZ). Fees payable to LINZ to cover the cost of processing applications are set out in the Marine and Coastal Area (Takutai Moana) Reclamation Fees Regulations 2012.

7.4.2 Protected Customary Rights (PCR)

There is no requirement on a PCR holder to obtain any resource consent for the customary activity, use or practice that would otherwise be required.

A requirement on local authorities to monitor the exercise of PCR, and provision to apply to the Minister of Conservation for controls to be imposed on such rights.

The ability for local authorities to carry out an assessment of environmental effects of a PCR at their own initiative, or when requested to do so by the Minister of Conservation (as a prerequisite to the Minister making a decision on whether to impose controls on the exercise of the relevant right).

7.4.3 Applications for Customary Marine Title (CMT)

A requirement on those intending to make a resource consent application to notify and seek the views of any group which has applied for CMT in the area to which the resource consent application applies.

7.4.4 Planning Documents

A requirement on local authorities to initiate a process to determine whether to alter their regional policy statements and regional coastal plans, and if so to what extent, to 'recognise and provide for' matters in a planning document applying within a CMT area. Decisions on alterations must follow the process set out in Schedule 1 of the Resource Management Act 1991 and meet the requirements of Part 5 of the Resource Management Act 1991.

7.4.5 Wāhi tapu within Customary Marine Title Areas

A requirement on local authorities to take appropriate action to encourage public compliance with conditions applying to a wāhi tapu area.

7.4.6 Cultural Wellbeing Effects

Cultural wellbeing is identified under Section 5 (2) of the Resource Management Act 1991 as sustainable management which means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations.
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems.
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Cultural wellbeing is also supported through customs and practices under the Marine & Coastal (Takutai Moana) Act 2014 as follows:

- (a) Mana (Authority): The exercise of mana (authority) over an area, which embraces the exercise of customary authority, as well as kaitiakitanga or guardianship responsibilities, which often contributed to the sustainable management of a resource.
- (b) Practice, customs, and traditions (Tikanga): Practices, customs, and traditions (tikanga) integral to a distinctive Māori culture and way of living (for example, the practice of fishing, gathering, and hunting for food and other resource uses). The customary practice of the use of waka on the Taipa and Ōruru Rivers.
- (c) Sites of Significance: Specific activities that are connected to a particular place, for example, the custom of visiting and protecting places of cultural and spiritual importance due to the location of taonga (treasures), urupa (burial grounds) or wahi tapu (sites of significance), nohoanga (temporary camping and traditional food gathering places).¹⁰⁰

¹⁰⁰ Marine and Coastal Area (Takutai Moana) Act 2011.

7.5 The New Zealand Coastal Policy Statement 2010

The New Zealand Coastal Policy Statement 2010 is a national policy statement under the Resource Management Act 1991 written to promote the sustainable management of the coastal environment and its characteristics and qualities, where the following objectives apply:

- (a) *Objective 1*: to safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes, and land.
- (b) *Objective 2*: to preserve the natural character of the coastal environment and protect natural features and landscape values.
- (c) *Objective 3*: to take into account the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in the management of the coastal environment by:
 - (ii) Recognizing the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources.
 - (iii) Promoting meaningful relationships and interaction between tangata whenua and persons exercising functions and powers under the Act.
 - (iv) Incorporating Mātauranga Māori in sustainable management practices; and
 - (v) Recognizing and protecting characteristics of the coastal environment, that is of special value to tangata whenua.
- (d) *Objective 6*: to enable people and communities to provide for their social, economic, and cultural wellbeing and health and their safety, through subdivision, use and development; and
- (e) *Objective 7*: to ensure that management of the coastal environment recognises and provides for New Zealand's international obligations regarding the coastal environment, including the coastal marine area.

Relevant policies regarding the New Zealand Coastal Policy Statement 2010 are outlined in Table 4:

Table 3: New Zealand Coastal Policy Statement 2010.¹⁰¹

Policy #	Policies
Policy 2 The Treaty of Waitangi, tangata whenua and Māori heritage: In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment.	<ul style="list-style-type: none"> a) recognise that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations. b) involve iwi authorities or hapū on behalf of tangata whenua in the preparation of regional policy statements, and plans, by undertaking effective consultation with tangata whenua; with such consultation to be early, meaningful, and as far as practicable in accordance with tikanga Māori. c) with the consent of tangata whenua and as far as practicable in accordance with tikanga Māori, incorporate Mātauranga Māori in regional policy statements, in plans, and in the consideration of applications for resource consents, notices of requirement for designation and private plan changes. d) provide opportunities in appropriate circumstances for Māori involvement in decision making, for example when a consent application or notice of requirement is dealing with cultural

¹⁰¹ Source: New Zealand Coastal Policy Statement (2010). Ministry for Environment. New Zealand: Wellington.

	<p>localities or issues of cultural significance, and Māori experts, including pukenga, may have knowledge not otherwise available.</p> <p>e) take into account any relevant iwi resource management plan and any other relevant planning document recognised by the appropriate iwi authority or hapū and lodged with the council, to the extent that its content has a bearing on resource management issues in the region or district; and</p> <ul style="list-style-type: none"> (i) where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and (ii) consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi resource management plans. <p>f) provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment through such measures as:</p> <ul style="list-style-type: none"> (i) bringing cultural understanding to monitoring of natural resources. (ii) providing appropriate methods for the management, maintenance, and protection of the taonga of tangata whenua. (iii) having regard to regulations, rules or bylaws relating to ensuring sustainability of fisheries resources such as taiapure, mahinga mataitai or other non- commercial Māori customary fishing; and <p>g) in consultation and collaboration with tangata whenua, working as far as practicable in accordance with tikanga Māori, and recognising that tangata whenua have the right to choose not to identify places or values of historic, cultural, or spiritual significance or special value:</p> <ul style="list-style-type: none"> (i) recognise the importance of Māori cultural and heritage values through such methods as historic heritage, landscape, and cultural impact assessments; and (ii) provide for the identification, assessment, protection and management of areas or sites of significance or special value to Māori, including by historic analysis and archaeological survey and the development of methods such as alert layers and predictive methodologies for identifying areas of high potential for undiscovered Māori heritage, for example coastal pa or fishing villages.
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<p>Policy 11 Indigenous biological diversity (biodiversity) to protect indigenous biological diversity in the coastal environment:</p>	<p>a) avoid adverse effects of activities on:</p> <ul style="list-style-type: none"> (i) indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists. (ii) taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened. (iii) indigenous ecosystems and vegetation types that are threatened in the coastal environment or are naturally rare. (iv) habitats of indigenous species where the species are at the limit of their natural range or are naturally rare. (v) areas containing nationally significant examples of indigenous community types; and (vi) areas set aside for full or partial protection of indigenous biological diversity under other legislation. <p>b) avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on:</p> <ul style="list-style-type: none"> (i) areas of predominantly indigenous vegetation in the coastal environment. (ii) habitats in the coastal environment that are important during the vulnerable life stages of indigenous species. (iii) indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dune lands, intertidal zones, rocky reef systems, eelgrass, and saltmarsh. (iv) habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional, or cultural purposes. (v) habitats, including areas and routes, important to migratory species. (vi) ecological corridors, and areas important for linking or maintaining biological values identified under this policy.
<p>Policy 17 Historic heritage identification and protection – Protect historic heritage in the coastal environment from</p>	<ul style="list-style-type: none"> a) identification, assessment and recording of historic heritage, including archaeological sites. b) providing for the integrated management of such sites in collaboration with relevant councils, heritage agencies, iwi

<p>inappropriate subdivision, use, and development by:</p>	<p>authorities and kaitiaki.</p> <ul style="list-style-type: none"> c) initiating assessment and management of historic heritage in the context of historic landscapes. d) recognizing that heritage to be protected may need conservation. e) facilitating and integrating management of historic heritage that spans the line of mean high-water springs. f) including policies, rules, and other methods relation to (a) to (e) above in regional policy statements and plans. g) imposing or reviewing conditions on resource consents and designations, including the continuation of activities. h) requiring, where practicable, conservation conditions; and i) considering provision for methods that would enhance owners' opportunities of listed heritage structures, such as relief grants of rates relief.
<p>Policy 21 Enhancement of water quality - Where the quality of water in the coastal environment has deteriorated so that it is having a significant adverse effect on ecosystems, natural habitats, or water based recreational activities, or is restricting existing uses, such as aquaculture, shellfish gathering, and cultural activities, give priority to improving that quality by:</p>	<ul style="list-style-type: none"> a) identifying such areas of coastal water and water bodies and including them in plans. b) including provisions in plans to address improving water quality in the areas identified above. c) where practicable, restoring water quality to at least a state that can support such activities and ecosystems and natural habitats. d) requiring that stock is excluded from the coastal marine area, adjoining intertidal areas and other water bodies and riparian margins in the coastal environment, within a prescribed time frame; and e) engaging with tangata whenua to identify areas of coastal waters where they have particular interest, for example in cultural sites, wāhi tapu, other taonga, and values such as mauri, and remedying, or, where remediation is not practicable, mitigating adverse effects on these areas and values.
<p>Policy 22 Sedimentation</p>	<ul style="list-style-type: none"> a) Assess and monitor sedimentation levels and impacts on the coastal environment. b) Require that subdivision, use, or development will not result in a significant increase in sedimentation in the coastal marine area, or other coastal water. c) Control the impacts of vegetation removal on sedimentation including the impacts of harvesting plantation forestry. d) Reduce sediment loadings in runoff and in storm water systems through controls on land use activities.

Policy 23 Discharge of contaminants	<p>(1) In managing discharges to water in the coastal environment, have particular regard to:</p> <ul style="list-style-type: none"> a) the sensitivity of the receiving environment. b) the nature of the contaminants to be discharged, the particular concentration of contaminants needed to achieve the required water quality in the receiving environment, and the risks if that concentration of contaminants is exceeded; and the capacity of the receiving environment to assimilate the contaminants; and: c) avoid significant adverse effects on ecosystems and habitats after reasonable mixing. d) use the smallest mixing zone necessary to achieve the required water quality in the receiving environment; and e) minimize adverse effects on the life-supporting capacity of water within a mixing zone. <p>(4) In managing discharges of storm water take steps to avoid adverse effects of storm water discharge to water in the coastal environment, on a catchment-by-catchment basis, by:</p> <ul style="list-style-type: none"> a) avoiding where practicable and otherwise remedying cross contamination of sewage and storm water systems. b) reducing contaminant and sediment loadings in storm water at source, through contaminant treatment and by controls on land use activities. c) promoting integrated management of catchments and storm water networks; and d) promoting design options that reduce flows to storm water reticulation systems at source.
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7.6 Northland Regional Policy Statement 2016

The Regional Policy Statement for Northland was adopted by way of resolution of the Northland Regional Council on the 19 April 2016, and further became operative on the 9 May 2016. The Regional Policy for Northland was updated in May 2018. The role of the Regional Policy Statement is to:

... promote sustainable management of Northland's natural and physical resources by: Providing an overview of the region's resource management issues; and setting out policies and methods to achieve integrated management of Northland's natural and physical resources.¹⁰²

Regional Policy Statement guiding principles include the recognition of the partnership principles in the Treaty of Waitangi 1840 / Te Tiriti o Waitangi 1840, and the benefits of working partnership, tangata whenua have a key role in resource management.

¹⁰² Northland Regional Council. (2016, May). Regional Policy Statement for Northland, p. 3. Updated May 2018. Retrieved December 27, 2023, from: <https://www.nrc.govt.nz/media/clxj0ndy/regionalpolicystatementfornorthlandmay2016updatedmay2018.pdf>.

Table 4: Regional Policy Statement Policies and Methods, Tangata Whenua.¹⁰³

Policy	Method	Explanation
8.1 / 3.12 The objectives relevant to policies and method package are:	Tangata whenua role in decision-making.	Hapū and whanau participation in the decision-making process.
8.1.1 Policy – Tangata whenua participation	The regional and district councils shall provide opportunities for tangata whenua to participate in the review, development, implementation, and monitoring of plans and resource consent processes under the Resource Management Act 1991 (RMA).	The policy supports the relationship of tangata whenua with the natural and physical environment by providing opportunities for their input into resource management processes.
8.1.2 Policy – The regional and district council statutory responsibilities	<p>The regional and district councils shall when developing plans and processing resource consents under the Resource Management Act 1991 (RMA):</p> <p>(a) Recognise and provide for the relationship of tangata whenua and their culture and traditions with their ancestral land, water, sites wāhi tapu, and other taonga.</p> <p>(b) Have particular regard to kaitiakitanga; and</p> <p>(c) Take into account the principles of the Treaty of Waitangi including partnership.</p>	Under the Resource Management Act 1991 (RMA), the regional and district councils have responsibilities to provide for tangata whenua involvement in resource management, particularly where it affects their taonga.
8.1.3 Policy – Use of Mātauranga Māori	The regional and district councils shall provide opportunities for the use and incorporation of Mātauranga Māori into decision-making, management, implementation, and monitoring of natural and physical resources under the RMA.	This policy recognises that Mātauranga Māori has a role to play in resource management, and therefore councils should make an active effort to provide opportunities for its inclusion in resource management processes.
8.1.4 Policy – Māori concepts, values, and practices	Relevant Māori concepts, values and practices will be clarified through consultation with tangata whenua to develop common understandings of their meaning	A common understating of Māori concepts, values, and practices between tangata whenua and councils will assist in integrating kaitiakitanga into RMA processes.

¹⁰³ Source: Northland Regional Council. (2016, May). Regional Policy Statement for Northland, p. 133 - 138. Updated May 2018. Retrieved December 28, 2023, from: <https://www.nrc.govt.nz/media/clxj0ndy/regionalpolicystatementfornorthlandmay2016updatedmay2018.pdf>.

	and to develop methodologies for their implementation.	
8.1.5 Method – Statutory plans and strategies	<p>The regional and district councils shall:</p> <p>(a) Engage with iwi authorities at the earliest possible stage of any review and / or change to plans developed under the RMA to agree appropriate mechanisms for tangata whenua participation and consultation; and</p> <p>(b) Include an analysis of the effects of any resource consent application on tangata whenua and their taonga, including details of any proposed measures to avoid, remedy, or mitigate effects and consultation undertaken, in all regional and district council reports on resource consent applications.</p>	<p>The RMA requires the regional and district councils to undertake pre-notification consultation with tangata whenua, through iwi authorities, on any new planning document or plan change (Schedule 1, Clause 3 of the RMA). Identification of agreed mechanisms for tangata whenua participations and consultation, on a case-by-case basis, will ensure that both parties clearly understand what level of participation and consultation will occur and that it is fit for purpose. Ultimately a region-wide approach could be agreed for different processes.</p> <p>Transparently recording the analysis of potential effects and measures to avoid, remedy or mitigate effects of any resource consent application on tangata whenua and their taonga represents best practice and is one way of acknowledging the kaitiaki role of tangata whenua.</p>
8.1.6 Method – Non-statutory plans and strategies	<p>Within two years of the Regional Policy Statement for Northland becoming operative, the regional council will initiate the development of a protocol with iwi authorities to:</p> <p>(a) Determine when the regional council will:</p> <p>(i) require an assessment of cultural effects (under Schedule 4 of the RMA and what it should include, and how councils will use and take into account any cultural impact assessment.</p> <p>(ii) appoint and use independent Māori hearing commissioners for resource consent applications and plans under the RMA.</p> <p>(iii) hold hearings on marae and provide translation services.</p> <p>(iv) notify tangata whenua of resource consent applications</p>	<p>The development of a protocol between the regional council and iwi authorities will ensure both parties have a shared understanding of when and how the matters identified in this method will be implemented. The protocol is likely to be implemented in a variety of ways including council publications, plan changes and guidance notes for processing resource consent applications.</p>

	<p>and confer affected party status to tangata whenua; and</p> <p>(b) Determine common meanings and methodologies for key Māori concepts, values and practices, and the process for updating them.</p>	
8.1.7 Method – Advocacy and education	<p>The regional and district councils shall:</p> <p>(a) Actively encourage resource consent applicants to consult with tangata whenua as early in the process as possible prior to lodging consent applications for proposals that are likely to impact on tangata whenua and their taonga; and</p> <p>(b) Refer resource consent applicants to any relevant iwi or hapū planning document lodged with the respective council that has been authorised by the iwi or hapū for public availability.</p>	<p>While the RMA does not require resource consent applicants to consult with tangata whenua prior to lodging a consent application, this is considered best practice, especially for proposed activities that could have a significant impact on tangata whenua and their taonga. Pre-lodgment consultation with tangata whenua and early identification of potential adverse effects and mitigation measures can reduce potential submissions and appeals and enable the applicant to receive a decision faster. While iwi and hapū management plans are not a substitute for consultation, they are a useful tool for understanding the concerns of tangata whenua.</p>
8.1.8 Method – Funding and assistance	<p>The regional council will support tangata whenua if they choose to develop and implement a regional Mātauranga Māori-based environmental monitoring framework by:</p> <p>(a) Providing information and advice during the development of the monitoring framework.</p> <p>(b) Providing training to assist tangata whenua to promote and implement the monitoring framework on an ongoing basis; and</p> <p>(c) Incorporating the results and recommendations of tangata whenua monitoring in council's monitoring reports.</p>	<p>Tangata whenua consider greater use of Mātauranga Māori as a key opportunity for greater recognition of tangata whenua's role in the management of natural and physical resources. The development of a regional Mātauranga Māori-based environmental monitoring framework is one way to enable tangata whenua to actively contribute, as kaitiaki, to the management of natural and physical resources in Te Tai Tokerau.</p>

7.7 Regional Water and Soil Plan Updated 2016

The Regional Water and Soil Plan (2016) make a range of commitments to include iwi and/or tangata whenua in resource management processes including water and land management.¹⁰⁴ In the recognition of and provision for Māori and their culture and traditions, the objective is:

The management of the natural and physical resources within the Northland region in a manner that recognises and provides for the traditional cultural relationships of tangata whenua with the land and water.

6.5.1 of the plan encourages applicants for resource consents for activities that may have an adverse effect on the taonga of tangata whenua to consult with the tangata whenua prior to the application being processed...

Through method 6.5.4 and in consultation with tangata whenua, Council will:

- (a) Assess the most efficient and effective means of monitoring any adverse effects of resource use and developments, involving tangata whenua; and
- (b) Subject to Section 33 of the Resource Management Act 1991, consider transfer of power where iwi represents the appropriate community of interests¹⁰⁵.

Advice and information sharing where Council will:

- (a) Method 6.5.5: Provide appropriate land and water resource information held by the Council.
- (b) Method 6.5.6: Tangata whenua may be asked to provide information on the cultural effects of certain activities by applicants for resource consents. Develop guidelines for when or how resource consent applicants should ask tangata whenua about the cultural effects from certain activities.
- (c) Section 12.7: Facilitate a land management working group, to include iwi, who will review best land management practices; and
- (d) Section 13.5.6: Liaise with community agencies and groups, including iwi, and hold public meetings to collect and disseminate information about the results of monitoring within catchments.

7.8 Proposed Regional Plan for Northland October 2023

The proposed Regional Plan for Northland (October 2023) D.1.4 Managing effects on places of significance to tangata whenua confers that a resource consent for an activity may generally be granted if the adverse effects from the activity on the values of Places of Significance to tangata whenua in the coastal marine area and water bodies are avoided, remedied, or mitigated so they are no more than minor.

Rule D.1.5 Places of significance to tangata whenua for the purposes of the proposed Regional Plan:¹⁰⁶

¹⁰⁴ These are mainly dealt with in Section 6: Recognition of and provision for Māori and their cultural and traditions.

¹⁰⁵ Method 6.5.4(b).

¹⁰⁶ Northland Regional Council. Proposed Regional Plan for Northland October 2023. Retrieved December 29, 2023, from: [proposed-regional-plan-october-2023.pdf \(nrc.govt.nz\)](https://www.nrc.govt.nz/proposed-regional-plan-october-2023.pdf)

Table 5: Rule D.1.5 Places of Significance to Tangata Whenua.

Rule D.1.5 Places of significance to tangata whenua¹⁰⁷	
is in the coastal marine area, or in a water body, where the values which may be impacted are related to any of the following:	<p>(a) soil conservation, or</p> <p>(b) quality and quantity of water, or</p> <p>(c) aquatic ecosystems and indigenous biodiversity, and</p>
is:	<p>(a) a historic heritage resource, or</p> <p>(b) ancestral land, water, site, wahi tapu, or other taonga, and</p>
is either:	<p>(a) a Site or Area of Significance to Tangata Whenua, which is a single resource or set of resources identified, described, and contained in a mapped location, or</p> <p>(b) a landscape of significance to tangata whenua, which is a collection of related resources identified and described within a mapped area, with the relationship between those component resources identified,¹⁰⁸ and</p>
has one or more of the following attributes:	<p>(a) historic association, which include but are not limited to:</p> <ul style="list-style-type: none"> i. stories of initial migration, arrival, and settlement, or ii. patterns of occupation, including permanent, temporary, or seasonal occupation, or iii. kinship and alliances built between areas of iwi or hapū, often in terms of significant events, or iv. alliances to defend against external threats, or v. recognition of notable tupuna, and sites associated with them, or <p>(b) traditional associations, which include but are not limited to:</p> <ul style="list-style-type: none"> i. resource use, including trading and trading routes between groups (for instance – with minerals such as mata/obsidian), or ii. traditional travel and communication linkages, both on land and sea, or iii. areas of mana moana for fisheries and other rights, or iv. use of landmarks for navigation and location of fisheries grounds, or

¹⁰⁷ This policy sets out how a place of significance to tāngata whenua is to be identified and described. In order to be included in the mapped Sites and Areas of Significance to Tāngata Whenua in this Plan, a plan change will be required. Places which have been identified and described in the manner required by the policy but have not been subject to a plan change and hence are not included in this Plan, can still be given weight in consent application decisions.

¹⁰⁸ A landscape of significance to tāngata whenua may include Sites and/or Areas of Significance to Tāngata Whenua.

	<p>v. implementation of traditional management measures, such as rahui or tohatoa (distribution), or</p> <p>(c) cultural associations, which include but are not limited to:</p> <p>i. the web of whanaungatanga¹⁰⁹ connecting across locations and generations, or</p> <p>ii. the implementation of concepts such as kaitiakitanga and manaakitanga, with specific details for each whanau, hapū and iwi, or</p> <p>(a) spiritual associations which pervade all environmental and social realities, and include but are not limited to:</p> <p>i. the role of the atua Ranginui and Papatuanuku,¹¹⁰ and their offspring such as Tangaroa and Tane, or</p> <p>ii. the recognition of places with connection to the wairua of those with us and those who have passed away, or</p> <p>iii. the need to maintain the mauri of all living things and their environment, and</p>
must:	<p>(a) be based on traditions and tikanga, and</p> <p>(b) be endorsed for evidential purposes by the relevant tangata whenua community, and</p> <p>(c) record the values of the place for which protection is required, and</p> <p>(d) record the relationship between the individual sites or resources (landscapes only), and</p> <p>(e) record the tangata whenua groups determining and endorsing the assessment, and</p> <p>(f) geographically define the areas where values can be adversely affected.</p>

Rule D.2.20 requires decision makers to adopt a precautionary approach where the adverse effects of the proposed activities are uncertain, unknown, or little understood, on:

Table 6: Rule D.2.20.

indigenous biodiversity, including significant ecological areas, significant bird areas and other areas that areas assessed as significant under the criteria in Appendix 5 of the Regional Policy Statement and the coastal environment where the adverse effects are potentially significantly adverse, particularly in relation to coastal resources vulnerable to the effect of climate change.

¹⁰⁹ Whanaungatanga, as in 3) c) i), is not limited to genealogical connections between people, living and dead, but includes connections with the deities Ranginui and Papatūānuku and their progeny, as in 3) d) i). Those children are personifications of and proxy for natural resources, such as Tāne Mahuta for the forests. Further, as elder or tuakana, those atua and their associated natural resources command respect from people, as junior or teina.

¹¹⁰ Ibid.

Rule D.4.27 when assessing an application for a resource consent for an earthwork, vegetation clearance or land preparation activity and any associated discharge of a contaminant, ensure that the activity:

Table 7: Rule D.4.27.

- (a) will be done in accordance with established good management practices, and
- (b) avoids significant adverse effects, and avoids, remedies, or mitigates other adverse effects on:
 - i. areas of high recreational use, and
 - ii. aquatic ecosystem health, indigenous biodiversity in water bodies and coastal water and receiving environments that are sensitive to sediment or phosphorus accumulation.

7.9 Far North District Plan

The Far North District Council in Operative Plan (2009)¹¹¹ endorses five key principles as interpreted by the Courts which are relevant to tangata whenua and relevant policies as follows:

- (a) The principle of Kawanatanga.
- (b) The principle of Rangatiratanga.
- (c) The principle of Partnership.
- (d) The principle of Active Protection; and
- (e) The principle of hapū / iwi Resource Development.

Policy 2.3 Tangata Whenua o ia Takiwa: Ko te tangata whenua o ia takiwa nga tangata whai mana ki te whenua e nohohia e ratou me nga iwi, hapū, whanau, ahi kaa ranei i roto i nga whakapapa e hono atu ana ki taua whenua me ona taonga katoa.

The tangata whenua of the district are those people who have mana whenua over the land, based on the continuous occupation of an area by the relevant whanau/hapū/iwi (including ahi-kaa) and their genealogical ties to land and all-natural resources.

Policy 2.4 Matters of Significance to Tangata Whenua:

- (a) Recognition of the significant Māori presence in the district.
- (b) Recognition of, and provision for, customary authority and rights guaranteed by Te Tiriti o Waitangi (Treaty of Waitangi).
- (c) Input into monitoring, enforcement, and compliance procedures of the Council
- (d) Account taken of Māori cultural and traditional values including concepts of mauri, tapu, mana, wehi and karakia.
- (e) Recognition of the Māori social fabric of whanau/hapū/iwi.
- (f) Preservation and protection of the mauri of natural and physical resources.
- (g) Recognition of, and provision for, traditional Māori knowledge in the management of the district's natural and physical resources.
- (h) Recognition and acknowledgement of whanau/hapū/iwi resource management plans, of taiapure plans and of mahinga mataitai plans.

¹¹¹ Far North District Plan. Chapter 2. Tangata Whenua. Retrieved January 12, 2024 from: [Draft Rules \(fndc.govt.nz\)](https://fndc.govt.nz).

- (i) Protection of, and access to, those features, places, and characteristics of the environment of special value to Māori, including wahi tapu, tauranga waka, mahinga kai, mahinga mataitai, mahinga waimoana and taonga raranga; and
- (j) Maintenance and enhancement of consultative processes between the Council and whanau/hapū/iwi.

Policy 2.5 Issues: the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga can be adversely affected by development that does not recognise this relationship. The exercise of rangatiratanga and the practice of kaitiakitanga, as provided for by the principles of the Treaty of Waitangi and the Resource Management Act and involving the use of tikanga and other aspects of the Māori environmental management system, are able to contribute to the wellbeing of people and communities in the district but are not always recognised and provided for. Subdivision, use and development of resources can adversely affect wahi tapu and other taonga. Development of the natural and physical resources of the district that leads to a loss or degradation of the mauri of these resources.

Policy 2.6 Environmental Outcomes Expected: To the extent possible, the rights guaranteed to Māori by Te Tiriti O Waitangi (Treaty of Waitangi) are given effect in the Plan. Subdivision, use and development in the district occurs in a way that recognises and provides for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga. Development on ancestral land occurs in a way that achieves sustainable management of natural and physical resources and protects Sites of Cultural Significance to Māori and other taonga.

Policy 2.7 Objectives: Through the provisions of the Resource Management Act, to give effect to the rights guaranteed to Māori by Te Tiriti O Waitangi (Treaty of Waitangi). To enable Māori to develop and manage their land in a manner which is consistent with sustainable management of the natural and physical resources of the district as a whole. To recognise and provide for the protection of wahi tapu and other ancestral sites and the mauri (life force) of natural and physical resources.

Policy 2.8 Other Matters: Education, including facilitation of consultation between tangata whenua and landowners, is a continuing responsibility for which the Council may provide resources in the Annual Plan.

8. Recommendations

The recommendations in this report are based on the principles of Whānaungatanga (family), Manaakitanga (looking after our people), and Kaitiakitanga (stewardship) of the natural and physical resources in Te Aurere.

This section deals in turn with the various issues that have been raised.

8.1 Archaeology

The archaeological assessment undertaken by Archaeological Solutions Ltd¹¹² did not discover any previously unrecorded sites on the site of the Waka Centre and identified that the nearest midden was some distance away in the dune area (Figure 26).¹¹³

The report identified that the highest risk of encountering unrecorded sites is close to the beach (the planting area) or along the river side where the ramp and waka shed are to be built, #4 on the map. The risk will be lower at #7, #8, and the carpark.

Arawai Ltd has advised that:

- Arawai Ltd has adopted the Accidental Discovery protocol developed by Heritage New Zealand Pouhere Taonga and that to date no unrecorded sites have been identified.
- The tree planting adjacent to Te Hāroto Tuarua is an optional development which will be foregone rather than disturb the ground in this area which is currently in grass.
- The proposal for a new ramp has been dropped as the existing ramp will meet requirements with minor regrading of the existing roadway.
- The waka cover is located on the site of the previous half-round barn, so the area has previously been disturbed. The cover uses containers on one side requiring no excavation. Soil testing in the area where the poles support the roof found only sand.
- Arawai Ltd has an outline Archaeological Management Plan for the project.

It is recommended that:

- 1) A precautionary authority to modify as yet unrecorded archaeological sites could be applied for with Heritage New Zealand Pouhere Taonga and this should be considered. It is not legally required, as no archaeological sites have been found on the proposed development area so far. But it could be part of the overall risk management of the development in order to prevent possible construction delays.¹¹⁴
- 2) The outline Archaeological Management Plan be finalised.
- 3) An experienced hapū cultural monitor be engaged to monitor the planting area (if required) and any earth works associated with the project.
- 4) Stop all project works and the hapū notified if an archaeological site or taonga tūturu are discovered.

¹¹² Dr. Hans-Dieter Bader. (27 March 2021). Communications. Tohu Consulting, Kaitaia. Project: Okokori B Block Archaeological Assessment. ASL Archaeology Solutions Ltd.

¹¹³ The midden (OA/932) is about 315m from the boundary of the Reserve.

8.2 Environmental

The main issues raised in submissions related to the effects of wastewater and stormwater on the receiving environment. The submitters noted S95 report the Councils consideration of the effects on the receiving environment, whenua and wai, are considered less than minor.

Nonetheless the submitters remained of the view that the application fell short of providing sufficient evidence (i.e. best practice waste and stormwater systems and modelling) in order to *“guarantee that our whenua and wai will not be impacted.”*¹¹⁴ The submitters also expressed concern about potential for adverse effects on the adjacent waterway through discharges of wastewater and stormwater from the site affecting the integrity and mauri of the system. The issue was also raised concerns about the potential effects on water quality of earthworks within the coastal marine area.

In assessing these assertions, it should be noted that:

- 1) The existing wastewater field is legally established and disposes of the wastewater to land after septic tank treatment. There is no risk of discharge to water. The wastewater system operates appropriately it is unlikely that the activity will contribute to further decline of the waterways.¹¹⁵
- 2) Even though the numbers on the site will typically be modest, there is an increase in the disposal field from 56m² to 109m² and the maximum volume of wastewater to be disposed is capped at 2190L/day.
- 3) On the advice of the resource consents engineer for the Far North District Council, the Hearings Planner concluded that the proposed wastewater system will not adversely affect the waterway.
- 4) The project has been granted resource consent by the Northland Regional Council for all earthworks and the stormwater and sewage disposal.¹¹⁶ The resource consent process included consultation with iwi.
- 5) In a move to promote water resilience given the drought risk in the Far North, the site includes 350,000 litres of water storage to minimise the discharge of stormwater.
- 6) Arawai Ltd has implemented sediment controls while working on the Access Road consistent with its Resource Consent from the Northland Regional Council and suspended work during adverse weather conditions.¹¹⁷

Arawai Ltd has taken appropriate steps to protect local watercourses and principally the Awapoko River from potential adverse effects of stormwater and wastewater disposal. It is recommended that Arawai takes this the next step further by supporting and participating in the Doubtless Bay Rivers working with iwi, hapū and communities to restore the biodiversity of the Awapoko, Ōruru and Oruaiti Rivers and their tributaries as part of the Nga Awa Rivers Programme.

¹¹⁴ Balle, Deliah. Kiriwi Whanau o Ōkokori. (2021, November 10). Submission to Resource Consent. Submission Pursuant to Section 96 of the Resource Management Act 1991

¹¹⁵ Ibid, pg. 16.

¹¹⁶ FILE: 43025 (01 to 10). The Consent covers: AUT.043025.01.01 Disturbance and removal of vegetation within a significant wetland for the purpose of maintaining an existing accessway; AUT.043025.02.01 Deposit material within the bed of a significant wetland for the purpose of maintaining an existing accessway; AUT.043025.03.01 Earthworks for site development including within 10 metres of a significant wetland; AUT.043025.04.01 Discharge stormwater to land during land disturbance activities; AUT.043025.05.01 Divert stormwater during land disturbance activities; AUT.043025.06.01 Discharge primary treated wastewater to land; AUT.043025.07.01 Earthworks within a natural wetland for the purposing of maintaining infrastructure; AUT.043025.08.01 Earthworks within 10 metres of a natural wetland for the purpose of constructing a carpark; AUT.043025.09.01 Divert stormwater within 100 metres of a natural wetland; and AUT.043025.10.01 Discharge stormwater to water within 100 metres of a natural wetland.

¹¹⁷ FNDC approved the rehabilitation work on the access road under the 2012 land use consent

The submissions also raised the issue of restoration of ecological corridors, linkages and buffers and the coastal areas. It was noted that it is understood the applicant sought approval from external ministerial entities including the Department of Conservation and the Ministry of Culture Heritage. It was stated that *“Only mana whenua can speak to the cultural, conservation and heritage values associated to Ōkokori and surrounding areas including whenua may be administered by others i.e. Parcel ID 6851421.”*¹¹⁸

Arawai Ltd has indicated that engagement with the Department of Conservation was not relating to seeking approval but rather that:

- 1) The Department of Conservation has supported the predator control programme for rats, stoats, rabbits, and possums that Arawai have implemented across Ōkokori B.
- 2) Arawai Ltd and Department of Conservation are currently planning a joint predator control programme on the conservation estate next to the north-western boundary of Ōkokori B which is part of the Rangaunu Conservation Area.

This predator control programme across Ōkokori B and the native plant nursery the Arawai Ltd has built for restoration of Ōkokori B are both run by an Arawai Ltd employee of Ngati Tara descent.

8.3 Cultural and Spiritual

The primary site of cultural and spiritual significance across the total Ōkokori Block (A and B) is the Ōkokori / Kaimaua reserve which is coincident with Ōkokori A.

In Busby MLC (50TTK 9) [2012], Ambler J comments that when the Court dealt with the partition of Ōkokori into A and B in the 1950s that there was express reference to “tapu” being on Ōkokori A. In the minute of the meeting Prichard J referred to the proposed reservation to be partitioned (that would become Ōkokori A) as being for a camping and fishing reserve and to include the tapu. It is noted in the excerpt Mangonui County Operative District Scheme Appendix F that Pt Ōkokori Block is also called Awapoko Reserve (see Figure 3).

The minutes by Prichard J (11 March 1954) confirm that Ōkokori A is Awapoko Reserve. The Title Order from 1954 further confirms this.

According to FNDC planner Esther Powell¹¹⁹ *“In light of the above, it seems reasonable to conclude that the scheduling of a portion of Ōkokori B Site of Significance to Māori Scheduling may have been applied in error by Council to Ōkokori B Block within the District Plan during the transition from the Town and Country Planning Act 1977 planning environment to the Resource Management Act 1991.”*

Arawai Ltd has advised that it made a (late) submission to Council on the draft District Plan seeking the removal of this erroneous scheduling. It is recommended that the owners of Ōkokori B Block make contact with the District Plan Team to discuss the scheduling of MS05-38 in the Draft District Plan.

8.4 Economic

It was asserted in a submission that *“We believe the proposed activity (commercial tourism business) does not comply with the current land status under the Te Ture Whenua Act (TTWA) i.e. where*

¹¹⁸ Balle, D. Kiriwi Whanau o Ōkokori. (2021, November 10). Submission to Resource Consent. Submission Pursuant to Section 96 of the Resource Management Act 1991.

¹¹⁹ Powell, E., Team Leader Resource Consents, Far North District Council. (N/D). Communications to Shane Wratt on MS05-38 Awapoko Reserve.

*wananga for kaupapa waka. Whilst outside of the scope of the consent in part, we consider it pertinent the views and approvals are sought from the Māori Land Court. Whether council can therefore deem the consent site Ōkokori as a whole or have the mandate to consider RMA matters on this site being Māori Reservation under the TTWA may also warrant reconsideration.”*¹²⁰ This objection is different to the seven other matters raised before and rejected by Judge Ambler in designating the Te Awapoko Waka Wānanga Reserve.

The submitter is correct that such a consideration is outside the purview of proceedings under the RMA 1991. It may be prudent that the Hekenukumai Ngā Iwi Trust to whom Sir Hek bequeathed the vast majority of Ōkokori B seek legal advice and consult with the Māori Land Court. In practice, however, the powers under Para 8 (b) the trustees can issue permits for any activity on a Reserve seem to address this with the Trust being 50% shareholders in Arawai Limited and their having adopted the Sir Hek Busby Kupe Waka Centre Development Plan.

In terms of economic effects, the main activities at the Sir Hek Kupe Waka Centre include:

- (a) Wānanga for education and training in kaupapa waka.
- (b) Waka building and repair.
- (c) Guided tours with parties of up to 12 persons.
- (d) Small meetings and conferences.
- (e) School visits.
- (f) Leadership programme.
- (g) Noho marae (overnight stays).

These activities will create a number of on-site jobs and related purchases. Even during the development phase, the Waka Centre is having a positive effect on the regional economy. Some 87% of goods and service purchased during the construction phase have been sourced from Northland with 73% from the Far North District and 14% from elsewhere in Northland.

8.5 Communications

A submission noted that “A CIA in our view would be a positive step forward to addressing the many concerns raised by whānau. It would also enable Council and applicant to meet their obligations under the RMA.”¹²¹ This Cultural Effects Assessment addresses this point.

The submission further states that “the applicant has not sought (nor the Council deemed necessary at this stage) engagement with Ngāti Tara hapū and whānau pre and post the lodging of the resource consent application. Ngāti Tara are mana whenua of the area and are also landowners of the neighbouring property.” According to Arawai Ltd this assertion is incorrect and there is a record of pre-lodgment and post-lodgment attempts to engage which are on-going.

The submission went on to request that a Cultural Impact Assessment be undertaken to consider the impacts of the proposed development on the cultural overlay of Ōkokori as a whole i.e. Ōkokori A & B and that this be undertaken by mana whenua i.e. Ngāti Tara, nominated also by Parapara Marae Trustees. Arawai Ltd advise that they sought to engage on the content and personnel to undertake a CIA but were not able to develop anything. Finally, Arawai Ltd commissioned the current study which has been undertaken by an experienced practitioner of Ngati Kahu and Te Paatu descent.

¹²⁰ Balle, D. Kiriwi Whanau o Okokori. (2021, November 10). Submission to Resource Consent. Submission. Pursuant to Section 96 of the Resource Management Act 1991.

¹²¹ Edith Hau, Hoana Takutaimoana Trust. (10 November 2021).

9. Summary and Conclusions

9.1 Background

The late Sir Hek Busby began Kaupapa Waka-related activities on Ōkokori B in 1983 when he hosted the renowned navigator Nainoa Thompson when Nainoa was planning the leg to Aotearoa of the Voyage of Rediscovery which arrived at Waitangi in December 1985. Sir Hek took up the challenge issued by Sir James Henare that one day a waka from Aotearoa would go back to central Polynesia from whence Māori came. The waka was *Te Aurere* which sailed to the South Pacific Arts Festival in Rarotonga in October 1992. Since then, the waka has done over 30,000 NM of blue water sailing reconnecting Aotearoa with Rapanui and Hawai'i and Sir Hek built over 30 waka, many at Aurere. Over this time literally hundreds of people have been trained in waka building, waka maintenance, waka paddling, and traditional navigation and many other people have visited the site.

The main building in the first phase of development was a half-round barn. This was followed in 2012 by a carving shed. The operation did not appear to have any discernible adverse cultural effects as Judge Ambler noted in the decision on the Te Awapoko Waka Wānanga Reserve *“Mr. Busby gave uncontradicted evidence that Ngati Tara has not objected to the whare wananga he has held on the land for almost 30 years”*.¹²²

When resource consent was sought for the construction of the Whare Wānanga in 2012 the planning analysis concluded that *“There would not seem to adverse cultural or spiritual effects from a building which has as its main purpose the celebration of the integral value to Māori culture of its ancestral and on-going tie to te moana. The links to and integration with the sea, in terms of Māori culture, is so strong as to be bound to the spiritual as well as the cultural values. The building as the architect advises in his visual assessment is designed to evoke the shape and ‘feel’ of an ocean-going waka under full sail; so, its proximity to water enhances this cultural tie-in. As such, it is considered that adverse effects of the proposed building and activity, on cultural and spiritual values, will be nil.”*¹²³ The planned activities for which the resource consent was granted were “education/training centre and cultural tourism destination based around Kaupapa Waka”.¹²⁴

The decision to reject the Resource Consent application in 2021, however, concluded that:

- a) *The effects on cultural and spiritual matters have not been sufficiently addressed in the application because the applicant has not clearly identified these matters to then be able to assess the effects of the proposal upon them. The applicant is depending too much on what has happened in the past and not sufficiently recognised that currently, the consideration of such effects is afforded a high priority in the RMA and consideration of resource consent applications. The applicant has chosen to rely on that former approach and not to provide sufficient current information or assessment of the effects of the proposal on cultural and spiritual matters.*
- b) *The same can be said regarding the assessment of the effects of the proposal on the relationship of iwi with their ancestral lands. This is simply not addressed to the degree sufficient to make a decision that acknowledges it. That is to say, this information is not provided, the applicant again depending on what has earlier been granted resource consent and assuming the same will continue without producing a sufficient assessment of the current proposal.*

¹²² Ambler J, (2012) 50 TTK9) MLC, 50 Taitokerau MB 9 A20070011627.

¹²³ FNDC (2012). 2130047-RMALUC - Internal Assessment – 341197 p. 9

¹²⁴ FNDC (2012), op.cit. p. 1

This cultural effects assessment has been prepared to fill this information gap.

9.2 Conclusions

9.2.1 Sites of Significance

The closest site of significance to Māori to the Waka Centre is the adjoining Ōkokori A Block with the wāhi tapu Kaimaua (p. 23). While the Whare Wānanga is relatively close to the wāhi tapu there are dwellings on Ōkokori A which are closer to the wāhi tapu. There is an extensive catalogue of sites of significance (p. 44 *et seq.*) beyond Ōkokori. None of these relate to the land occupied by the Waka Centre or its environment. Similarly, the Waka Centre has no effect on the Māori reservation at Puketū Island, the nearest Māori land beyond Ōkokori A (p. 28).

Conclusion: the Waka Centre has no effect on recognised sites of significance to Māori.

The assessment supports the conclusion of Esther Powell that error made in scheduling a portion of Ōkokori B which was never part of the Awapoko Reserve. It would clarify matters if this scheduling was removed.

9.2.2 Archaeological Record

The southern end of Tokerau Beach was a significant resource for Ngāti Tara for kaimoana and subject to seasonal occupation reflected in various quotations: “*The old people would move to the coast when the fish were fat. This was a seasonal thing, and they could only fish at certain times of the year.*” (p. 40); and “*Middens, both deflated and partially ‘in situ,’ constitute the most numerous sites found on the sand dunes at Tokerau Beach and most appear to have been associated with seasonal campsites where food was prepared and consumed. Noticeably absent was evidence of fishhook, ornament and tool manufacture that is generally associated with more permanent occupation* (p. 57).

Also, Northern Minute Book (p. 43 “*The beach from Ōkokori to Te Pikinga had toheroa beds. Ngāti Tara/Te Rurunga had a fishing ground called Kouranui of Te Pikinga. This was not a permanent settlement, but a seasonal one. Ngāti Tara were among the hapu involved*).

This pattern occupation is reflected in the archaeological record (Fig. 22) with a focus on the dunes in the middle and northern end of Tokerau Beach.

The archaeological assessment (p. 57) noted that no archaeological sites were recorded previously on the extent of the proposed development and no new archaeological sites were recorded during that survey. On fact there have been no unrecognised archaeological sites or taonga tūturu discovered in the 50 years since Sir Hek bought the land.

Conclusion: There is no evidence of occupancy or use of the area or wāhi tapu or oral traditions relating to the site of the Waka Centre that would stand in the way of the development.

The archaeological report (p. 57) stated that “*The highest risk to encounter such unrecorded sites is close to the beach (the planting area) or along the river side where the ramp and waka shed are to be built, #4 on the map.*” In response to these concerns:

- 1) Since this assessment was done it has been decided that the existing ramp will meet Arawai Ltd needs so no new ramp is required.
- 2) The new waka shed (referring to the waka shelter) is on the land previously occupied by the round barn so no new area will be disturbed by the installation of the waka shelter.

- 3) The Accidental Discovery protocol applies to all works in the Reserve and Operational Area and will cover the planting of the area next to Pond 2 if this proceeds.

Conclusion: Changes in the development plan eliminate the risk posed by the ramp and could also avoid the planting programme which was of concern. The waka shelter is on previously disturbed land. Any potential issues are addressed by the Accidental Discovery Protocol.¹²⁵

9.2.3 Overall assessment

Based on the information provided in this assessment it is concluded that the effects of the development and operation of the Sir Hek Busby Kupe Waka Centre on cultural and spiritual matters and on the relationship of iwi with their ancestral lands is less than minor, and that the Waka centre creates a number of benefits of national, regional, and local significance.

¹²⁵ <https://www.fndc.govt.nz/files/assets/public/v/1/objectivedocuments/property-information-pro/ratepayer-property-information/pakaraka/heritage-new-zealand-northland-adp-2016.pdf>

**IN THE MĀORI LAND COURT OF NEW ZEALAND
TAITOKERAU DISTRICT**

**(50 TTK 9)
50 Taitokerau MB 9
A20070011627**

UNDER Section 338, Te Ture Whenua Māori Act
1993

IN THE MATTER OF Okokori B

BETWEEN HEC BUSBY
Applicant

Hearing: 8 May 2008
17 September 2012
(Heard at Kaitaia)

Judgment: 26 October 2012

RESERVED JUDGMENT OF JUDGE D J AMBLER

Introduction

[1] Hekenukumai Busby (more commonly known as Hec Busby) is a recognised tohunga in the construction of traditional ocean-going waka and in the traditional navigation of those waka. Since the 1980s he has convened whare wānanga concerning all aspects of traditional waka on his land, Okokori B, at Aurere, Tokerau Beach. In 2008 he applied to the Court to set aside part of the land as a Māori reservation for the purpose of whare wānanga for kaupapa waka and encountered opposition from some of his whanāunga of Ngāti Tara. After an initial hearing, I adjourned the application for Mr Busby to consult further with Ngāti Tara. A second hearing has now taken place where members of Ngāti Tara continue to oppose the application. In this decision I address the grounds of opposition and the scope of the proposed Māori reservation in terms of s 338 of Te Ture Whenua Māori Act 1993 (“the Act”).

Background

[2] Okokori B comprises 115.8 hectares. It borders the Aurere stream and Awapoko river, and the Okokori A block which fronts Tokerau Beach. Until 1966 Okokori B was Māori freehold land. Mr Busby’s whānau had interests in the land – he says substantial interests – and he himself may well have owned interests. In any event, in March 1966 the owners of Okokori B resolved to sell the land to Mr Busby.¹ The sale was effected by the Māori Trustee on 22 April 1966. Pursuant to s 2(2)(f) of the Māori Affairs Act 1953, the status of the land changed to general land upon the transfer being registered. Mr Busby remains the sole owner of the land, where his home is situated as well as the whare wānanga mentioned earlier.

[3] In 2008 Mr Busby applied to the Court to set aside 2.5 hectares of the land as a Māori reservation. The area was defined on a plan he had drawn up. The application was supported by Chappy Harrison, the chairperson of Parapara Marae – which is the marae most closely associated with the land. It was also supported by a letter from Lady Emily Latimer as secretary of the Taitokerau District Māori Council

¹ 3 Kaitaia MB 340 (3 KT 340).

and Taitokerau Māori Trust Board. As per minutes of a meeting held at Mr Busby's home on 14 July 2007, Mr Busby, Robert Gabel, Rawiri Henare, Alex Busby, Brian Wiki and Michael Harding agreed to be trustees of the Māori reservation.

[4] Mr Busby attended the first hearing on 8 May 2008. After clarifying aspects of the application with him I heard from Reece Burgoyne and Tina Lee Yates who opposed the application. Mr Busby was somewhat taken aback by their opposition to what he sees as a longstanding kaupapa for the benefit of present and future generations. In fact, he was so taken aback that he contemplated withdrawing the application on the spot. Nevertheless, after a little persuasion from me, I adjourned the application for Mr Busby to clarify two aspects of the proposal and to convene a hui with the people of Parapara Marae, Ngāti Tara, to discuss the proposal. If Mr Busby no longer wished to pursue the proposal, he could simply file a letter and the application would be dismissed.

[5] In May 2010 Mr Busby wrote to the Court to advise that he was still pursuing the proposal. A hui eventually took place at Parapara Marae on 26 March 2012. Five people attended of whom four supported Mr Busby's application and one opposed. The application came back to Court on 17 September 2012. At the hearing Mr Burgoyne, Kelvin Piripi and Lavinia Sykes spoke in opposition to the application.

Grounds of opposition

[6] Mr Burgoyne, Ms Yates, Mr Piripi and Mrs Sykes raised several grounds of opposition to the proposed Māori reservation.

[7] First, Mr Burgoyne challenged Mr Busby's ownership of Okokori B and questioned the circumstances in which he acquired the land. Mr Piripi similarly disputed Mr Busby's ownership of the land and claimed that it should be returned to the "rightful owners", that is, Ngāti Tara. Ms Yates touched on the history of Okokori A and B and indicated that her mother had objected to the splitting of the land and subsequent sale of Okokori B to Mr Busby. Mrs Sykes spoke in similar

terms of the unresolved *nawe* that had remained over Mr Busby's ownership of Okokori B. She had raised these concerns at the hui at Parapara Marae on 26 March 2012.

[8] As I explained to the parties at both hearings, I cannot look behind Mr Busby's ownership of Okokori B. Some members of Ngāti Tara may well have unresolved grievances over the manner in which Mr Busby acquired the land in 1966 but that does not negate Mr Busby's title to the land and is not a factor that I can take into account in the present application.

[9] Second, at the hearing on 8 May 2008 Mr Burgoyne suggested that the whole of the Okokori area was an urupa. When I questioned Mr Burgoyne on his evidence for there being urupa on the area proposed for the Māori reservation, he said that he could produce the evidence. He did not subsequently do so. Mr Busby denied that his land contains urupa and said that there had previously been a chain by chain urupa on the Okokori block but that the bodies had been uplifted and taken to Parapara Marae in about 1896. No other objectors suggested that there was an urupā on Okokori B.

[10] I have reviewed the Court records for Okokori A and B and have not found any express reference to there being urupā or wāhi tapu on Okokori B. However, I do note that when the Court dealt with the partition of Okokori into Okokori A and B in the 1950s, there was express reference to a "tapu" being on Okokori A. In the minute of the meeting and site inspection that Judge Prichard conducted on the land with various owners on 19 November 1952, it refers 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".² Further, in the minutes of the sitting on 11 March 1954³ when Okokori was partitioned into Okokori A and B, it was noted that Okokori A was intended as a reserve, "(Purpose of Reserve – beach camping, fishing and historical: also includes a tapu)".

[11] Therefore, I reject Mr Burgoyne's assertion that Okokori B contains urupā.

² 80 Northern MB 361A (80 N 361A)

³ 81 Northern MB 291 (81 N 291)

[12] Third, Mr Burgoyne quoted and relied on ss 231 and 232 of the Resource Management Act 1991. In fact, the sections Mr Burgoyne quoted were repealed and substituted by s 124 of the Resource Management Amendment Act 1993. In any event, Mr Burgoyne's point in referring to these sections appeared to be that he asserted some form of right to an esplanade reserve over Okokori B. This apparently relates to the access issue (which I address next). There is no basis to this ground of opposition. The creation of a Māori reservation over part of a block of land is not caught by the subdivision provisions of Part 10 of the Resource Management Act 1991 and does not trigger the esplanade reserve requirements under that Act. Even if it did trigger those provisions, I cannot see how the prospect of an esplanade reserve affects the creation of a Māori reservation or can properly be a concern for Mr Burgoyne. If anyone should have a concern, it is Mr Busby.

[13] Fourth, Mr Burgoyne raised the issue of access over Okokori B. His submission on this point waivered and contradicted itself during the hearing: he variously suggested that there *existed* a right of access over Okokori B to Okokori A; or that there *should be* a right of access over Okokori B to Okokori A; or that there might be problems with access over Okokori B to the Māori reservation created on Okokori B.

[14] Once again, I have reviewed the Court records in relation to Okokori A and B. The minutes of the meeting of 19 November 1952 and the hearing on 11 March 1954 confirm that the main part of Okokori A was the 32 acres in the south eastern corner of the block. The three chain wide extension of the block along the foreshore to the north western boundary of the block was intended to provide Okokori A with access to the Crown road reserve on the neighbouring OLC9 block. Furthermore, in recent years the Court appointed agents for the owners of Okokori A to investigate access issues. The question of access was discussed when the Court appointed agents on 24 August 1999 and at a hearing on 5 October 2001, following which the agents were updated on 27 November 2001.⁴ It is unclear whether the agents resolved the access issues.

⁴ 21 Kaitaia MB113 (21 KT 113); 22 Kaitaia MB 86 (22 KT 86); 93 Whangarei MB 54 (93 WH 54)

[15] Accordingly, the Court records confirm that it was first intended that access to Okokori A be along the three chain wide foreshore strip to the Crown road reserve. In more recent years the owners of Okokori A or their agents investigated alternative access. Mr Busby appeared at the hearing on 5 October 2001 and stated that informal access to Okokori A along the north western boundary of Okokori B had already been agreed upon. The short point is that the proposed Māori reservation, which is at the southern eastern end of Okokori B, does not interfere with these historical access routes. If the owners of Okokori A wish to formalise an alternative access over Okokori B, they will need to engage with Mr Busby as owner of Okokori B. But the possibility of the owners of Okokori A pursuing such access is not a valid ground to deny the Māori reservation.

[16] Fifth, Mr Burgoyne noted that it was unusual for a Māori reservation to be granted over general land. I agree, but that is not a reason to not create a Māori reservation. Section 338 is clear that a Māori reservation can be granted over general land.

[17] Sixth, Mr Burgoyne was concerned that the Māori reservation would exclude Ngāti Tara and weaken Ngāti Tara's ability to apply for funding for Parapara Marae. But the proposal does not seek to exclude Ngāti Tara. Furthermore, there is no evidence that the granting of the Māori reservation will adversely affect Parapara Marae's ability to apply for funding. Indeed, Mr Busby is not applying to set aside the land as a traditional marae in competition with Parapara Marae but as a *whare wānanga*, for which it has been used for almost three decades. I reject this ground of opposition.

[18] Seventh, Mr Piripi and Mrs Sykes raised concerns over the nature of consultation with Ngāti Tara. Mr Piripi said that the meeting on 26 March 2012 was a meeting of the marae committee only and not the marae trustees, and that it should have been the marae trustees who gave permission to Mr Busby to go ahead with the Māori reservation. He pointed out that only one of the people at that hui was a trustee, namely, Susan Peters, and that Chappy Harrison is the chairman of the marae committee only and not a trustee. Mrs Sykes also felt that the *take* had not been

discussed, that they needed a significant discussion and that issues still need to be tidied away.

[19] The issue for the Court is simply whether there has been a sufficient opportunity for Ngāti Tara and the people of Parapara Marae to express a view on the proposed Māori reservation. I am satisfied that there has been. The proposal was discussed and endorsed at a meeting on 14 July 2007 where many of those in attendance were of Ngāti Tara. The chairperson of the marae committee, Chappy Harrison, provided a letter in support of the proposal following a meeting with Mr Busby on 5 May 2008. Ms Yates attended Court on 8 May 2008 with a watching brief from the trustees of Parapara Marae to take information back to the marae, which, no doubt, she did. I then directed Mr Busby to convene a hui with the people of the Parapara Marae to discuss the proposal. I did not specify that it had to be a meeting of trustees or of the marae committee, but simply a meeting of the people of the Parapara Marae. According to the minutes of the Parapara Marae committee of 26 March 2012, Mr Busby's proposal was discussed. The minutes record:

Tarawaka: Chappy:

Hector Busby is building a Whare Wānanga & carving school down at Aurere and is prepared to gift it back to Ngāti Tara as a *Reserve*.

This contentious item was debated, in the end the following was put to the floor & voted on.

MOVED: Chappy:

We support Hector Busby's proposal for a Māori Reserve on the whenua.

Seconded: Susan: **Split Decision:** 4 voted for the motion:

Against: 1 (in absence) (sic)

[20] I note that Mr Busby disputes that he ever suggested that the land was to be gifted back to Ngāti Tara as a reserve. Nevertheless, the significance of the minute is that the Māori reservation proposal was acknowledged as contentious, was debated and those who attended the hui voted four to one to support the proposal. Mrs Sykes expressed her grounds of objection at the hui and was the only person to oppose the Māori reservation.

[21] Mr Busby has carried out my directions to my satisfaction. Although the hui may have been of the marae committee, and the overall turnout was small, I am left in no doubt that Ngāti Tara has had sufficient notice of the proposal and a sufficient opportunity to discuss it. Those who oppose Mr Busby have attended two Court hearings to express their views. It is clear to me that there is a division within Ngāti Tara over whether or not to support the proposal. This seems to stem largely from individuals' attitudes to Mr Busby's ownership of Okokori B. As I have indicated, I do not consider that this sense of grievance over ownership of Okokori B is a valid reason to deny the Māori reservation.

[22] In any event, the support of Ngāti Tara and Parapara Marae is not a prerequisite to the Court recommending the creation of a Māori reservation. Certainly, where a Māori reservation is proposed for the purpose of a marae or urupā, the Court will require an applicant to consult fully with the local hapū to ascertain whether the hapū endorse the new marae or urupā, and the extent to which it might conflict with any existing traditional institutions. But even in those situations, the Court must weigh up the level of support or opposition, the grounds of opposition and the purpose of the Māori reservation. Here, there is both support for and opposition to the Māori reservation. The critical issue is therefore, the merit of the opposition.

[23] At the second hearing I attempted to summarise the underlying basis for the objectors' opposition as being that they felt the whare wānanga should be under the *mana* of Ngāti Tara. Notwithstanding my attempt to frame the objectors' concerns in such cultural terms, Mr Piripi simply insisted that the whare wānanga "should belong to Ngāti Tara hapū" and Mr Burgoyne agreed. As I have already said, the claim to ownership of Mr Busby's land is not a basis to deny a Māori reservation. Certainly, the objectors cannot use this application to gain some sort of foothold into ownership of Okokori B.

[24] Nevertheless, even assuming that the substantive concern is that the Māori reservation might somehow undermine or contravene Ngāti Tara's *mana*, I do not accept that that is a valid basis to disallow the Māori reservation. First, based on the evidence before the Court, the majority of those of Ngāti Tara who have expressed a view support Mr Busby's proposal. Those in opposition are a minority. Second, Mr

Busby gave uncontradicted evidence that Ngāti Tara has not objected to the whare wānanga he has held on the land for almost 30 years. This fact further suggests that the real concern of the objectors is not the whare wānanga but ownership and control of the land. Third, Mr Busby's rationale for the Māori reservation has unquestionable merit. He wants the whare wānanga to continue following his death and sees the creation of a Māori reservation as the most appropriate way to ensure that occurs. In particular, he wants to ensure that those of his family who inherit Okokori B do not subsequently interfere with that kaupapa. Mr Busby's desire fits entirely with the kaupapa of Māori reservations, that is, to facilitate and preserve Māori institutions. Fourth, the Māori reservation cannot be said to contravene Ngāti Tara's mana as the whare wānanga has always been open to all people and the Māori reservation does not purport to assert the interests of any other hapū over the interests of Ngāti Tara. As Mr Busby says, he is also of Ngāti Tara.

[25] Accordingly, having considered the grounds of objection individually and collectively, I do not consider that there is any valid objection to the granting of the Māori reservation.

The scope of the Māori reservation

[26] Under s 338 the Court may recommend that the Chief Executive set apart land as a Māori reservation. The purpose of this Māori reservation is as a whare wānanga for kaupapa waka and is to be known as Te Awapoko Waka Wānanga Reserve. The proposed trustees are Mr Busby, Robert Gabel, Rawiri Henare, Alexander Busby, Brian Wiki, Michael Harding and James Watkinson (who was added since the hui on 14 July 2007).

[27] At the second hearing Mr Busby sought to vary the area of the Māori reservation to include his home as he wished to "secure" rights of occupation in favour of his step-daughter and her husband. As I explained in Court, I do not believe it would be appropriate to extend the Māori reservation in that way as it will likely complicate and confuse the kaupapa of the Māori reservation, and will not necessarily secure the protection Mr Busby seeks.

[28] The one matter that remains to be finalised is the beneficiaries of the Māori reservation.

[29] Section 338(3) provides:

- (3) Except as provided in section 340 of this Act, every Maori reservation under this section shall be held for the common use or benefit of the owners or of Maori of the class or classes specified in the notice.

[30] Section 340 in turn provides:

340 Maori reservation may be held for common use and benefit of people of New Zealand

- (1) The notice constituting a Maori reservation [(that is not a wahi tapu)] under section 338 of this Act may, upon the express recommendation of the Court, specify that the reservation [(that is not a wahi tapu)] shall be held for the common use and benefit of the people of New Zealand, and the reservation [(that is not a wahi tapu)] shall accordingly be held in that fashion.
- (2) Before issuing a recommendation that a Maori reservation [(that is not a wahi tapu)] be held for the common use and benefit of the people of New Zealand, the Court shall be satisfied that this course is in accordance with the views of the owners, and that the local authority consents to it.
- (3) In appointing trustees for any Maori reservation [that is not a wahi tapu] that is held for the common use and benefit of the people of New Zealand, the Court may, on the nomination of the local authority, appoint a person or persons to represent the local authority.

[31] The application originally proposed that the Māori reservation be set aside for the use and benefit of the “Taitokerau Tarai Waka Charitable Trust”. This is apparently an incorporated society known as Te Taitokerau Tarai Waka Incorporated. At the first hearing I explained to Mr Busby that the Māori reservation could not be set aside for the benefit of an incorporated society and that it needed to be set aside for Māori or a group of Māori or the people of New Zealand. He said that it was not for Māori exclusively as Pakeha and Pacific people attend the whare wānanga from time to time. I adjourned the application for Mr Busby to, among other things, clarify for whose benefit the Māori reservation would be set aside.

[32] In a subsequent letter of 12 May 2010 Mr Busby said that the land should be set aside for the people of New Zealand as the tauira come from far and wide and he does not wish to be restrictive. Under s 340(2), the local authority, being the Far North District Council, must consent to a Māori reservation being set aside for the people of New Zealand and, under s 340(3), the Council may be entitled to nominate a person to be appointed as trustee. Mr Busby has not sought the Council's consent and gave no indication that he agreed that the Council could have the right to nominate a trustee.

[33] Accordingly, at the second hearing Mr Busby confirmed that he was not in fact wanting the Māori reservation to be set aside for the people of New Zealand and proposed instead that it be set aside for the benefit of the trustees of the Hekenukumai Trust. The Trust is apparently the guardian of the whare wānanga. I have not been provided with a copy of the Trust's deed of trust and do not understand how it relates, if at all, to the incorporated society mentioned in the application. Before I can make a final decision I need to review a copy of the Trust's deed of trust.

Outcome

[34] The outcome of the application is that I conclude that there are not any valid objections to the Māori reservation but that Mr Busby has yet to finally satisfy me who should be the beneficiaries of the Māori reservation. I direct Mr Busby to file a copy of the deed of trust for the Hekenukumai Trust by 30 November 2012 so I can assess whether it satisfies s 338(3).

D J Ambler
JUDGE

Hi Shane,

Thank you for your email. I'm sorry it has taken me a little bit of time to come back to you, but I have been undertaking a significant amount of research into the background of Okokori B Block and Okokori A Block.

Application RC 2300463-RMALUC is currently in dispute as the owners/trustees of Okokori B Block wish to undertake development and the trustees of A Block are opposed.

Background

The site labelled "B" in Figure 1 below is a small south eastern portion of Okokori B Block while the site labelled "A" is Okokori A Block. The red outline indicates that both A and part of B, are scheduled in the Far North District Plan as a Site of Significance to Maori referenced MS05-38.



Figure 1: Sites of Significance to Maori (Okokori A and B)

Under Rule 12.5.6.2.2 of the District Plan any activity within a Site of Significance to Maori requires resource consent unless the activity is proposed by the requesting party in which case the rule does not apply. The rule further states that when an application is made under this rule that the requesting party, the relevant iwi authority and HNZPT shall be considered an affected party.

In this case the Requesting Party for MS05-38 Awapoko Reserve are the "Maori Owners" of Pt Okokori Block (Awapoko Reserve). The Processing Planner's preliminary recommendation is to limited notify to the Maori owners of Okokori A Block as half of the requesting party to the Site of Significance (MS05-38) that is recorded in the District Plan maps to include both Blocks A and partial B Block.

The Site of Significance to Maori MS05-38 was included into the operative District Plan through a legislative process under Schedule 1 of the Resource Management Act 1991. Historically MS05-38 has been first identified in the 1988 Mangonui County Operative District Scheme where it appears as reference M23 and in Appendix F under the Town and Country Planning Act 1977. The site was carried over into the Operative District Plan from the earlier district scheme.

History

A Partition Order was issued by the Court on 11 March 1954 under Court reference 81 N 292 which created Okokori A and B Blocks. Okokori B Block was defined by the Maori Land Court in a Consolidation Order on 1 June 1954. Title did not issue for Okokori A until 26 February 2010 and B Block on 29 July 1980 under NA46C/958.

I note that on the Title Diagram referenced 200682839 dated Mar-April 1978 that Okokori Block B is referred to as "Okokori B" while the adjacent site now referred to as Okokori A Block is labelled "Pt Okokori Block". This is relevant in that in the Mangonui County Operative District Scheme Maps showing reference M23, also clearly references Okokori B and Pt Okokori (not Okokori A Block). This is shown in Figure 2 below. I further note that Appendix F of the Mangonui County Operative District Scheme states only that Pt Okokori Blk is included in the Scheduling as a Site of Significance to Maori and does not include Okokori Block B (see Figure 3).

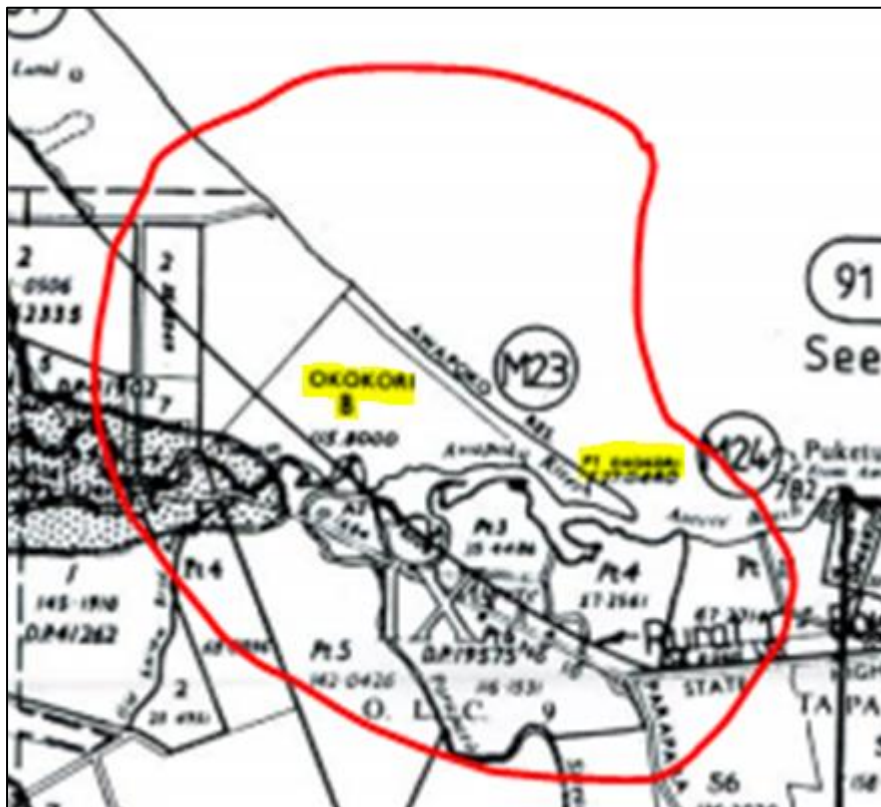


Figure 1: Sites of Significance to Maori (Okokori A and B)

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

Figure 3: Excerpt Mangonui County Operative District Scheme Appendix F

In Busby MLC (50TTK 9) [2012], Ambler J comments 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. In the 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. It is noted in the excerpt Mangonui County Operative District Scheme Appendix F that Pt Okokori Block is also called Awapoko Reserve (see Figure 3). The minutes by Prichard J (11 March 1954) confirm that Okokori A is Awapoko Reserve. The Title Order from 1954 further confirms this.

In light of the above, it seems reasonable to conclude that the Site of Significance to Maori Scheduling may have been applied in error by Council to Okokori B Block within the District Plan during the transition from the Town and Country Planning Act 1977 planning environment to the Resource Management Act 1991.

I have been unable to locate any documentation relating to the scheduling from with the District Plan Team or Council’s Legal Team. I do note that the owners of Okokori B Block have not challenged the scheduling of the site in the past. However, this may be due to oversight or the scheduling having not been important in the past.

It is therefore my assessment that:

1. It appears that MS05-38 Awapoko Reserve may have been incorrectly applied to Okokori B Block. I recommend that the owners of Okokori B Block make contact with the District Plan Team to discuss the future scheduling of MS05-38 in the Draft District Plan.
2. Rule 12.5.6.2.2 of the District Plan applies to RC 2300463-RMALUC as the scheduling is in the District Plan and cannot be disregarded even though it may be the scheduling is an error. The rule breach should be included in the assessment of environmental effects for RC 2300463-RMALUC as a technical breach; however, the breach should not be a reason to limited notify the owners of Okokori Block A as a requesting party.

Note

1. The above recommendations do not limit the assessment of the Processing Planner on any other potential effects of the proposal on the trustees/owners of Okokori Block A.
2. The Resource Consent Team’s position does not pre-determine the outcome of any investigation undertaken by the District Plan Team with regards to the scheduling of MS05-38 within the District Plan.

I hope that this clarifies the Resource Consent Teams position.

Should you wish to discuss further please don’t hesitate to get in contact.

Kind regards

A handwritten signature in dark ink, appearing to read 'A Powell', enclosed within a hand-drawn oval.

Esther Powell

Team Leader – Resource Consents



014

PERMITS & DECISION



Far North
District Council

COPY

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Application No: 2130047-RMALUC

12 December 2012

Te Tai Tokerau Tarai Waka Inc
C/- GP Planning - Design Ltd
PO Box 494
Kaitiaki 0441

Te Kaunihera o Tai Tokerau Ki Te Raki

*the top place where talent
wants to live, work and invest*

Dear Te Tai Tokerau Tarai Waka Inc

Re: **RESOURCE CONSENT APPLICATION BY Te Tai Tokerau Tarai Waka Inc.**

I am pleased to inform you that your application for resource consent has been approved. The decision is enclosed for your information. The application was considered and determined under authority delegated to the Team Leader Resource Consents of the Far North District Council, pursuant to Section 34A of the Resource Management Act 1991.

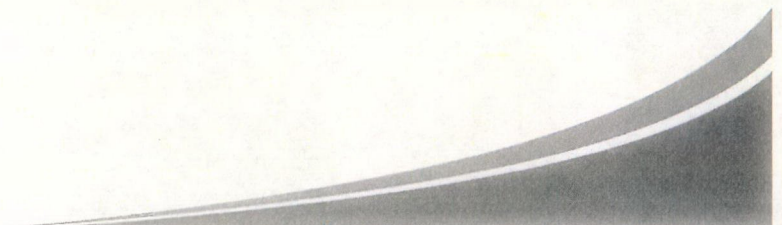
It is very important that you understand and comply with any conditions of consent. If you have any questions or concerns about any aspect of your consent or its conditions, please contact the planner who prepared the decision.

Please note that you will be sent either an invoice or credit note depending on the actual cost of processing your application. Any additional costs shown on an invoice need to be paid by the 20th of the month following the date of the invoice. If you receive a credit note, you have the option of requesting a refund by bank transfer, or transferring the amount to any other Council account. Please advise and supply a printed bank deposit slip and allow 10 working days for the refund to be processed.

If you have any further queries regarding this matter, please contact the reporting Planner.

Yours faithfully

Queenie Harding
RMA Support
Environmental Management





Far North
District Council

Private Bag 752, Memorial Ave
Kaikohe 0440, New Zealand
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Application No: 2130047-RMALUC

12 December 2012

Te Tai Tokerau Tarai Waka Inc
C/- GP Planning - Design Ltd
PO Box 494
Kaitaia 0441

Te Kaunihara o Tai Tokerau Ki Te Raki

*the top place where talent
wants to live, work and invest*

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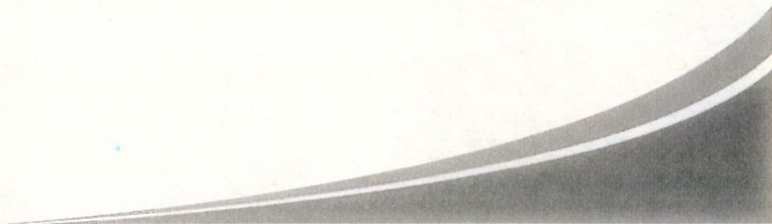
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Yours faithfully

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FAR NORTH DISTRICT COUNCIL

**FAR NORTH OPERATIVE DISTRICT PLAN
DECISION ON RESOURCE CONSENT APPLICATION (LANDUSE)**

Resource Consent Number: 2130047-RMALUC

Pursuant to sections 104B & D of the Resource Management Act 1991 (the Act), the Far North District Council hereby grants consent to:

Te Tai Tokerau Tarai Waka Inc

The activity to which this decision relates:

To construct a Wananga Waka facility which breaches the Visual Amenity, Building Height and Traffic Intensity rules in the General Coastal Zone; and the Buildings within Outstanding Landscapes and Setback from the Lakes, Rivers and the Coastal Marine Area, in the Part 3 District Wide Rules.

Subject Site Details

Address: Okokori B, Tokerau Beach Road, Karikari Peninsula
Legal Description: OKORORI B BLK IX RANGAUNU SD
Certificate of Title reference: NA-46C/958

Pursuant to Section 108 of the Act, this consent is issued subject to the following conditions:

1. The activity shall be carried out in accordance with the approved plans prepared by design TRIBE, referenced 'Te Aurere – Kupe Waka Centre' – Proposed Site Plan (Dwg# A-01); Proposed Floor Plan (Dwg# A-10); Proposed Elevations (Dwg# A-30), dated 31.07.12, and attached to this consent with the Council's "Approved Stamp" affixed to them.
1. The consent holder shall, within one month of the occupation of the building or prior to the issue of a Code Compliance Certificate for the building (whichever comes first), implement the roofing, cladding and colour scheme specified, which shall be utilised and maintained for the duration of the consent. The approved roofing, cladding material and colour scheme is as follows:
 - Roof – Coloursteel – Karaka
 - Cladding - Cedar weatherboards & Stackbond concrete blocksAny alteration to the approved cladding and colour scheme shall require written consent from the Council.
2. The consent holder shall provide, in conjunction with the Building Consent application, a calculation from a suitable qualified engineer that the floor level of 105.25m, which is an arbitrary datum, provides at least 500mm freeboard above the 1 in 100 year ARI flood level, as required by Council's Engineering Standards.
3. The consent holder shall, prior to the opening of the facility to the public, carry out the following conditions relating to the entrance and access upgrading:
 - (i) Provide evidence that the upgrade to the property entrance which includes vegetation removal and earthworks to improve the sight distance to the west of the site have been completed and NZTA have provided written confirmation that its requirements have been complied with.



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3. The consent holder shall, prior to the opening of the facility to the public, carry out the following conditions relating to the entrance and access upgrading:
 - (i) Provide evidence that the upgrade to the property entrance which includes vegetation removal and earthworks to improve the sight distance to the west of the site have been completed and NZTA have provided written confirmation that its requirements have been complied with.

- (ii) Upgrade the existing carriageway between the property entrance and the one lane bridge on Right of Way easement A and on the northern side of the bridge to provide a metalled formation with a 6m carriageway width to accommodate waiting and passing traffic.
- (iii) Upgrade the balance of the access to the Waka Centre to provide passing bays on the carriageway which comply with rule 15.1.6.1.2 of the District Plan such that in addition to widening on corners, passing bays are provided at intervals not exceeding 100m. The formation of the passing bays shall consist of a minimum of 200mm of compacted hard fill plus a Gap 40 running course.
- (iv) Provide evidence that a hand rail, constructed in accordance with section F4 of the Building Code, has been installed on the bridge over the Awapoko River.

Advice Notes

1. Archaeological sites are protected pursuant to the Historic Places Act 1993. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority obtained from the trust. It is recommended that works proceed on the basis of the New Zealand Historic Places Trust's Accidental Discovery Protocol (ADP) which is attached to this consent for the consent holder's information.
2. The consent holder is advised that any outstanding Building Act or Resource Management Act matters in respect of the existing residential dwellings on the subject site, should be addressed.

Statutory Information

1. Pursuant to section 102 of the Local Government Act 2002, the Far North District Council has prepared and adopted a development contributions policy. Under this policy, the activity to which this consent relates may be subject to development contributions.

You will be advised of the assessment of the development contributions payable under separate cover in the near future.

It is important to note that the development contributions must be paid prior to commencement of the work or activity to which this consent relates.

Further information regarding council's development contributions policy may be obtained from the long term council community plan (LTCCP) or council's web page at www.fndc.govt.nz

Reasons for the Decision

1. Description of the Activity:

This application is for the construction of a building to establish and operate a Wananga Waka (education/training centre and cultural tourism destination based around Kaupapa Waka), on a portion of the subject site at Aurere.

2. District Plan Rules Affected:

The proposed activity does not comply with permitted activity rules for Visual Amenity, rule 10.6.5.1.1; for Building Height, rules 10.6.5.1.4; and 10.6.5.4.2 for Traffic Intensity in the Part 2 Environment Provisions of the District Plan. The proposed activity also does not comply with the permitted activity rule 10.6.5.1.8; for Buildings Within Outstanding Landscapes, rule 12.1.6.1.5; and for Setback from Lakes, Rivers and the Coastal Marine Area, rule 12.7.6.1.1 in the Part 3 District Wide Provisions of the Operative District Plan, and is a non complying activity in accordance with rule 10.6.5.5 of the District Plan.

- (ii) Upgrade the existing carriageway between the property entrance and the one lane bridge on Right of Way easement A and on the northern side of the bridge to provide a metalled formation with a 6m carriageway width to accommodate waiting and passing traffic.
- (iii) Upgrade the balance of the access to the Waka Centre to provide passing bays on the carriageway which comply with rule 15.1.6.1.2 of the District Plan such that in addition to widening on corners, passing bays are provided at intervals not exceeding 100m. The formation of the passing bays shall consist of a minimum of 200mm of compacted hard fill plus a Gap 40 running course.
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3. Principal Issues in Contention and Main Findings on those Issues:

The principal issues in contention were:

- Visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight.
- Visual Amenity
- Traffic
- Outstanding Landscape
- Setback from coastal marine area

The main findings on those issues were:

- The Kupe Waka Centre is located at the eastern most apex of the site in close proximity to the Awapoko River. The proposed Kupe Waka Centre building will be 8.7m in height at the highest point. The building will be located amongst existing built development and in an area that has been modified and cleared of original vegetation (probably manuka/kanuka) for some time. It is considered that there are no adjacent properties that will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight.
- The proposed building has a GFA of approx 210m², and is single level. The proposal includes using low reflectivity materials and colours. Subject to a condition of consent which requires the building be clad in these materials and colours, it is considered that the adverse visual effects of the proposed building will be less than minor. There are existing mature pohutukawa trees along the boundary with the Awapoko River to the south and other mature non-indigenous trees in the vicinity. No other planting is proposed and nor is it considered necessary or desirable to require additional vegetation screening as this would be out of character with existing vegetative cover.
- The proposed activities taking place within the Kupe Waka Centre are anticipated to include education/training (1 week and 3 week navigation courses); cultural tourism (corporate marae stays; school visits, tour bus visits and casual tourist groups) and full capacity hui. The proposed building is determined to have a maximum capacity of 84 people. In terms of Appendix 3A of the District Plan, "Other Buildings used for Social, Cultural or Recreational purposes (including Grandstands)" are deemed to generate 2 traffic movements per day every person the facility is designed for. Therefore, the average daily one-way vehicle movements for this activity will potentially be 168. The application includes a report from Richard Catterall (CPEng), which provides an assessment of the likely traffic actually generated T, and this is substantially less than 168 other than on the very few number of days when full hui are to be held. New Zealand Transport Agency (NZTA) has been provided its approval in principal to the proposal, subject to several conditions. A condition requiring the consent holder to provide evidence that NZTA is satisfied its requirements have been met has been imposed, and subject to this condition, along with access conditions imposed by the Council's RC Engineer, it is considered that the adverse effects of the proposal in terms of traffic intensity, are considered to be less than minor.
- The subject site is identified as outstanding landscape. The proposal includes an Architects Visual Impact Assessment. For reasons outlined above, it is considered the effects of the proposal on the landscape are no more than minor. The NZHPT has provided its approval to the proposal and

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The principal issues in contention were:

- Visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight.
- Visual Amenity
- Traffic
- Outstanding Landscape
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- The Kupe Waka Centre is located at the eastern most apex of the site in close proximity to the Awapoko River. The proposed Kupe Waka Centre building will be 8.7m in height at the highest point. The building will be located amongst existing built development and in an area that has been modified and cleared of original vegetation (probably manuka/kanuka) for some time. It is considered that there are no adjacent properties that will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight.
- The proposed building has a GFA of approx 210m², and is single level. The proposal includes using low reflectivity materials and colours. Subject to a condition of consent which requires the building be clad in these materials and colours, it is considered that the adverse visual effects of the proposed building will be less than minor. There are existing mature pohutukawa trees along the boundary with the Awapoko River to the south and other mature non-indigenous trees in the vicinity. No other planting is proposed and nor is it considered necessary or desirable to require additional vegetation screening as this would be out of character with existing vegetative cover.
- The proposed activities taking place within the Kupe Waka Centre are anticipated to include education/training (1 week and 3 week navigation courses); cultural tourism (corporate marae stays; school visits, tour bus visits and casual tourist groups) and full capacity hui. The proposed building is determined to have a maximum capacity of 84 people. In terms of Appendix 3A of the District Plan, "Other Buildings used for Social, Cultural or Recreational purposes (including Grandstands)" are deemed to generate 2 traffic movements per day every person the facility is designed for. Therefore, the average daily one-way vehicle movements for this activity will potentially be 168. The application includes a report from Richard Catterall (CPEng), which provides an assessment of the likely traffic actually generated T, and this is substantially less than 168 other than on the very few number of days when full hui are to be held. New Zealand Transport Agency (NZTA) has been provided its approval in principle to the proposal, subject to several conditions. A condition requiring the consent holder to provide evidence that NZTA is satisfied its requirements have been met has been imposed, and subject to this condition, along with access conditions imposed by the Council's RC Engineer, it is considered that the adverse effects of the proposal in terms of traffic intensity, are considered to be less than minor.
- The subject site is identified as outstanding landscape. The proposal includes an Architects Visual Impact Assessment. For reasons outlined above, it is considered the effects of the proposal on the landscape are no more than minor. The NZHPT has provided its approval to the proposal and

recommends that the proposal proceed subject to the Accidental Discovery Protocol.

- The proposed Wananga Waka building is to be located 19.5m (at its closest point) from Awapoko River on the southern boundary of the subject site which is also classified as a Coastal Marine Area. Given that the main purpose of the building is described in the application as *the celebration of the integral value to Maori culture of its ancestral and on-going tie to te moana.*, it is considered that adverse effects of the proposed building and activity, on cultural and spiritual values, will be nil. The Awapoko River is identified as in the Department of Conservation publication Natural Areas of Aupouri Ecological District as PNA O04/231. The Department of Conservation have considered the application and in correspondence dated 1 August 2012 indicated that they "have no issues" with the proposal.

4. Relevant Statutory Provisions:

Policy Statements & Plan Provisions:

It is considered that the New Zealand Coastal Policy Statement 2010 (NZCPS); the Proposed Regional Policy Statement (PRPS); the Regional Water and Soil Plan (PW&SP); the Regional Coastal Plan (RCP) and the Far North District Plan (FNDP) are the most relevant plan provisions to this proposal.

New Zealand Coastal Policy Statement 2010

It is considered that the proposal is consistent with objective 3 of the NZCPS which takes account of the principles of the Treaty of Waitangi, recognises the role of tangata whenua as kaitiaki and provides for tangata whenua involvement in management of the coastal environment. It is also consistent with policy 2 which recognises that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations.

Proposed Regional Policy Statement (PRPS)

It is considered that the proposal is consistent with objective 3.14 of the PRPS to minimise natural hazard risk. Objective 3.14 is achieved by policy 2.6 recognises issues of significance to tangata whenua natural and physical resources and Policy 2.7 Natural hazards and water.

Regional Water and Soil Plan (RW&SP)

It is considered that the proposal is consistent with objective 6.3 of the RW&SP which requires the management of the natural and physical resources within the Northland region to be in a manner that recognises and provides for the traditional and cultural relationships of tangata whenua with the land; and policy 6.4 which recognises and, as far as practicable provides for the relationship of Maori and their culture and traditions with respect to the use, development and protection of natural and physical resources in the Northland region.

Regional Coastal Plan (RCP)

It is considered that the proposal is consistent with objective 17.3 which provides for appropriate structures within the coastal marine area while avoiding, remedying or mitigating the adverse effects of such structures. 3. Within all Marine Management areas, to consider structures generally appropriate where there is an operational need to locate the structure within the coastal marine area.

Far North District Plan.

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Far North District Plan

Chapter 10.6 – General Coastal Zone and Chapter 12.1 – Landscapes and Natural Features and Chapter 12.7 – Lakes, Rivers, Wetlands and the Coastline have been given regard to. It is considered that the proposal is consistent with the policy in the Plan whereby use and development shall preserve and where possible enhance, restore and rehabilitate the character of the zone in regards to s6 matters, and shall avoid adverse effects as far as practicable by using techniques including clustering or grouping development within areas where there is the least impact on natural character and through siting of buildings and development, that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District.

Part 2 Matters

The Council has taken into account the purpose & principles outlined in sections 5, 6, 7 & 8 of the Act. It is considered that granting this resource consent application achieves the purpose of the Act.

5. Notification and Affected Parties

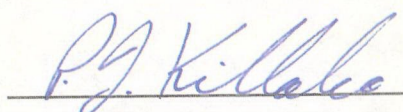
The Council has determined (by way of an earlier report and resolution) that the adverse environmental effects associated with the proposed activity are no more than minor and that there are no affected persons or affected order holders.

6. Overall Evaluation

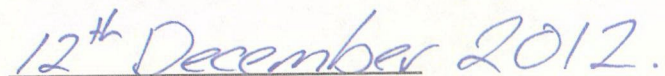
It is considered that it has been demonstrated that the proposal's effect will be minor on the environment. In addition, it is considered that the proposal is consistent with the policies and objectives of the relevant plan provisions, and therefore passes the threshold test of S104D.

Approval

This resource consent has been prepared by Theresa Burkhardt, Resource Planner, and is granted under delegated authority (pursuant to section 34A of the Resource Management Act 1991) from the Far North District Council by:



Pat Killalea, Principal Planner, Resource Consents



Date

Right of Objection

If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Resource Management Act 1991) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

Lapsing Of Consent

Pursuant to section 125 of the Resource Management Act 1991, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;

The consent is given effect to; or

Chapter 10.6 – General Coastal Zone and Chapter 12.1 – Landscapes and Natural Features and Chapter 12.7 – Lakes, Rivers, Wetlands and the Coastline have been given regard to. It is considered that the proposal is consistent with the policy in the Plan whereby use and development shall preserve and where possible enhance, restore and rehabilitate the character of the zone in regards to s6 matters, and shall avoid adverse effects as far as practicable by using techniques including clustering or grouping development within areas where there is the least impact on natural character and through siting of buildings and development, that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District.

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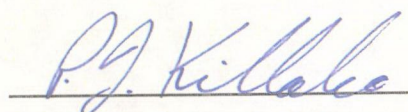
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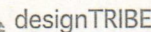
The consent is given effect to; or

An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Resource Management Act 1991.

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PLANNER.....*Thompson*

RC 2130047 DATE 07/14/12

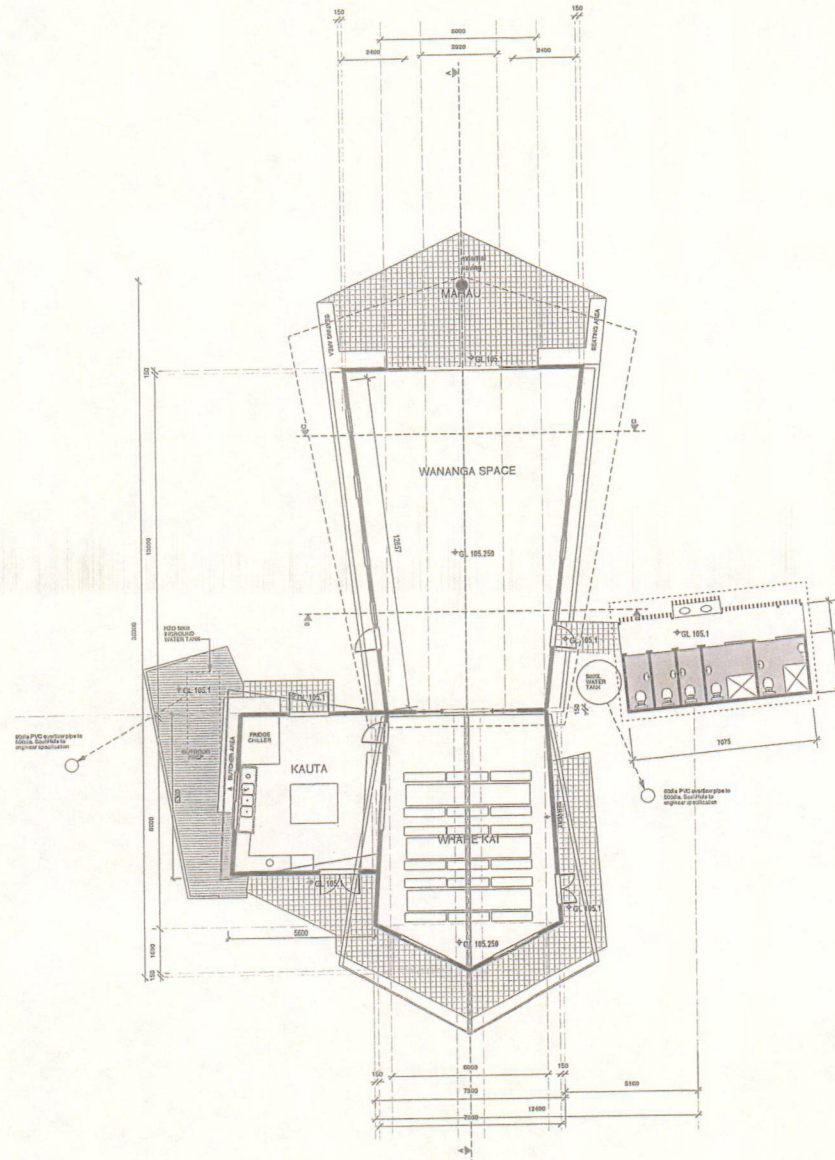


APPROVED PLAN

PLANNER. *W. M. M. M.*

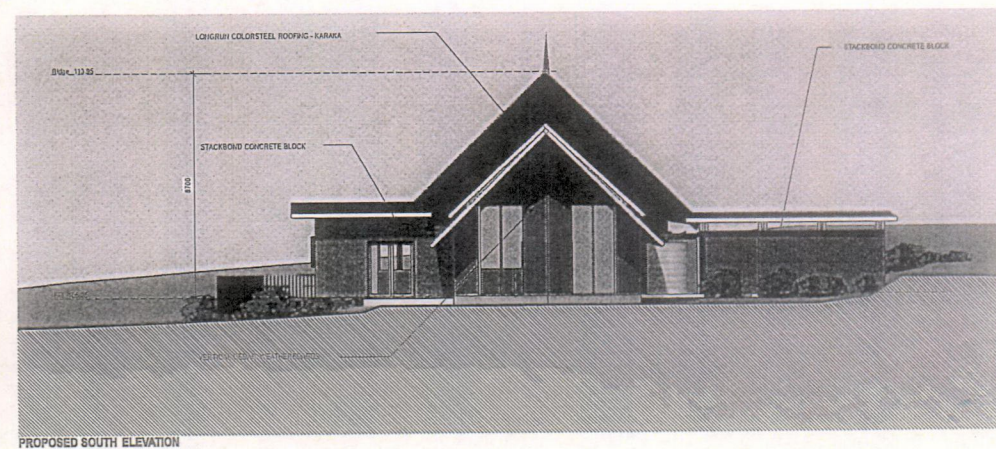
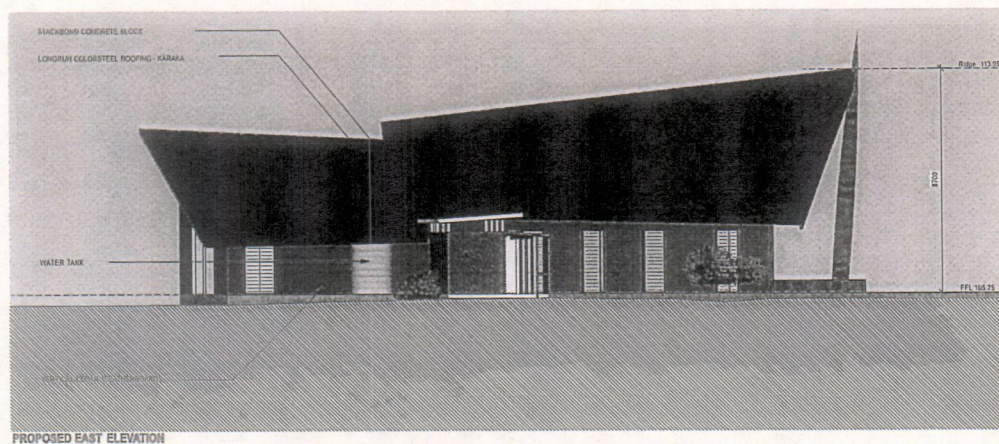
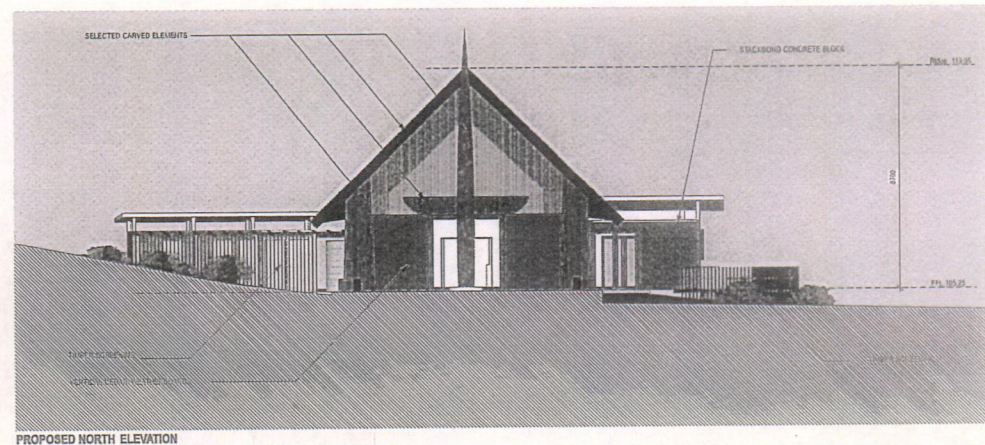
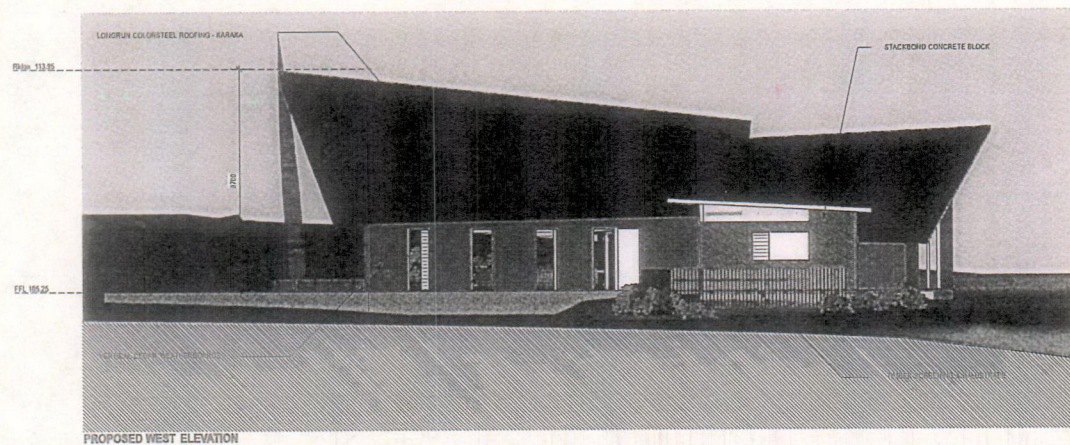
RC. *2130047* DATE *07/12/12*





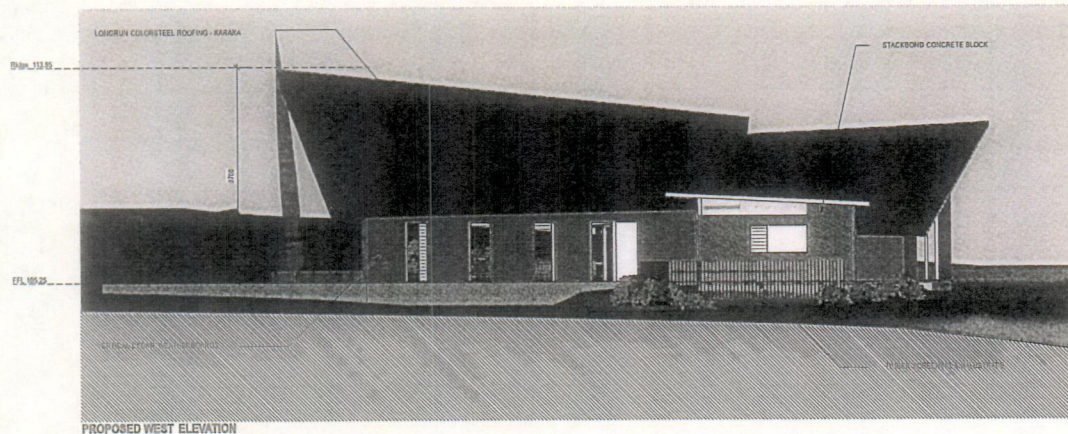
APPROVED PLAN
 PLANNER... *Ngurah*
 RC. 2130047... DATE 07/12/12

1 PROPOSED FLOOR PLAN
 Scale: 1:100

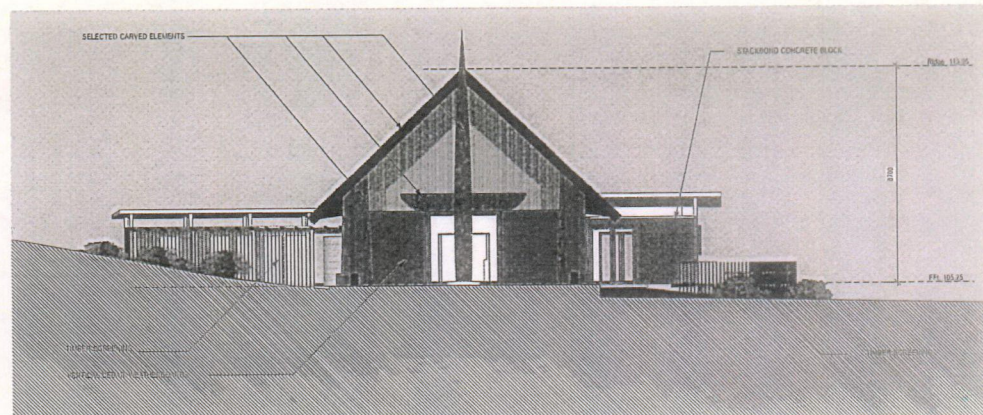


APPROVED PLAN
PLANNER. *Z. Schwartz*
RC. *2130047* DATE *07/12/12*

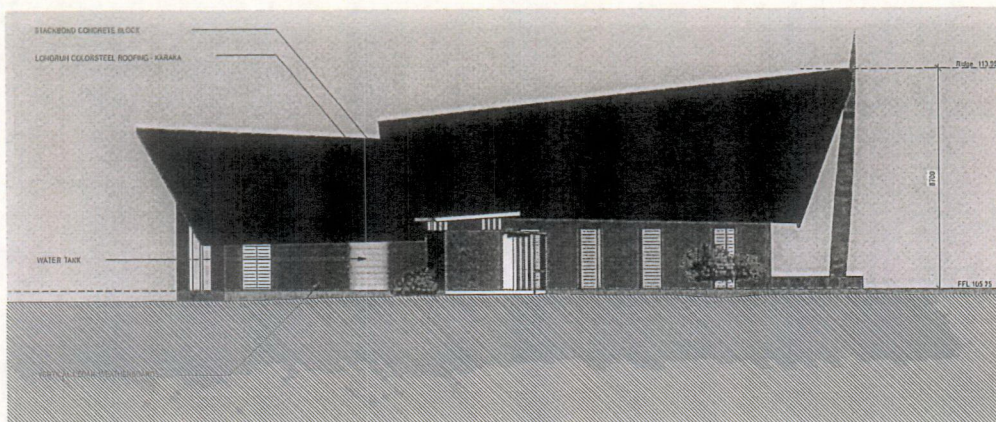
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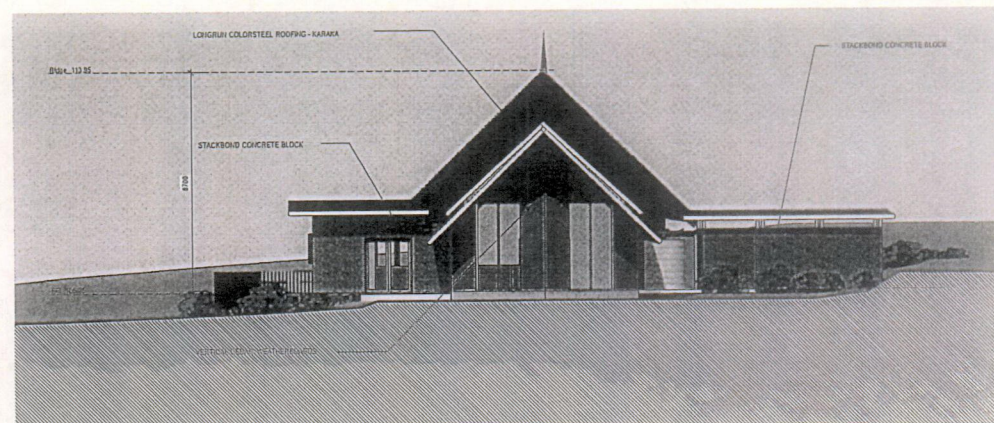
PROPOSED WEST ELEVATION



PROPOSED NORTH ELEVATION



PROPOSED EAST ELEVATION



PROPOSED SOUTH ELEVATION

APPROVED PLAN

PLANNER.. *[Signature]*

RC. *2130047* DATE *07/12/12*



A		Approved Elevations		PROJECT #	
DATE	DATE	DATE	DATE	DATE	DATE
Te Aurore - Kupe Waka Centre					
Tarai Waka Ltd					
Proposed Elevations					
523 Richmond Road, Grey Lynn, Auckland 1021					
PO Box 47311, P.O. Box 47311, P.O. Box 47311, P.O. Box 47311					
T: 091 2340015 F: 091 2340015 E: info@designtribe.co.nz					

Queenie Harding

From: Queenie Harding
Sent: Wednesday, 12 December 2012 2:46 p.m.
To: 'Greg Phillips'
Subject: Emailing: rc 2130047 dec.pdf

Attachments: rc 2130047 dec.pdf



rc 2130047 dec.pdf
(2 MB)

Good afternoon
The decision for rc 2130047 is attached
The invoice will be sent when completed

Kind regards

Queenie Harding
Specialist RMA Support
Environmental Management

Ph. 09 401 5200 or 0800 920 029

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

RECORD OF DECISION ON RESOURCE CONSENT APPLICATIONS

Participants:
Pat Killalea
Theresa Burkhardt

Decision Date:
Granted Date: 12/12/2012
Issued Date:

RMA Number 2130047-RMALUC
RFS Type Land Use
Legal Description OKORORI B BLK IX RANGAUNU SD
Val. No. 00085-16700
Applicant **Te Tai Tokerau Tarai Waka Inc.**
Start Date 21 August 2012
Location Okokori B, Tokerau Beach Road, Karikari Peninsula
Hearing Date NA
Activity Non complying
Outcome Approved
Zone General Coastal
Area of Site 115.80 ha
Proposal To construct a Wananga Waka facility which breaches the Visual Amenity, Building Height and Traffic Intensity rules in the General Coastal Zone; and the Buildings within Outstanding Landscapes, and Setback from the Coastal Marine Area, rules in the Part 3 District Wide Rules.
Issues Refer to Section 3 of the body of the report for the issues and the main findings on these issues.

Property File	Sewerage	Roading	Com Fac	Finance	NZTA	DoC	Policy	Property Co-ordinator
✓		✓						
Monitoring	Env Health	Liq License	Legal	NZHPT	NRC	Building	Comm Brd	Doubtless Bay Water Supply Co.
✓						✓		

Sir Hek Busby Kupe Waka Centre

Te Awapoko Waka Wānanga Reserve and Operational Area



TOPOGRAPHIC LEGEND

○ ● ●	SURVEY MARK
8.00	SPOT HEIGHT
—	LOT BOUNDARY
—	ADJOINING BOUNDARY
—	FENCE
—	MINOR CONTOUR
—	MAJOR CONTOUR

COMPRISED IN:

PARCELS	AREA	CT REFERENCE
OKOKORI B BLOCK	115.8000 HA	NA 46C/958

0	Original Drawing	RLH	17/10
REVISION		INITIAL	DATE
		CHECKED	

R.L.HOOPER

SURVEY SERVICES

LAND SURVEYING

12 BRACKEN AVENUE
TAKAPUNA 0622
NORTH SHORE CITY

PHONE: 09-489 5770
FAX: 09-489 5770
EMAIL: survserv@vodafone.co.nz

TITLE

TOPOGRAPHIC SURVEY OF OKOKORI B BLOCK ML 15115 AURERE

LAND DISTRICT: North Auckland
LOCAL AUTHORITY: Far North District Council

CLIENT

Te Tai Tokerau Tarai Waka

SCALE: 1:500 (A1)

DATE: OCTOBER 2011

REVISION: 0

DRAWN: RLH

DRAWING NO: 090-03

Site plan based on survey plan prepared by RL Hooper, Revised 30 June 2023

Fencing

Indicative Water overflow pipe

New planting

Existing vegetation

Water tank # Path #

PROPOSED TRANSPORTABLE BUILDINGS

Kupe Waka Centre

Whare Whetu

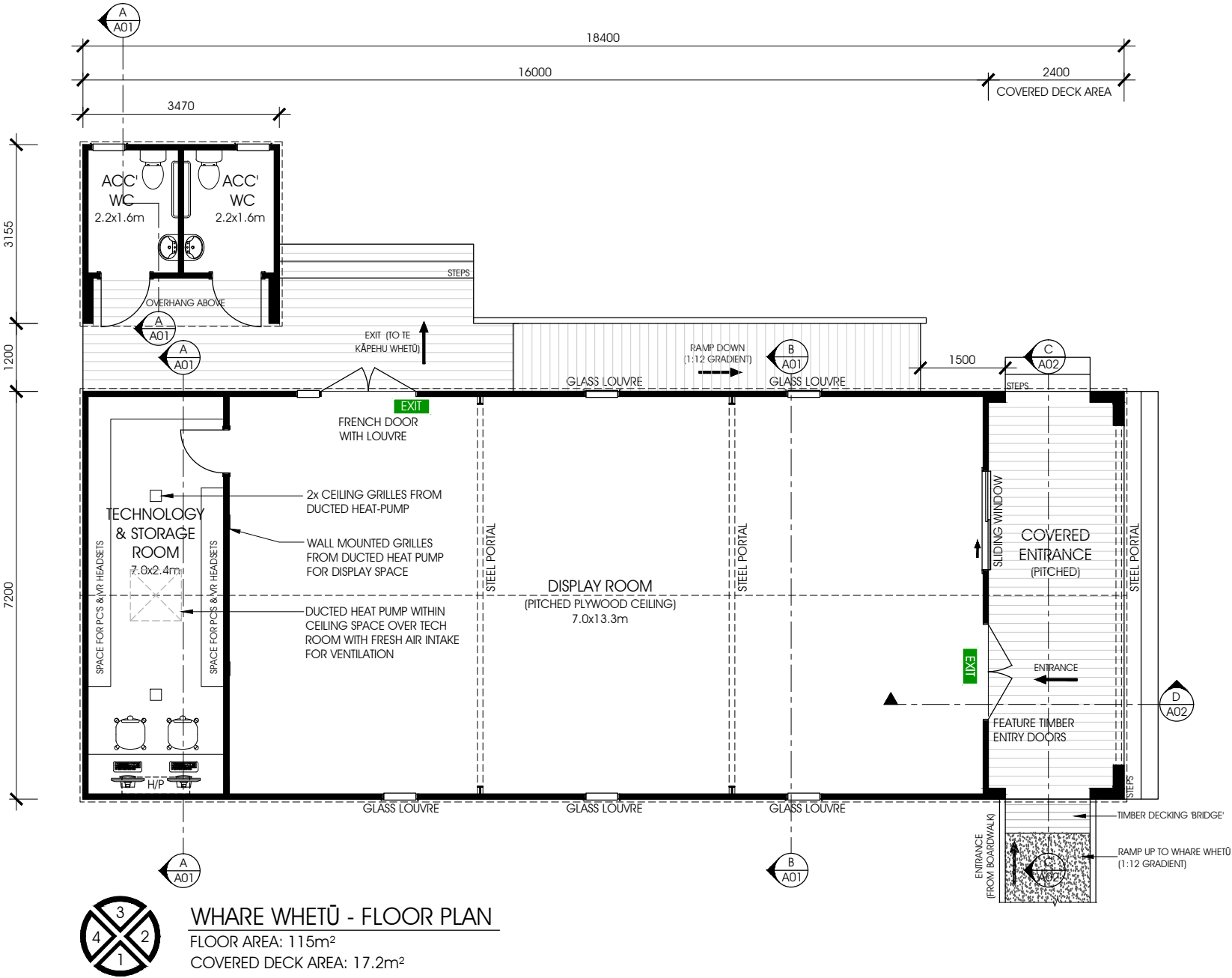
4554 State Highway 10,
Taipa

REV. CONTENTS

D1	SHEET 1	L01	FLOOR PLAN
D1	SHEET 2	L02	ELEVATIONS
D1	SHEET 3	L03	CLADDING LAYOUT PLAN
D1	SHEET 4	L04	WALL FRAMING & BRACING PLAN
D1	SHEET 5	L05	SUB-FLOOR FRAMING PLAN
D1	SHEET 6	L06	ROOF FRAMING & LINTEL PLAN
D1	SHEET 7	L07	ROOF PLAN
D1	SHEET 8	L08	ELECTRICAL PLAN
D1	SHEET 9	L09	FINISHES PLAN
D1	SHEET 10	L10	INSULATION PLAN
D1	SHEET 11	A01	SECTIONS A-A & B-B
D1	SHEET 12	A02	SECTIONS C-C & D-D
D1	SHEET 13	C01	DETAILS SHEET 1
D1	SHEET 14	C02	DETAILS SHEET 2
D1	SHEET 15	C03	DETAILS SHEET 3
D1	SHEET 16	C04	DETAILS SHEET 4
D1	SHEET 17	C05	DETAILS SHEET 5
D1	SHEET 18	C06	DETAILS SHEET 6
D1	SHEET 19	C07	DETAILS SHEET 7
D1	SHEET 20	S01	WINDOW & DOOR SCHEDULE

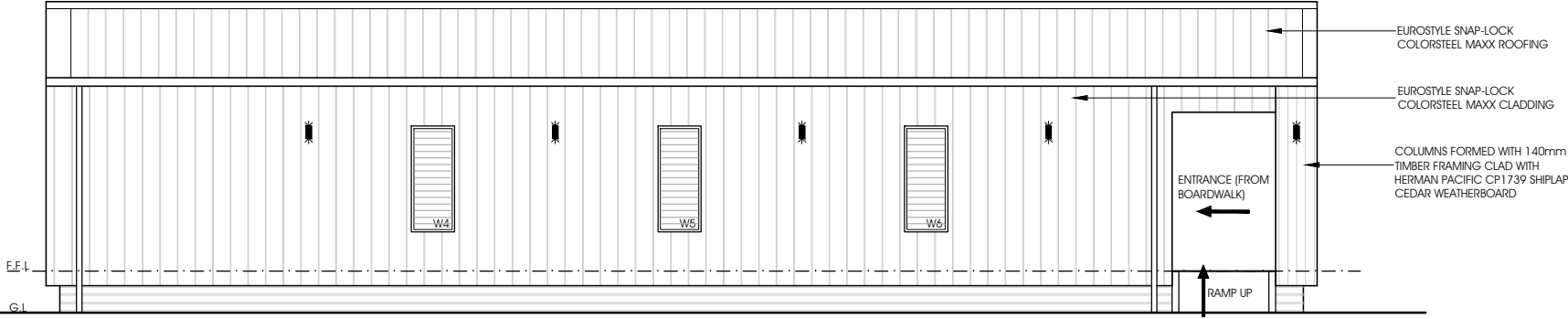
DESIGN SET REVISION:

D1.	20-04-2020 - Issued for Client Comment
D2.	06-05-2020 - Changes as per Clients Comments
D3.	25-05-2020 - Changes as per Email Discussions
D4.	06-07-2020 - Issued for Fire Design
D5.	06-08-2020 - Issued for Pricing

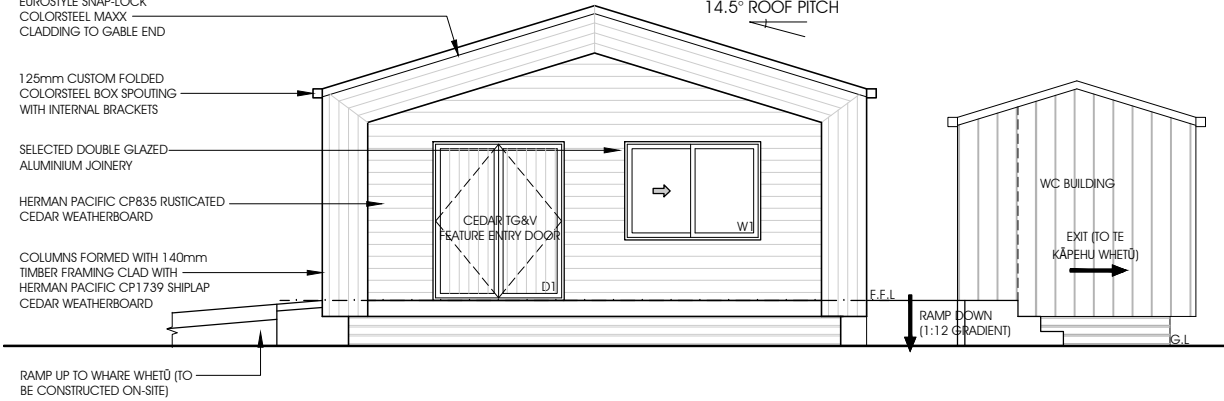


D5	06/08/20	ISSUED FOR PRICING
D4	06/07/20	ISSUED FOR FIRE DESIGN PRICE
D3	25/05/20	CHANGES AS PER EMAIL DISCUSSIONS
D2	06/05/20	CHANGES FROM CLIENT COMMENTS
D1	14/04/20	ISSUED TO CLIENT FOR COMMENT
REV	DATE	REVISION

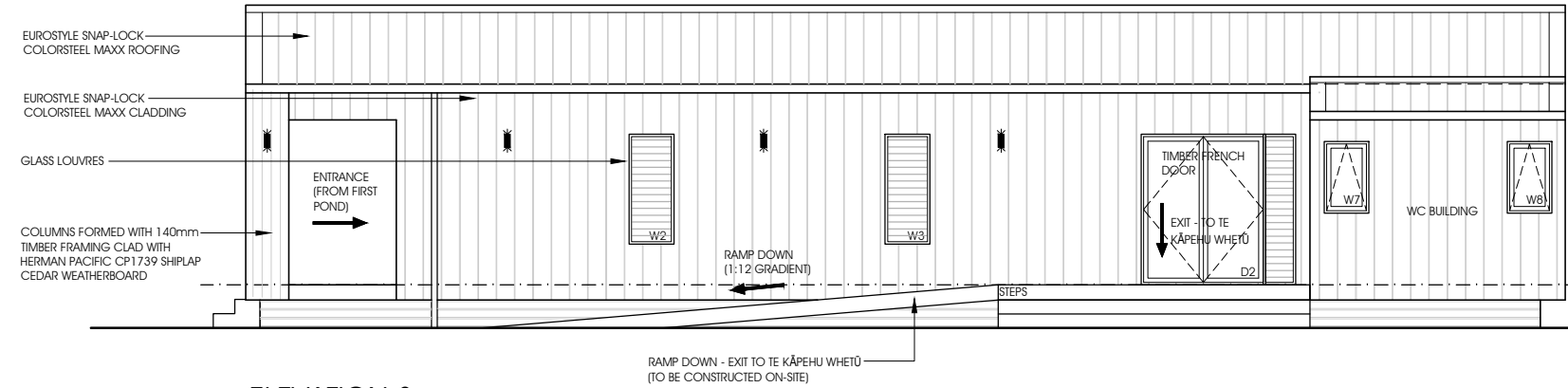
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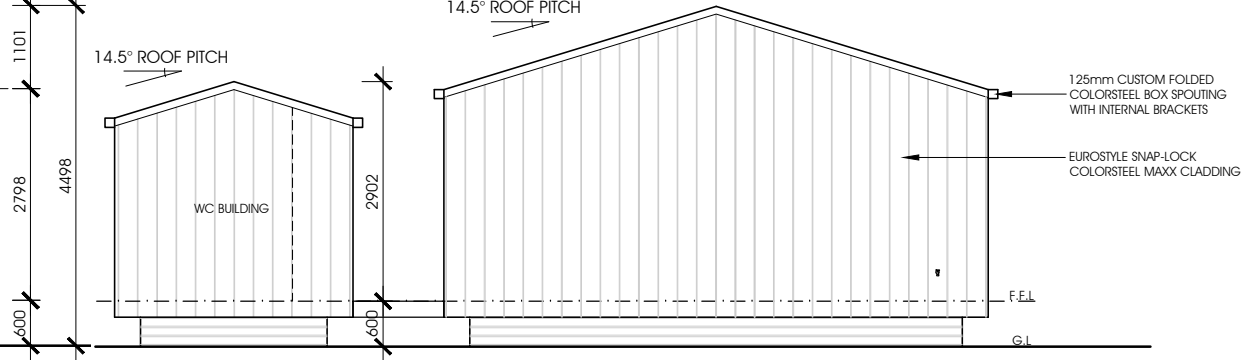
ELEVATION 1
WHARE WHETŪ
SCALE: 1:100



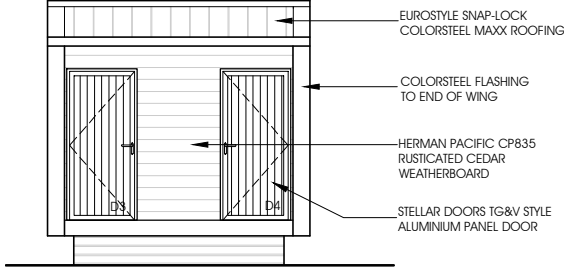
ELEVATION 2
WHARE WHETŪ
SCALE: 1:100



ELEVATION 3
WHARE WHETŪ
SCALE: 1:100



ELEVATION 4
WHARE WHETŪ
SCALE: 1:100



ELEVATION 1
WHARE PAKU
SCALE: 1:100

D5	06/08/20	ISSUED FOR PRICING
D4	06/07/20	ISSUED FOR FIRE DESIGN PRICE
D3	25/05/20	CHANGES AS PER EMAIL DISCUSSIONS
D2	06/05/20	CHANGES FROM CLIENT COMMENTS
D1	14/04/20	ISSUED TO CLIENT FOR COMMENT
REV	DATE	REVISION

elevate
architectural transportables

ELEVATE ARCHITECTURAL TRANSPORTABLES
221 HANNON ROAD, CAMBRIDGE
Ph: 07 827 0433 Mob :021399406

Client:
Kupe Waka Center

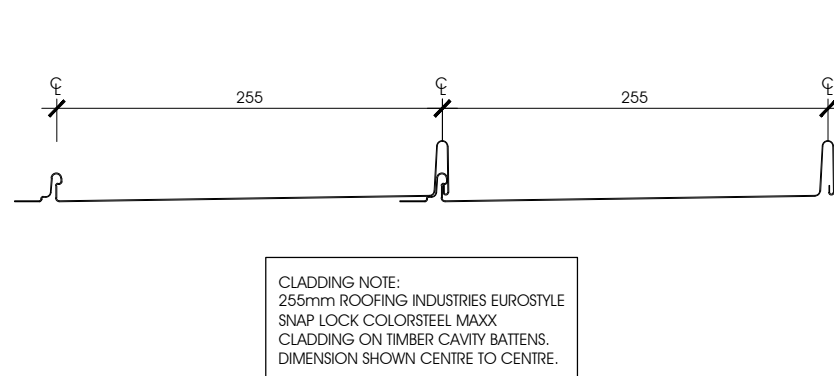
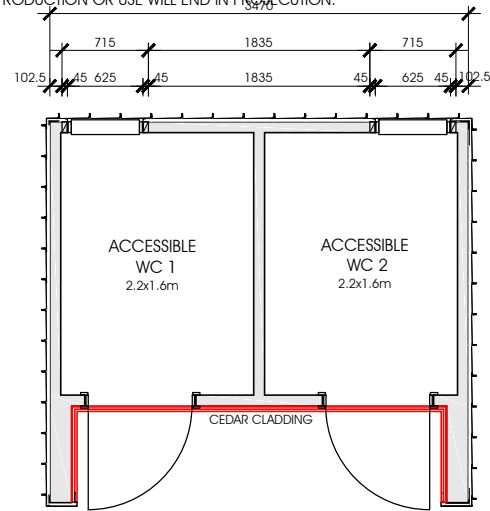
Site:
4554 State Highway 10, Taipa

Drawing:
Whare Whetu - Elevations

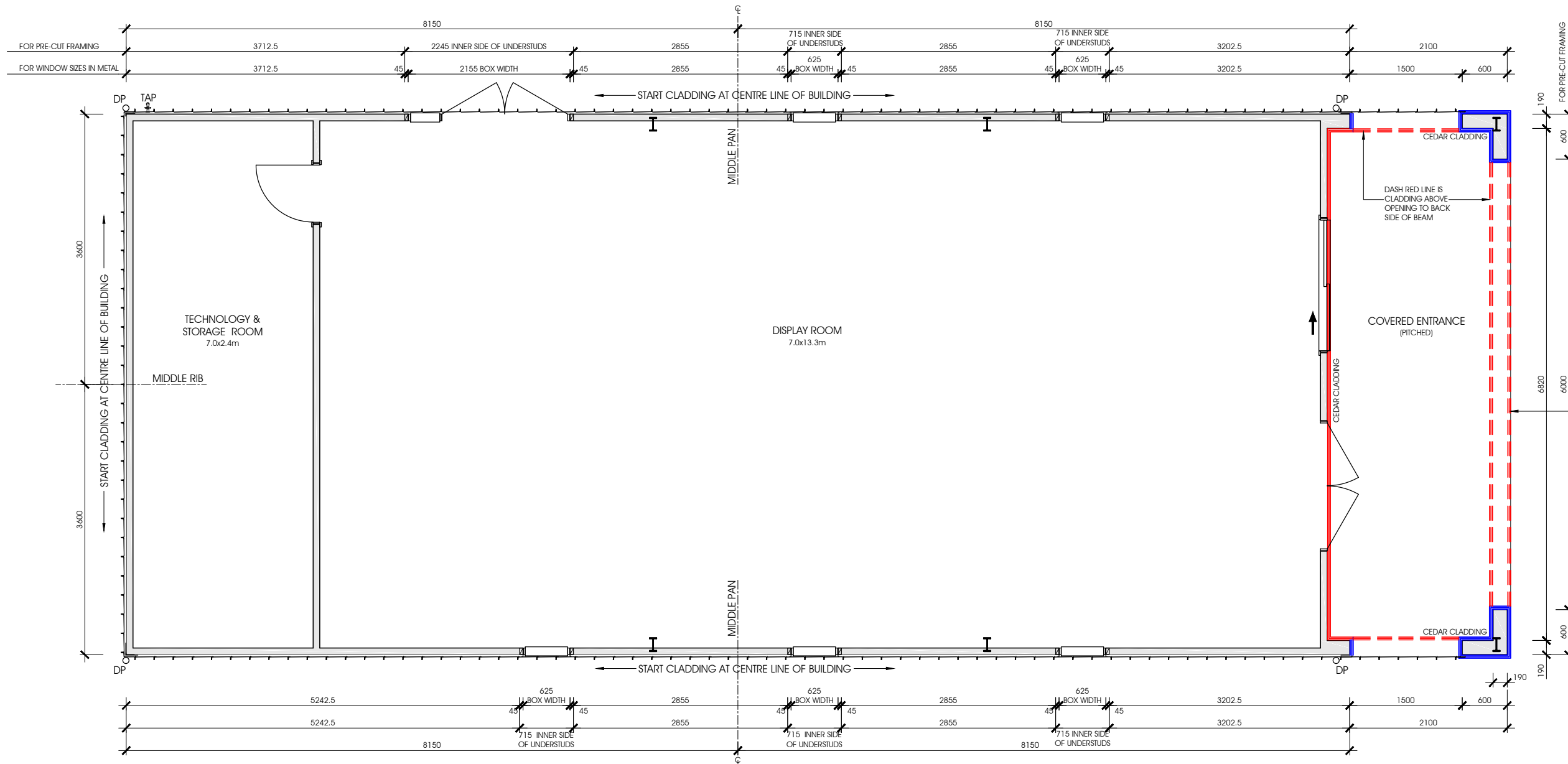
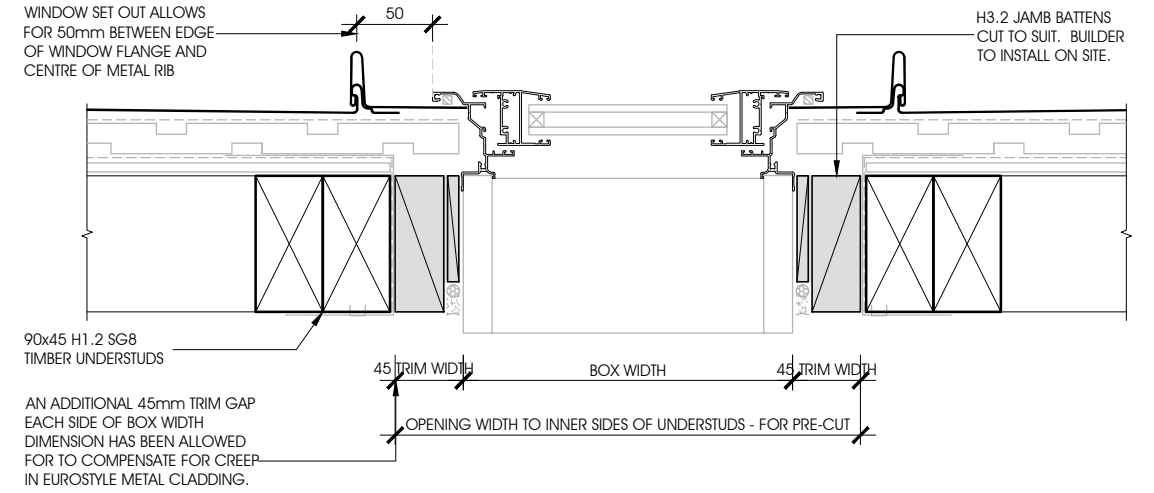
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Checked By: LT
Scale: 1:100 @ A3
Date: 14-04-2020

Sheet:
L02

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CLADDING PROFILE
ROOFING INDUSTRIES EUROSTYLE SNAP LOCK CLADDING
SCALE 1:5



IMPORTANT NOTES FOR PRECUTTER:

WINDOW TRIM/BOX WIDTH SHOWN DOES NOT INCLUDE THE 45mm JAMB BATTENS - ADD SACRIFICIAL JAMB BATTENS TO OUTSIDE OF WINDOW SIZES ONLY TO THOSE IN EUROSTYLE METAL CLADDING.

WINDOW OPENINGS TO BE DETAILED AS SHOWN (DO NOT ADD ADDITIONAL TRIM TO WIDTH OF WINDOW)

BUILDER TO INSTALL 45mm MAX WIDE H3.2 KD JAMB BATTENS TO SIDES OF WINDOWS/DOORS IN ROOFING INDUSTRIES EUROSTYLE CLADDING - TO ALLOW FOR CREEP IN CLADDING.

PRECUT TO PROVIDE JAMB BATTENS IN RANDOM FRAMING ORDER

DIMENSIONS ARE OVER WALL FRAMING AND DO NOT INCLUDE THE 6mm EGGER O'S BRACE SHEET TO OUTER FACE

KEY

- HERMAN PACIFIC CP835 RUSTICATED HORIZONTAL CEDAR WEATHERBOARD
- HERMAN PACIFIC CP1739 VERTICAL SHIPLAP CEDAR WEATHERBOARD

WEATHERBOARDS TO MATCH PITCH OF SLOPING SOFFIT

FLOOR PLAN - CLADDING LAYOUT
SCALE : NA

elevate
architectural transportables

ELEVATE ARCHITECTURAL TRANSPORTABLES
221 HANNON ROAD, CAMBRIDGE
Ph: 07 827 0433 Mob :021399406

Client:
Kupe Waka Center

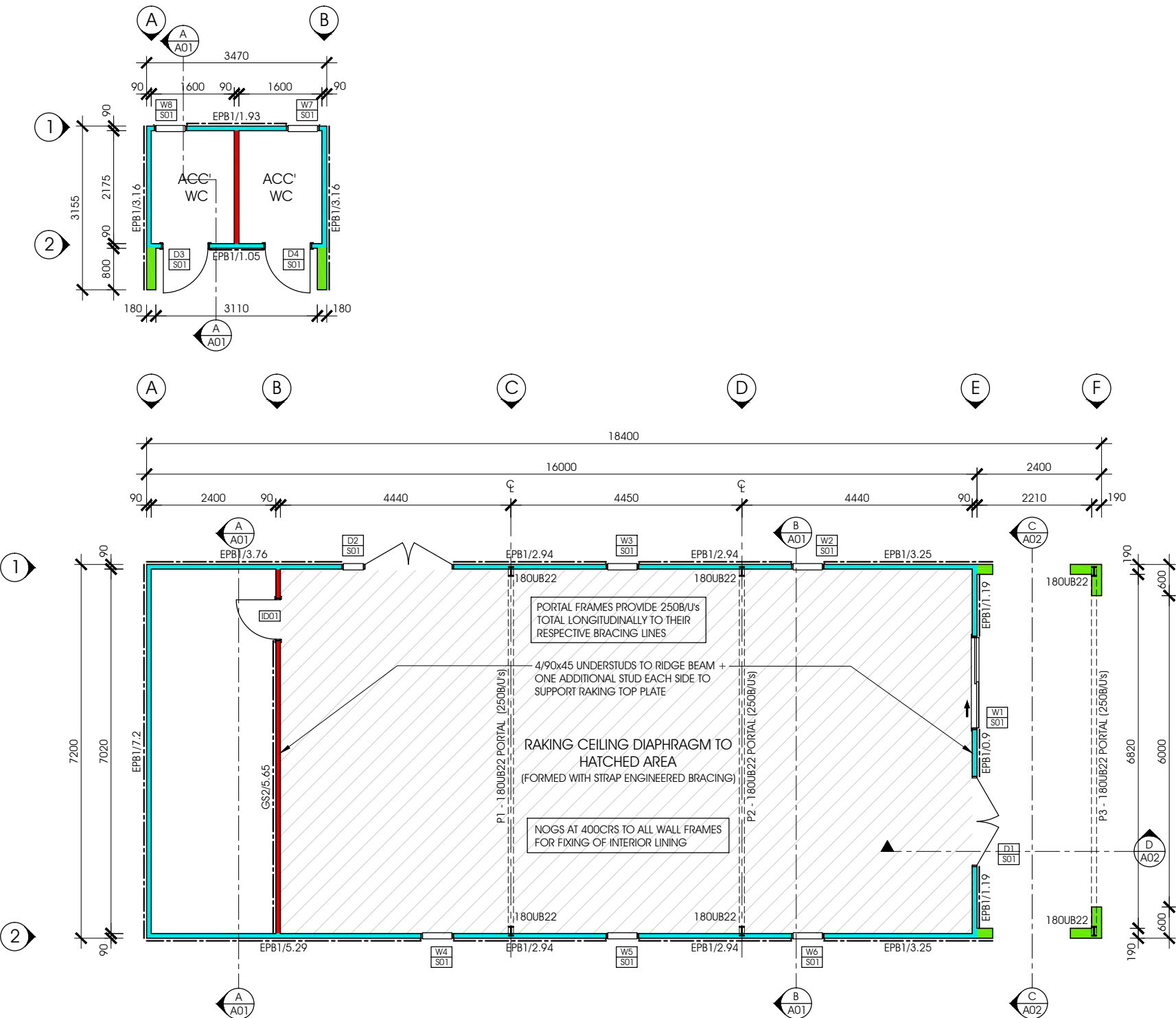
Site:
4554 State Highway 10, Taipa

Drawing:
Cladding Layout

D5	06/08/20	ISSUED FOR PRICING
REV	DATE	REVISION

Drawn By: CW
Checked By: LT
Scale: N/A @ A3
Date: 14-04-2020

Sheet:
L03



WALL FRAMING & BRACING PLAN

SCALE 1:100
FLOOR AREA 115m²

INTERNAL DOOR SCHEDULE

DOOR NO.	LEAF SIZE	DOOR TYPE	CORE TYPE	SURFACE MATERIAL	PATTERN	HARDWARE
ID01	2200x710	CS	HC	PPS	SD HORIZON VG	WINDSOR ARCH AVANTE

IMPORTANT NOTE:

ALL DIMENSIONS ON FRAMING PLAN ARE TAKEN FROM THE FRAME LINE UNLESS INDICATED OTHERWISE

WALLS BRACING NOTES:

WIND ZONE: VERY HIGH
EARTHQUAKE ZONE: 1
CORROSION ZONE: D
CLIMATE ZONE: 1

TOP PLATE TO STUD FIXINGS ON EXTERNAL LOAD BEARING WALLS TO BE 7mm ECOPLY STRUCTURAL RIGID AIR BARRIER TO OUTSIDE OF FRAMING UNDER BUILDING WRAP. NAIL OFF WITH 50x2.8mm FLAT HEAD ANNULAR GROOVED STAINLESS STEEL NAILS AT 150mm CRS TO BASE AND SIDES OF SHEET AND AT 75mm CRS TO TOP EDGE OF SHEETS AND BOTTOM EDGE OF STACKED SHEETS AND 300mm CRS TO INTERMEDIATE STUDS AND NOGS (150mm CENTERS IN EXTRA HIGH WIND ZONES)

GS1 = GIB STANDARD PLASTERBOARD TO ONE SIDE OF WALL FRAMING

BL1 = GIB BRACELINE PLASTERBOARD TO ONE FACE (HOLD-DOWNS REQUIRED)

EPB1 = 7mm H3.2 7mm ECOPLY STRUCTURAL RIGID AIR BARRIER TO OUTSIDE FACE (HOLD DOWNS REQUIRED) VERTICALLY FIXED

PLY = 7mm NON STRUCTURAL PLY FIXED AS PER GIB FIXING. (NOT A BRACING ELEMENT ONLY TO PROVIDE STIFFNESS TO BUILDING DURING TRANSPORT) ALLOW TO FIX GIB OVER TOP AND ENSURE SCREWS ARE LONGER TO ALLOW FOR PLY THICKNESS

7mm ECOPLY STRUCTURAL RIGID AIR BARRIER TO OUTSIDE OF ALL EXTERNAL WALL FRAMING. WHERE EPB1 BRACE PANELS ARE INDICATED GIB HANDIEBRAC HOLD DOWNS ARE REQUIRED AT ENDS OF BRACING ELEMENT. NAIL OFF WITH 50x2.8mm FLAT HEAD ANNULAR GROOVED STAINLESS STEEL NAILS AT 150mm CRS TO BASE AND SIDES OF SHEET AND AT 75mm CRS TO TOP EDGE OF SHEETS AND BOTTOM EDGE OF STACKED SHEETS AND 300mm CRS TO INTERMEDIATE STUDS AND NOGS (150mm CENTERS IN EXTRA HIGH WIND ZONES)

ALL OTHER EXTERIOR FACES TO EXTERNAL WALLS NOT IDENTIFIED AS EPB1 TO HAVE 7mm ECOPLY STRUCTURAL RIGID AIR BARRIER FIXED WITH 50x2.8mm FLAT HEAD ANNULAR GROOVED STAINLESS STEEL NAILS AT 150mm CRS TO BASE AND SIDES OF SHEET AND AT 75mm CRS TO TOP EDGE OF SHEETS AND BOTTOM EDGE OF STACKED SHEETS AND 300mm CRS TO INTERMEDIATE STUDS AND NOGS (150mm CENTERS IN EXTRA HIGH WIND ZONES)

BRACING HAS BEEN CALCULATED USING GIB EYBRACE 2016 EDITION. THE BUILDER IS TO CONSULT THIS PUBLICATION FOR BRACING INFORMATION.

BRACING PLAN IS TO BE READ IN CONJUNCTION WITH BRACING CALCULATIONS AND MANUFACTURERS DETAILS LOCATED IN SPECIFICATION.

STEEL PORTAL FRAME PROVIDE BRACING TO CENTRE OF STRUCTURE AND PORTICO, REFER TO ENGINEERING AT REAR OF SPECIFICATION FOR FURTHER DETAILS ON SPECIFIC DESIGN ELEMENTS - PORTALS AND ROOF BRACING

INSTALL WING WALL FRAMING AFTER CEILING DIAPHRAGM

WALL FRAMING KEY:

	90x45 AT 600CRS NON LOAD BEARING WING WALL
	90x45 AT 600CRS
	90x45 AT 400CRS
	90x45 AT 600CRS ON EDGE
	90x90 AT 600CRS
	90x90 AT 400CRS
	90x90 AT 300CRS
	H3.2 140x45 AT 400CRS
	WALL BRACE

CEILING BRACING NOTES:

PART OF CEILING CONSTRUCTED AS A CEILING DIAPHRAGM USING PAIRS OF 25x0.91 LUMBERLOK GALV STRAP BRACE AS PER SPECIFIC ENGINEER (SEE ROOF PLAN & REAR OF SPECIFICATION)

CEILING ALSO TO BE FIXED OFF AS CEILING DIAPHRAGM FOR ADDITIONAL STRENGTH (NOT REQUIRED)

FOR CEILING CONTROL JOINTS USE RONDO P35 DETAIL.

CEILING TO BE LINED WITH 13mm GIB ULTRALINE ON 70x35 H1.2 SG8 TIMBER CEILING BATTENS AT 600CRS MAX.

FIXING:
PERIMETER: 30mm GIB NAILS, OR MINIMUM 32mm x 6g GIB GRABBER HIGH THREAD SCREWS AT 150mm CRS AROUND ELEMENT PERIMETER AND AT 300mm CENTRES TO INTERMEDIATE SHEET JOINTS.

DAUBS OF GIBFIX ALL-BOND ADHESIVE AT CENTRES BETWEEN THE SCREWS. DO NOT PLACE ADHESIVE AT SHEET EDGES OR UNDER FASTENERS.

INTERNAL DOOR KEY:

CS	CAVITY SLIDER
CH	CASEMENT HUNG
PPS	PRE-PRIMED STANDARD
SD	SUPERIOR DOORS
VG	V GROOVE
FP	FIXED PANE
SG	SINGLE GLAZED
O	OPALESCENT
LV	LOUVRE
BF	BIFOLD

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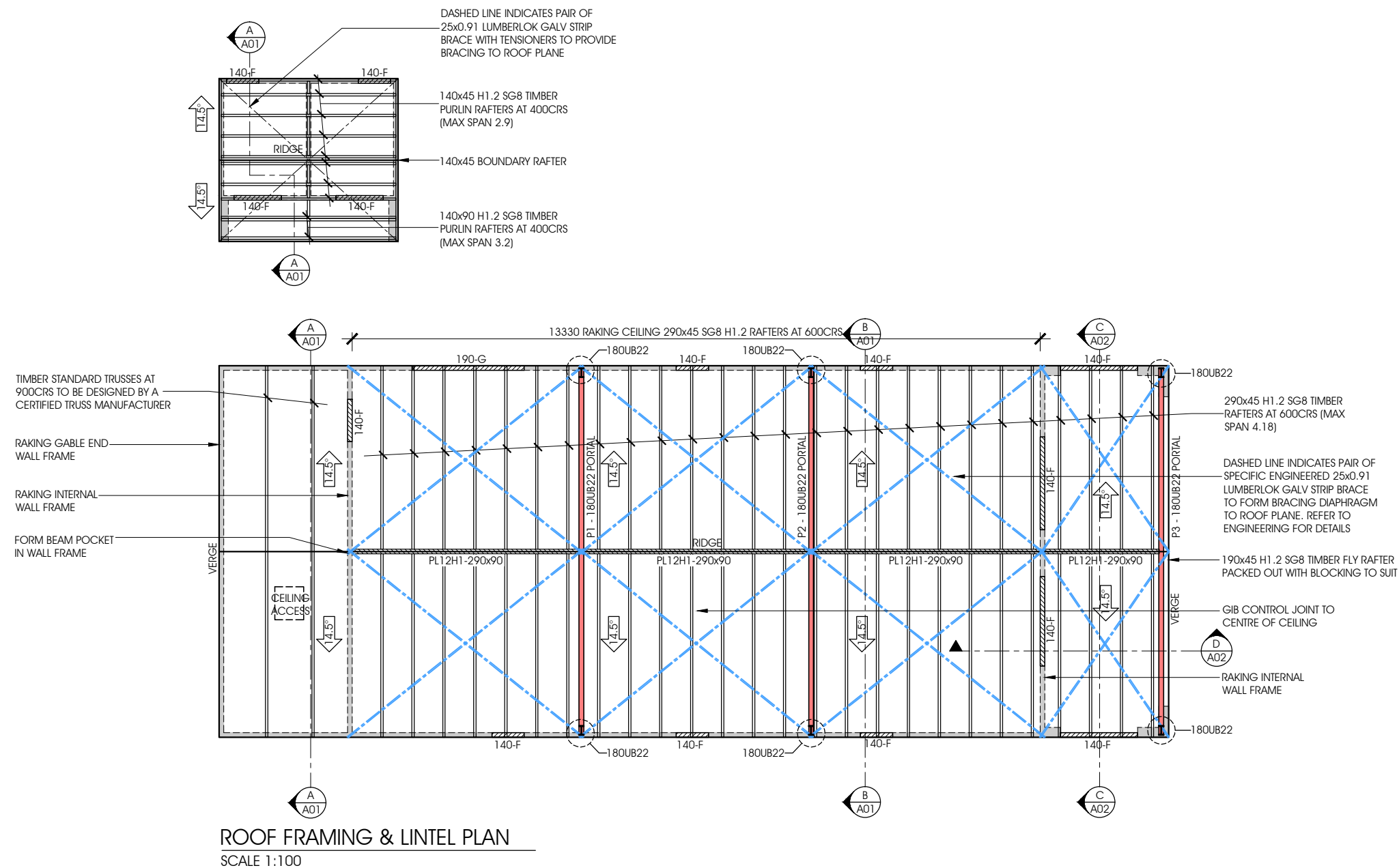
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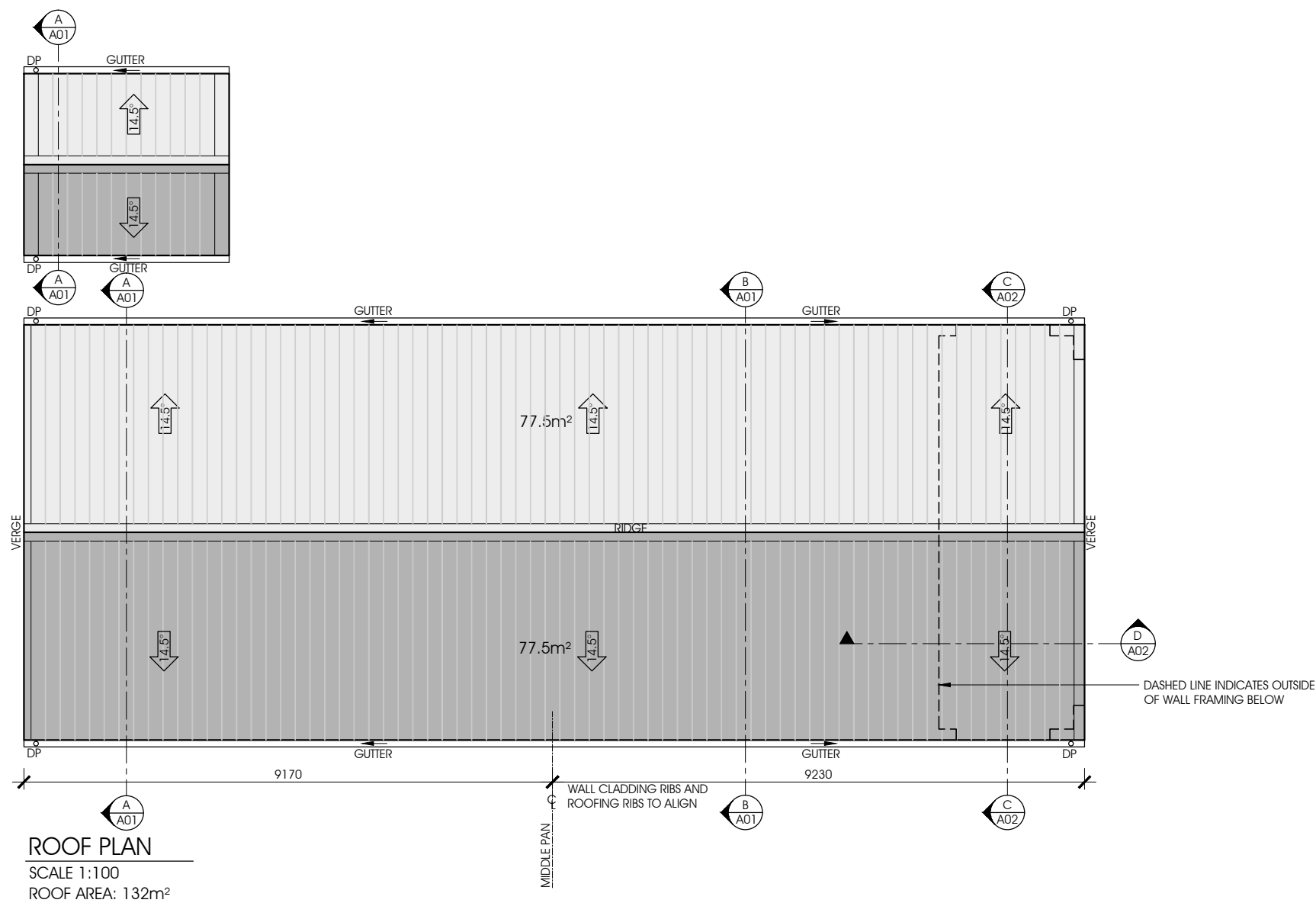
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L04



- G = GIRDER TRUSS
- S = SADDLE TRUSS
- J = JACK TRUSS
- TJ = TRUNCATED JACK TRUSS
- R = RAFTER
- H = HIP TRUSS
- O = OUTRIGGER

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ROOF FINISHES KEY

ROOFING INDUSTRIES
EUROSTYLE SNAP-LOCK
COLORSTEEL MAXX
ROOFING

NOTES:

-SPOUTING TO BE 125mm CUSTOM
FOLDED COLORSTEEL MAXX BOX
GUTTER WITH INTERNAL BRACKETS

-ALL DOWNPIPES TO BE 80mm ROUND
COLORSTEEL MAXX.

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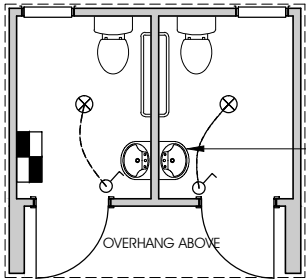
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Kupe Waka Center

Site:
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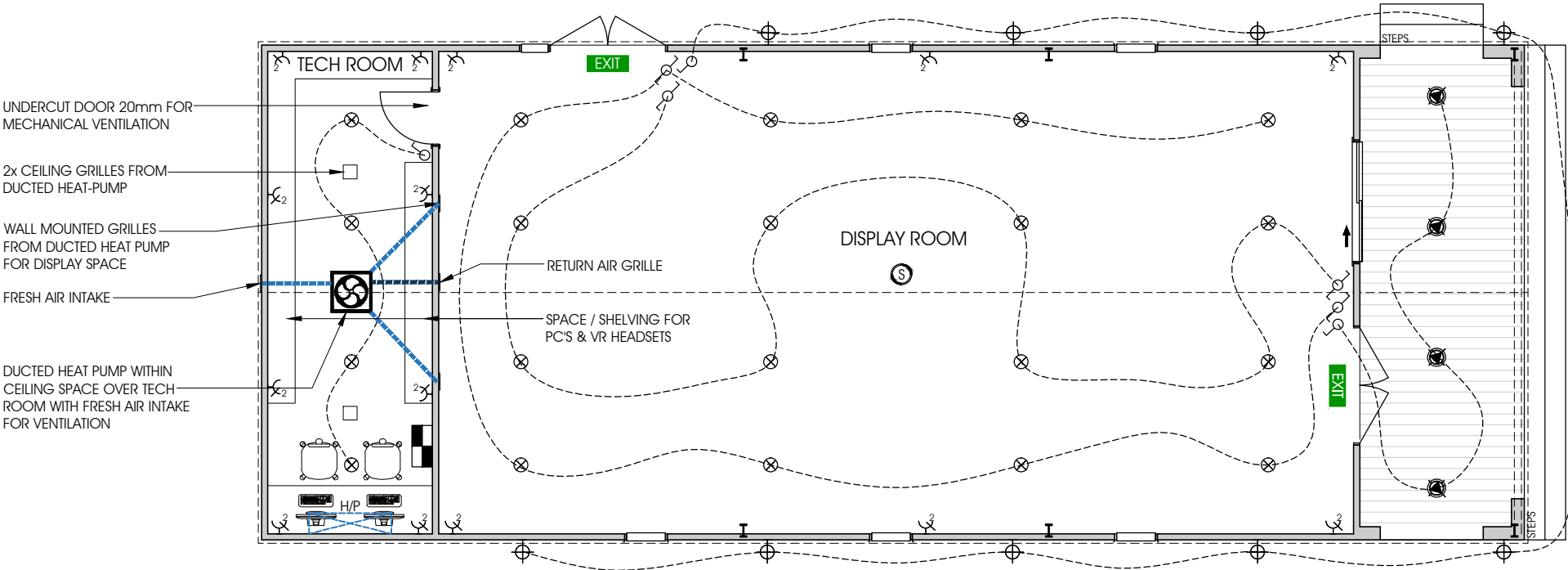
Drawing:
Roof Plan

Drawn By: CW
Checked By: LT
Scale: 1:100 @ A3
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Sheet:
L07



ELECTRIC U/B CALIFONT TO SUPPLY
TEMPERED WATER TO BASINS



UNDERCUT DOOR 20mm FOR
MECHANICAL VENTILATION

2x CEILING GRILLES FROM
DUCTED HEAT-PUMP

WALL MOUNTED GRILLES
FROM DUCTED HEAT PUMP
FOR DISPLAY SPACE

FRESH AIR INTAKE

DUCTED HEAT PUMP WITHIN
CEILING SPACE OVER TECH
ROOM WITH FRESH AIR INTAKE
FOR VENTILATION

RETURN AIR GRILLE

SPACE / SHELVING FOR
PC'S & VR HEADSETS

ELECTRICAL PLAN

SCALE: NTS

NOTES:

-ALL DOWNLIGHTS ARE TO BE IC RATED

LIGHTING TABLE - G8 AS1

	REQUIRED WATTAGES PER SQUARE METER (W/m²) TABLE 1 G8	MIN WATTAGE REQUIRED (W)	MINIMUM LED LAMPS REQUIRED (AMBIUS 12W, 850Lm)
DISPLAY ROOM: 94m²	8W/m² INCANDESCENT GENERAL DIFFUSER	752W INCANDESCENT OR 150W LED (EQUIVALENT)	12/12W LED LAMPS (850 LUMENS PER LAMP)
TECH ROOM: 17m²	8W/m² INCANDESCENT GENERAL DIFFUSER	136W² INCANDESCENT OR 27.2W LED (EQUIVALENT)	3/12W LED LAMPS (850 LUMENS PER LAMP)

NOTE: ELECTRICIAN TO COMPLETE WALK
THROUGH WITH CLIENT/DESIGNER TO
CONFIRM EXACT PLACEMENT OF ALL
ELECTRICAL FITTINGS BEFORE
INSTALLATION BEGINS

ELECTRICAL LEGEND		SMOKE ALARM
PENDANT / FEATURE LIGHT	EXTRACTOR FAN WITH LIGHT	
RECESSED LED CEILING LIGHT	TV AERIAL POINT	
SURFACE CEILING OR SMALL PENDANT LIGHT	TELEPHONE POINT	
SURFACE WALL LIGHT	DATA POINT	
FLOOR UPLIGHT	HDMI POINT	
RECESSED WALL LIGHT	CENTRAL VAC POINT	
SURFACE DIRECTIONAL SPOTL	WIRELESS ACCESS POINT	
FLOODLIGHT	HTR HEATED TOWEL RAIL WITH TIMER	
RECESSED DIRECTIONAL SPOT	SECURITY SENSOR	
RECESSED STEP LIGHT	SECURITY KEYPAD	
SUSPENDED LED WORK LIGHT	METER BOARD	
RECESSED FLUORO LIGHT	DISTRIBUTION BOARD	
LED STRIP LIGHTING	NETWORK HUB	
TWO WAY LIGHT SWITCH	PV-I PHOTOVOLTAIC INVERTER	
SINGLE LIGHT SWITCH	GAS METER	
DIMMABLE LIGHT SWITCH	GAS CALIFONT	
FIXED OUTLET/APPLIANCE SWITCH	SPEAKER	
MOTION SENSOR	HEATER	
MULTI POWER POINT	DUCTED HEAT PUMP BLOWER	
SINGLE POWER POINT		

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Site:

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Drawing:

Electrical Plan

Drawn By: CW

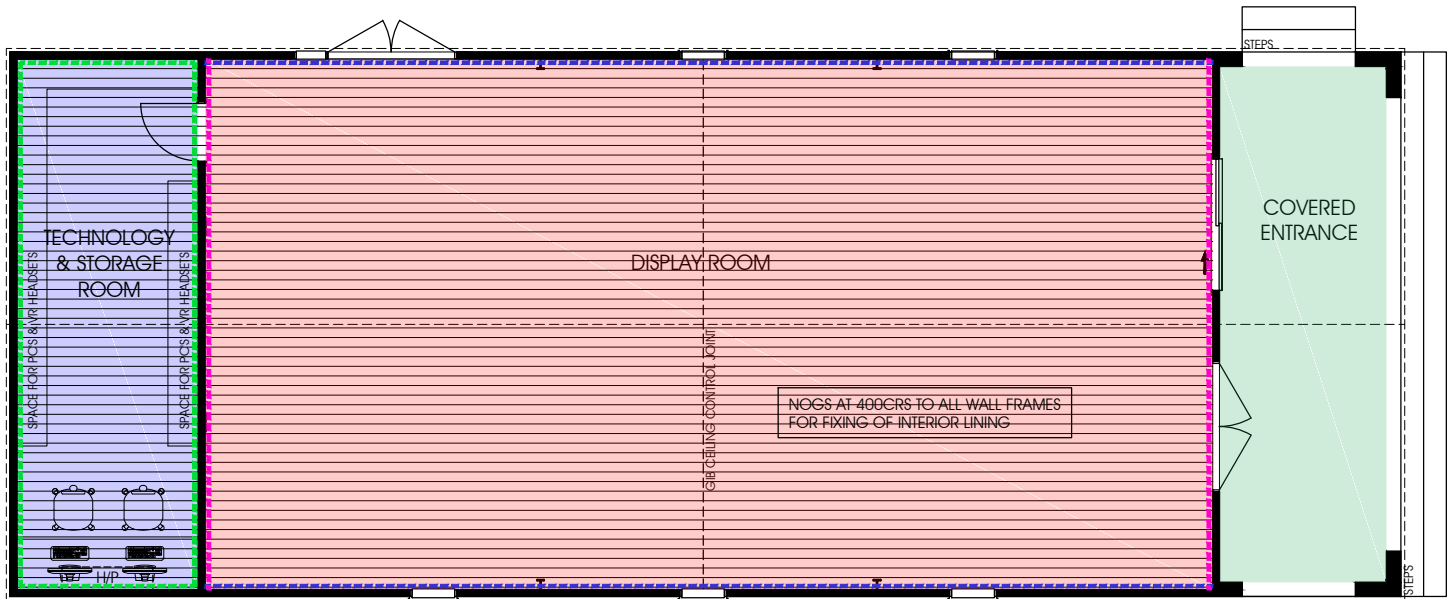
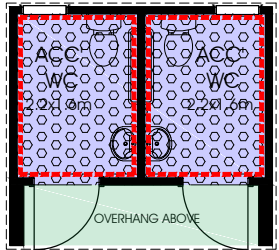
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Sheet:

L08



FINISHES PLAN
SCALE: 1:100

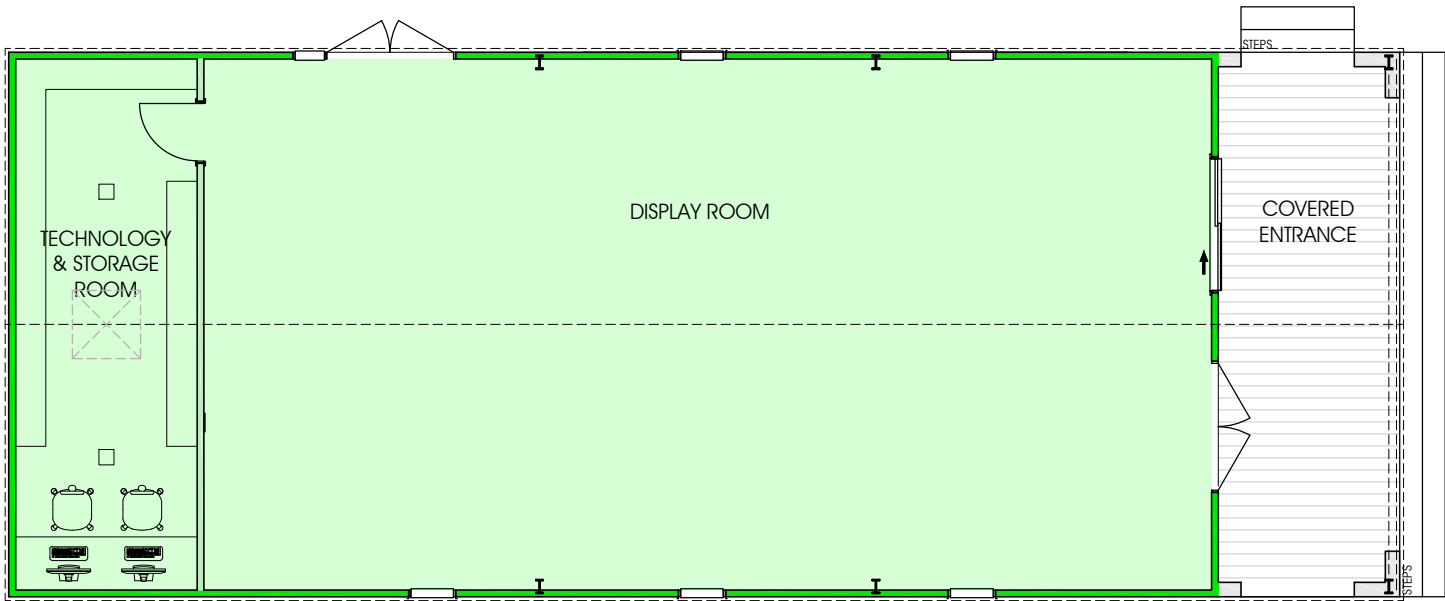
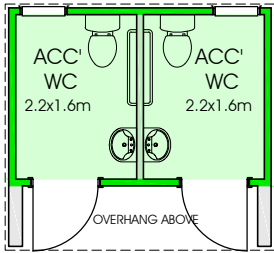
FLOOR FINISHES KEY

- SELECTED CARPET TILE (UNUSED)
- NON-SLIP VINYL FLOORING - COVED (TOTAL 7.4m²)
- QUICKSTEP IMPRESSIVE FLOORING (TOTAL 111m²)
- 13mm GIB ULTRALINE PLASTERBOARD-RAKING CEILING DIAPHRAGM (ALL JOINTS TO BE TAPED AND STOPPED) INSTALL 10mm PLYTECH CLICWALL OVER GIB CEILING. ENSURE CEILING BATTENS ARE AT 400CRS FOR PLYTECH FIXING
- SELECTED 9mm HERMPAC CEDAR T&G SOFFITS ON 70x35 H1.2 SG8 TIMBER STRAPPING AT 600CRS
- 13mm GIB ULTRALINE PLASTERBOARD WITH THREE COATS PAINT (SEMI-GLOSS FINISH - GROUP 2S FIRE RATED PAINT)
- 10mm PLYTECH CLICWALL MELAMINE FIRE RETARDANT MDF BOARD (COLOR TO BE SELECTED)
- 10mm PLYTECH CLICWALL MELAMINE FIRE RETARDANT MDF BOARD (ALTERNATE FEATURE COLOR TO BE SELECTED)
- 10mm GIB STANDARD PLASTERBOARD WITH THREE COATS PAINT (SEMI-GLOSS FINISH - GROUP 2S FIRE RATED PAINT)
- 4.5mm SERATONE CLASSIC WITH PVC JOINTERS

FINISHES:

- DISPLAY ROOM:
- FLOOR - QUICKSTEP IMPRESSIVE FLOORING (WITH HYDROSEAL)
 - WALLS - 10mm PLYTECH CLICWALL MELAMINED FIRE RETARDANT MDF BOARD FIXED OVER 45x10 STRAPPING FIXED ALONG NOG LINES AT 400CRS-
 - CEILING - 13mm GIB ULTRALINE PLASTERBOARD FOR RAKING CEILING DIAPHRAGM & FLAT CEILING OVER COUNTER (ALL JOINTS TO BE TAPED AND STOPPED) INSTALL 10mm PLYTECH CLICWALL MELAMINED FIRE RETARDANT MDF BOARD FIXED OVER 45x10 STRAPPING FIXED ALONG CEILING BATTEN LINES AT 400CRS
- TECH ROOM:
- FLOOR - QUICKSTEP IMPRESSIVE FLOORING (WITH HYDROSEAL)
 - WALLS - 10mm GIB STANDARD PLASTERBOARD WITH THREE COATS PAINT (SEMI-GLOSS FINISH - GROUP 2S FIRE RATED PAINT)
 - CEILING - 13mm GIB ULTRALINE PLASTERBOARD WITH THREE COATS PAINT (SEMI-GLOSS FINISH - GROUP 2S FIRE RATED PAINT)
- ACC WC:
- FLOOR - SELECTED NON-SLIP VINYL FLOORING
 - WALLS - 4.5mm SERATONE CLASSIC WITH PVC JOINTERS
 - CEILING - 13mm GIB ULTRALINE PLASTERBOARD WITH THREE COATS PAINT (SEMI-GLOSS FINISH)

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KEY:

WALLS:

MAMMOTH WALL R2.5 INSULATION

MAMMOTH WALL R2.2 INSULATION

MAMMOTH ACOUSTIC SOUND INSULATION

CEILINGS AND MID-FLOORS:

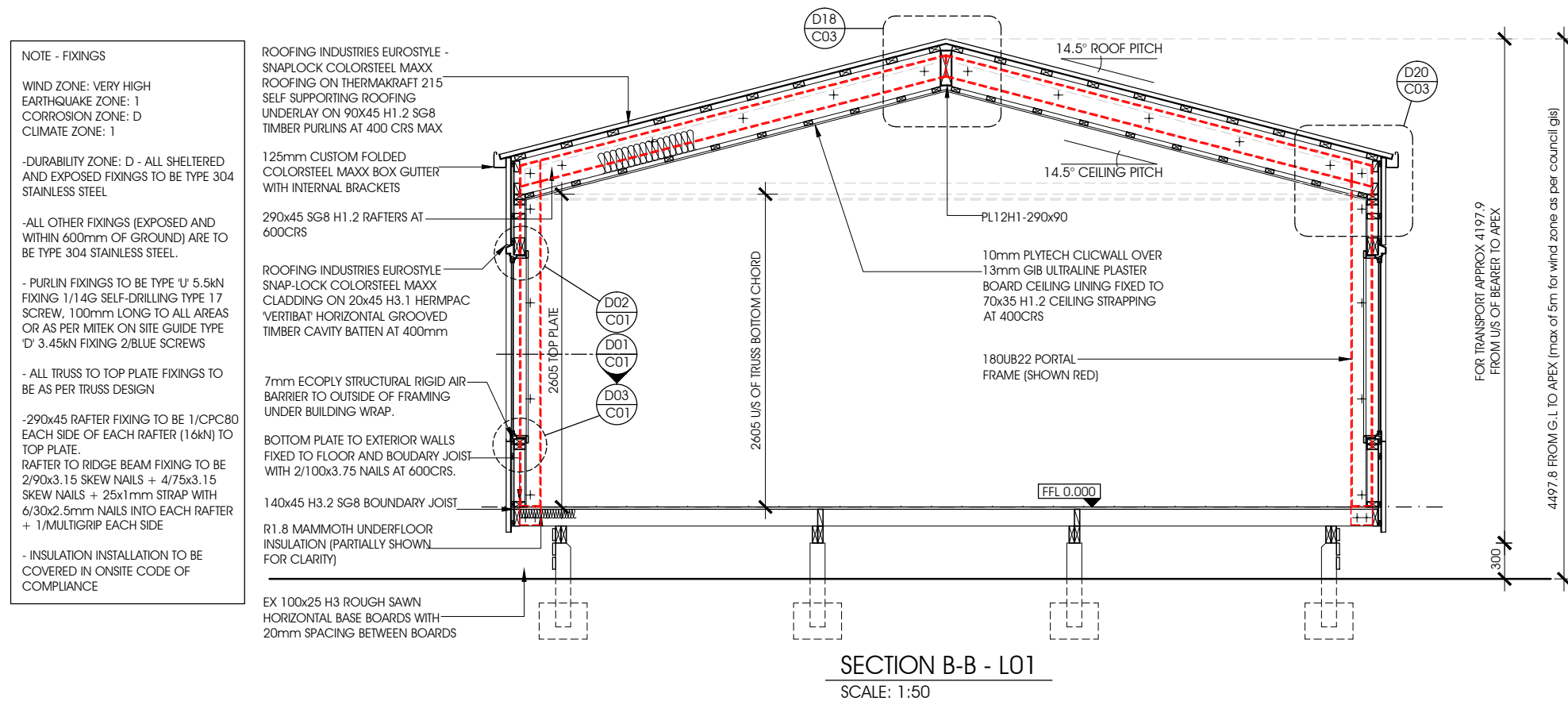
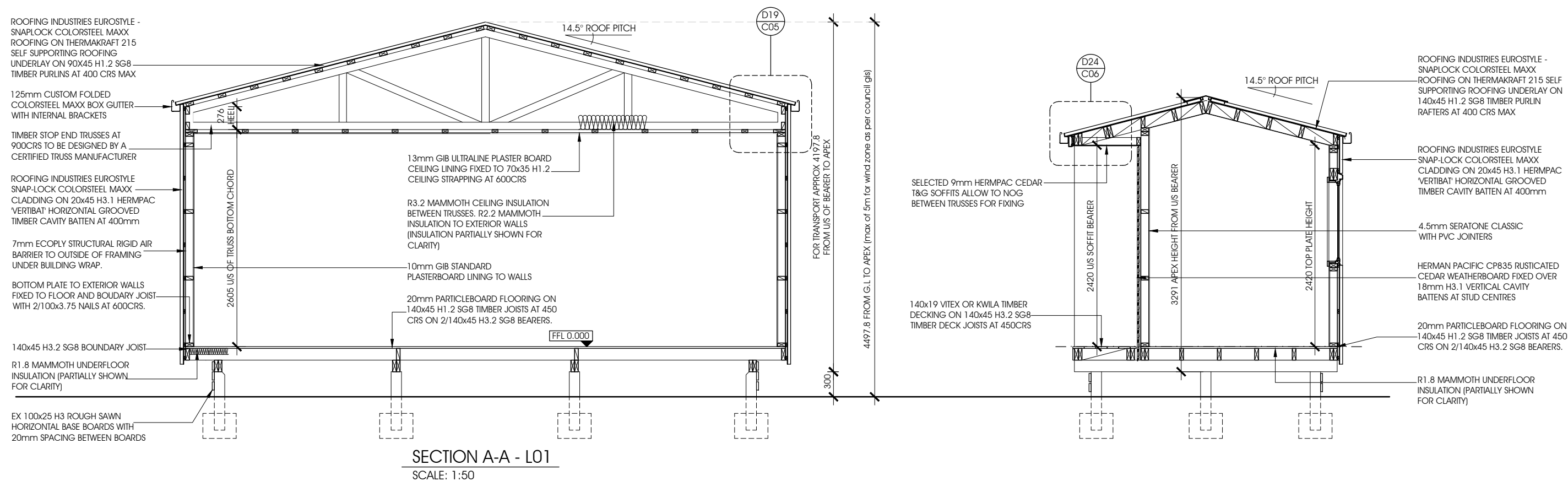
1 LAYER OF MAMMOTH R3.2 CEILING INSULATION

MAMMOTH R1.8 CEILING INSULATION WITH MAMMOTH R3.2 BLANKET TO COVER TOTAL (R5.2)

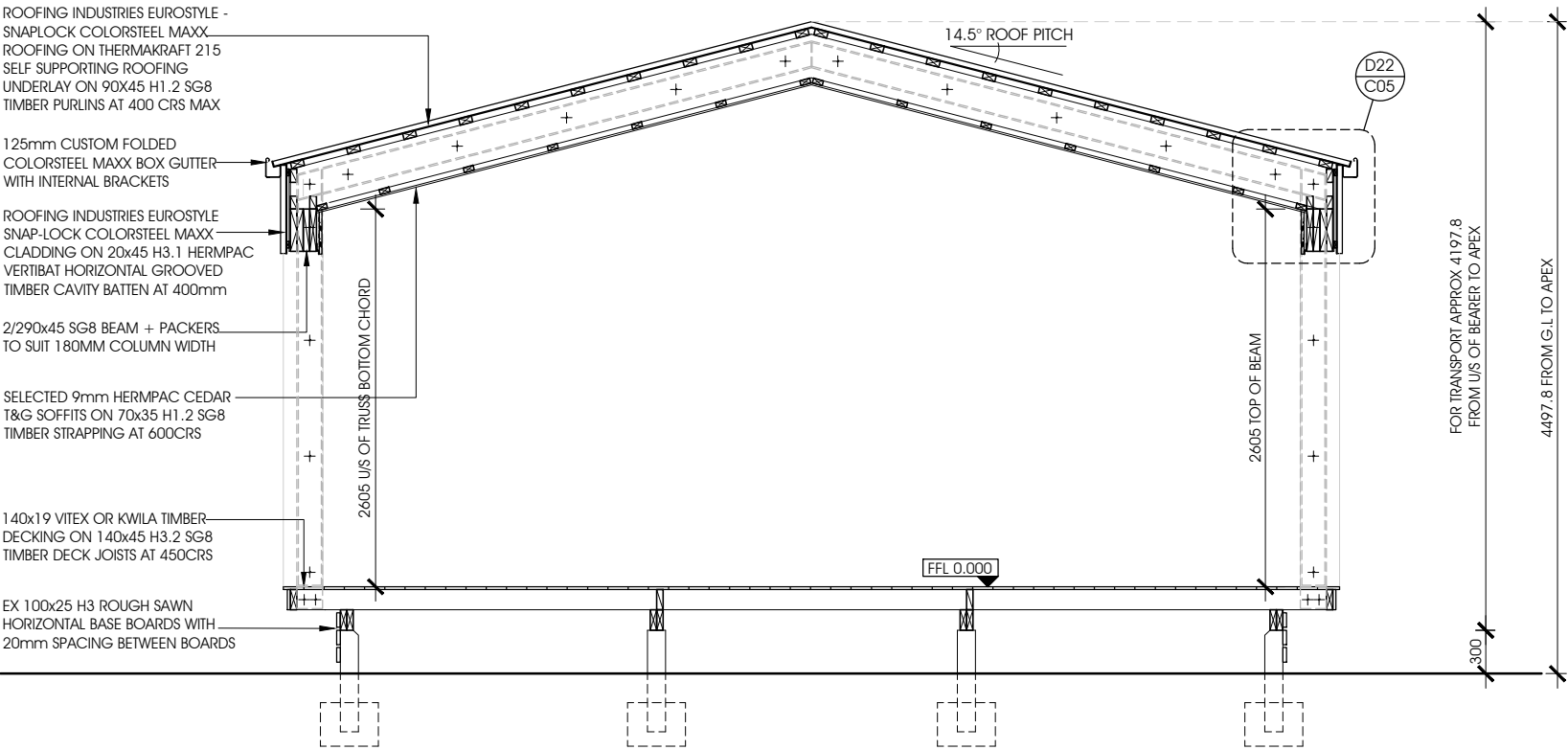
MAMMOTH R2.9 SKILLION ROOF INSULATION

INSULATION PLAN
SCALE : 1:100

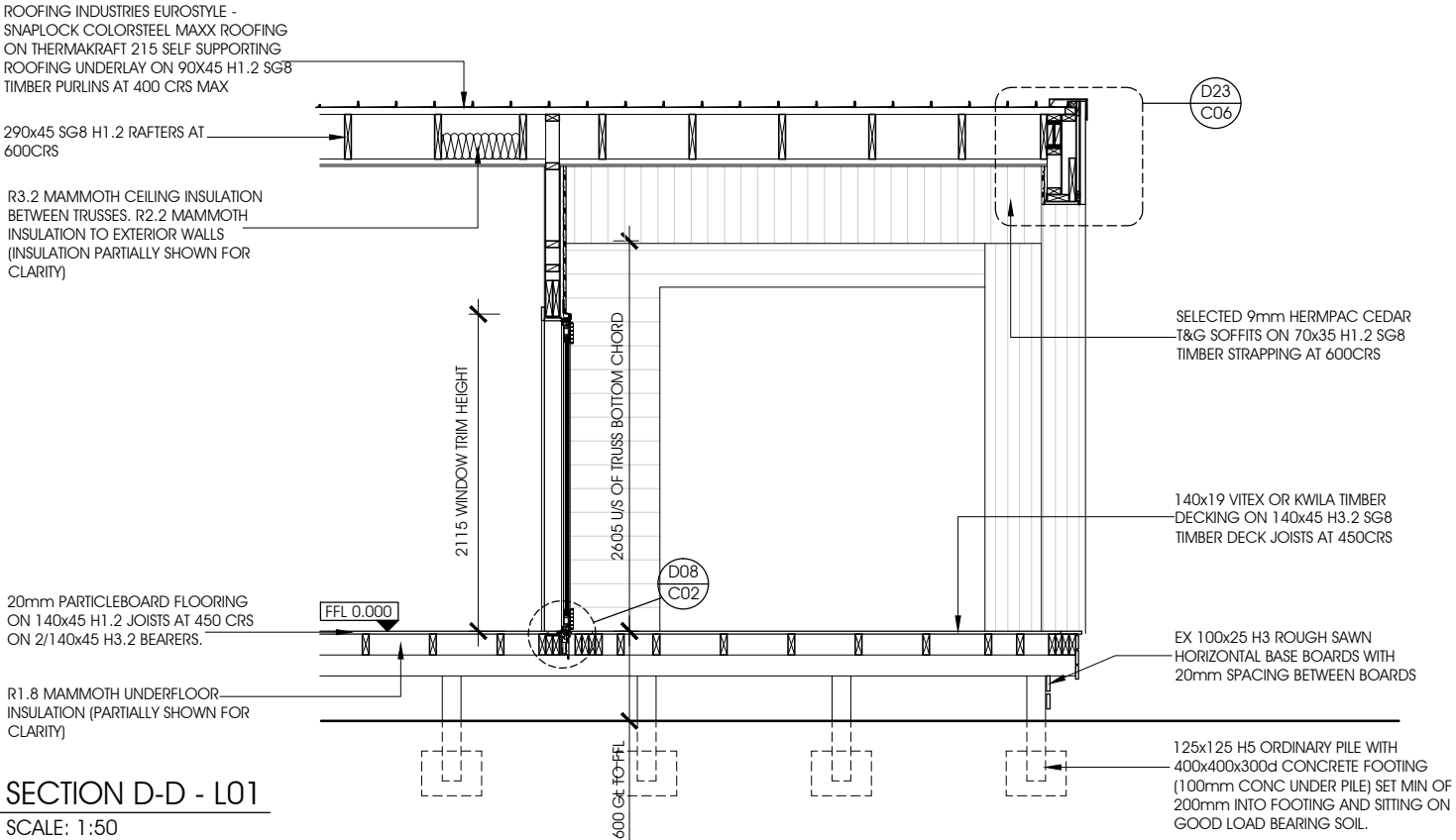
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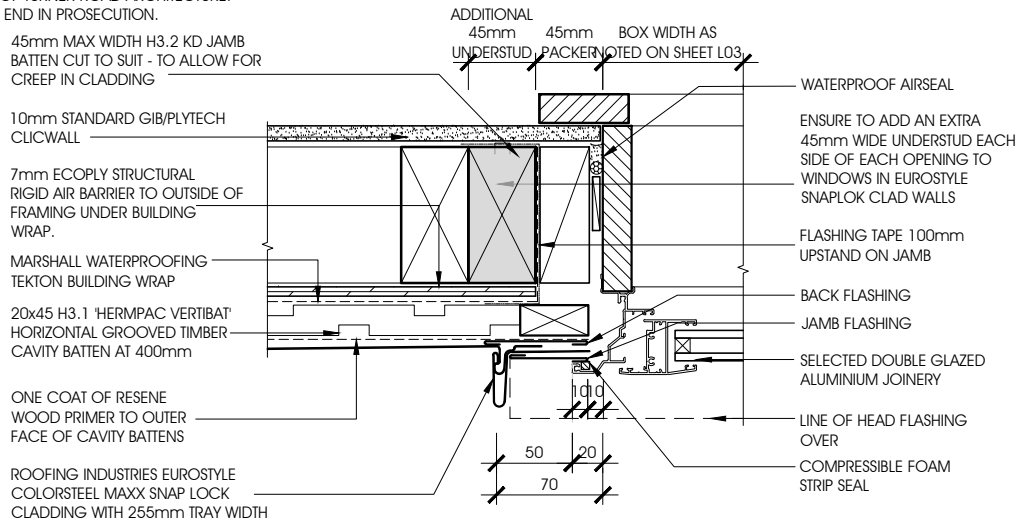
SECTION C-C - L01
SCALE: 1:50



SECTION D-D - L01
SCALE: 1:50

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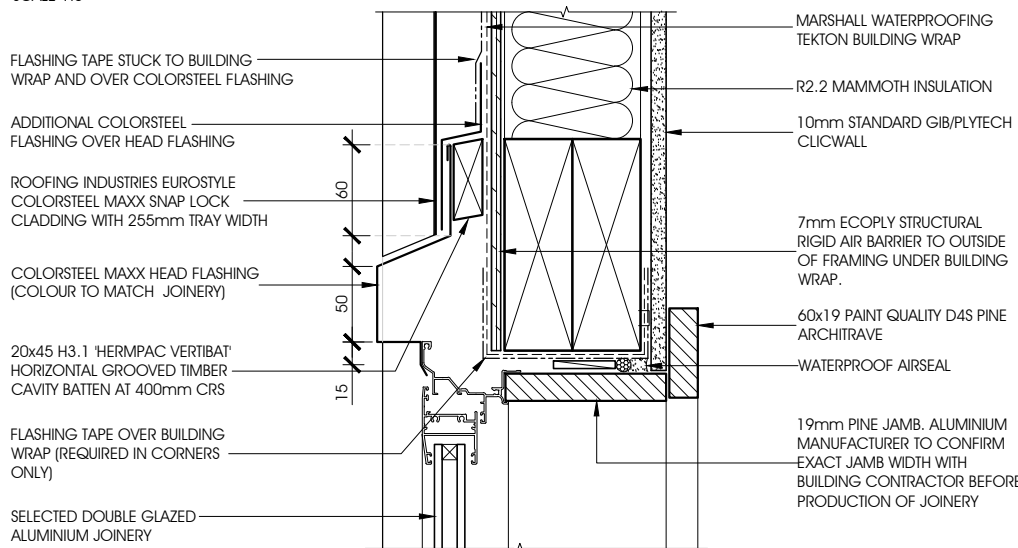
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DETAIL 01 - A01

WINDOW JAMB DETAIL - ROOFING INDUSTRIES EUROSTYLE

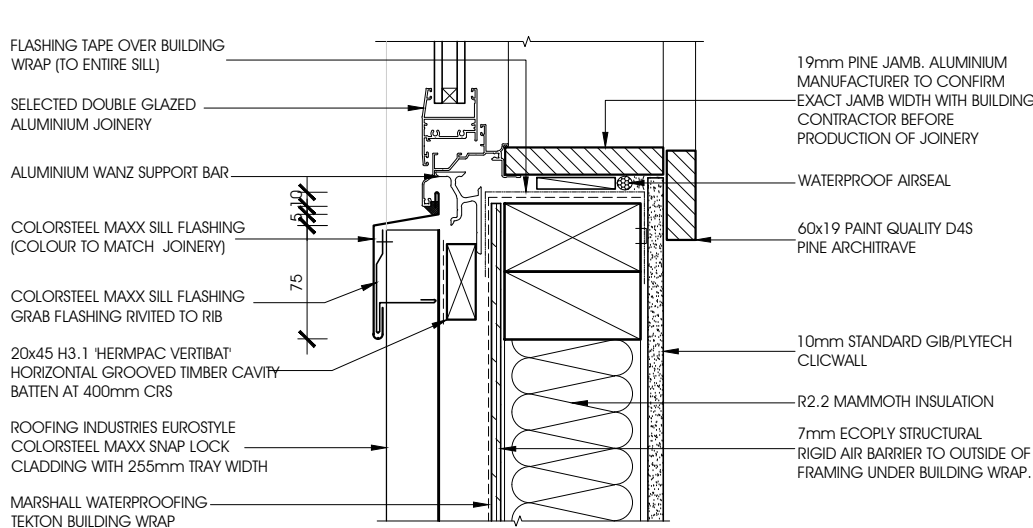
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DETAIL 02 - A01

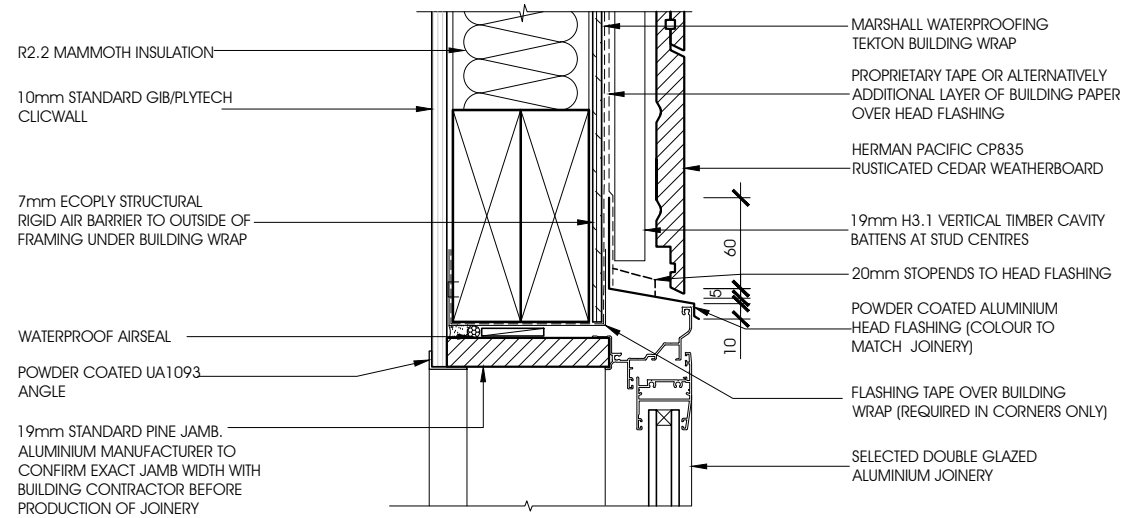
WINDOW HEAD DETAIL - ROOFING INDUSTRIES EUROSTYLE

SCALE 1:5



DETAIL 03 - A01

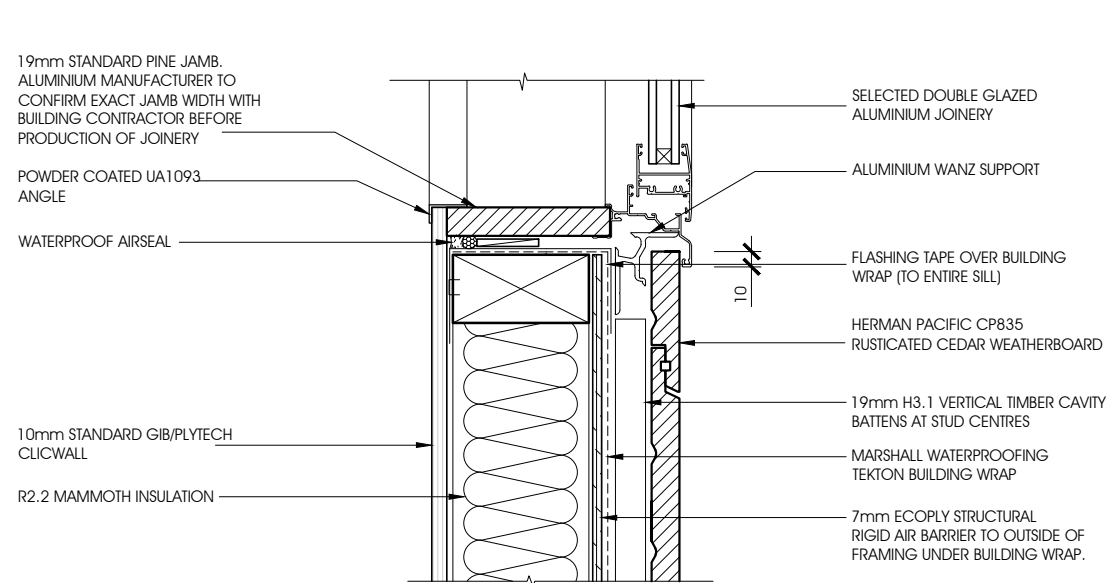
WINDOW SILL DETAIL - ROOFING INDUSTRIES EUROSTYLE



DETAIL 04 - A02

WINDOW HEAD DETAIL - RUSTICATED CEDAR WEATHERBOARD

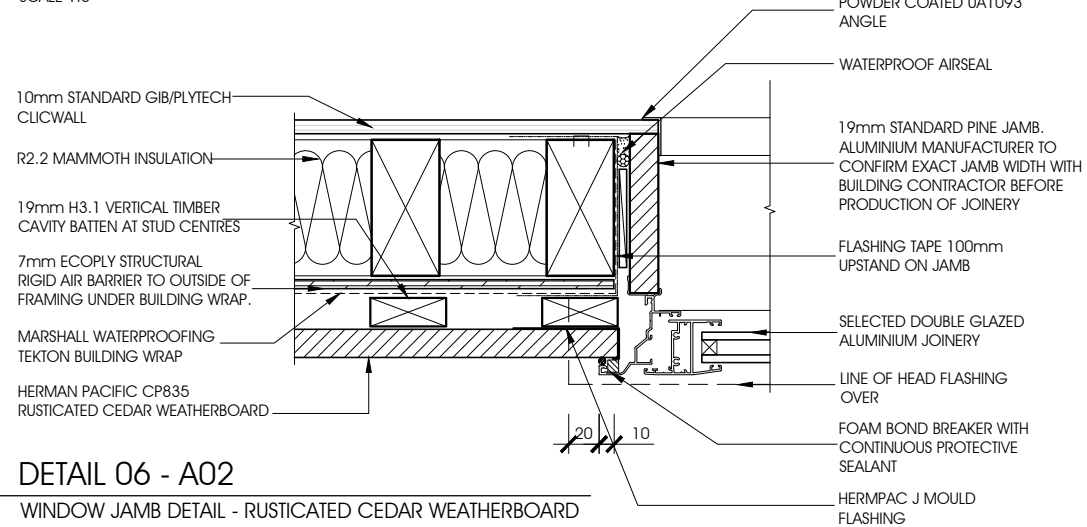
SCALE 1:5



DETAIL 05 - A02

WINDOW SILL DETAIL - RUSTICATED CEDAR WEATHERBOARD

SCALE 1:5



DETAIL 06 - A02

WINDOW JAMB DETAIL - RUSTICATED CEDAR WEATHERBOARD

SCALE 1:5

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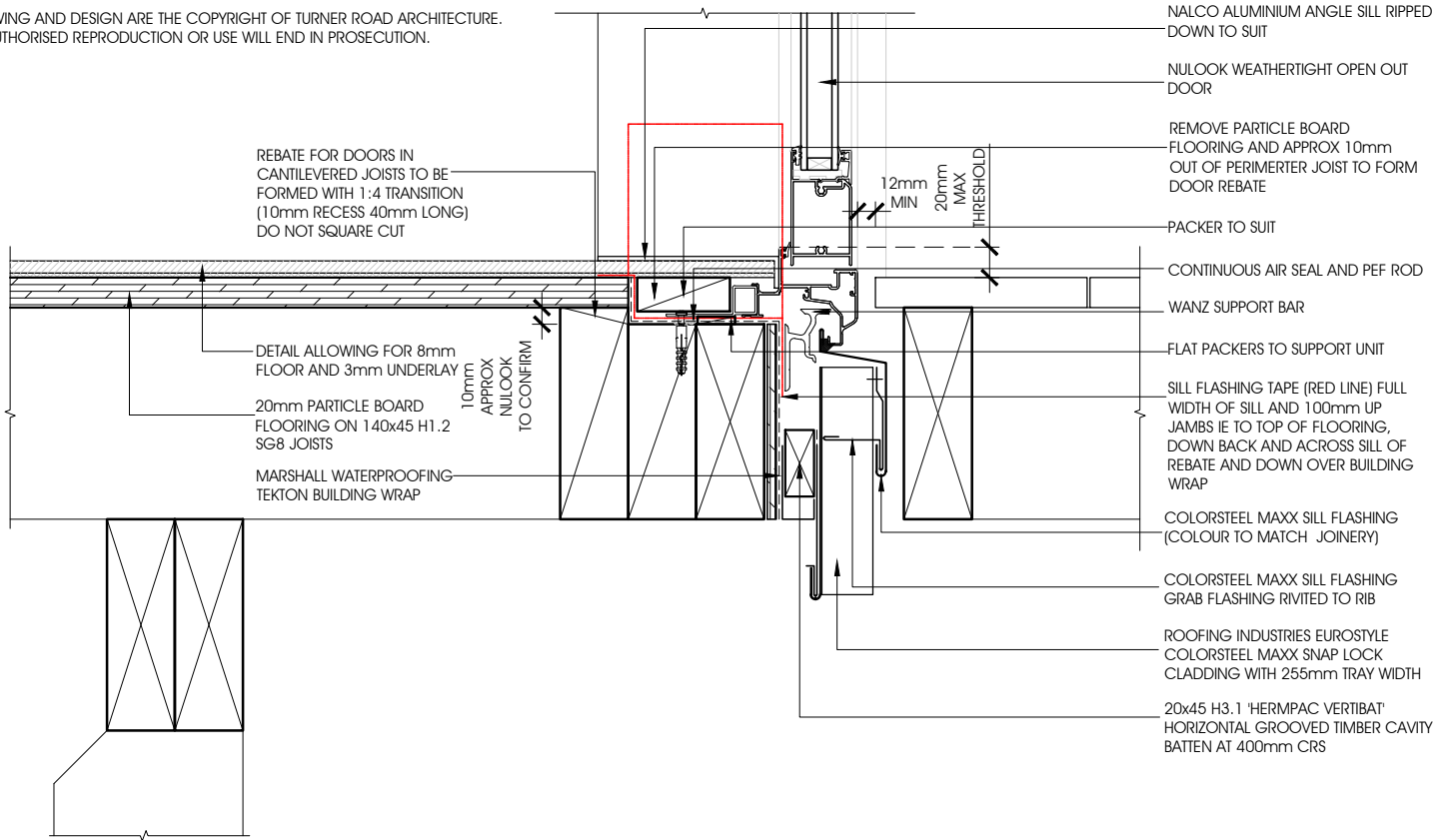
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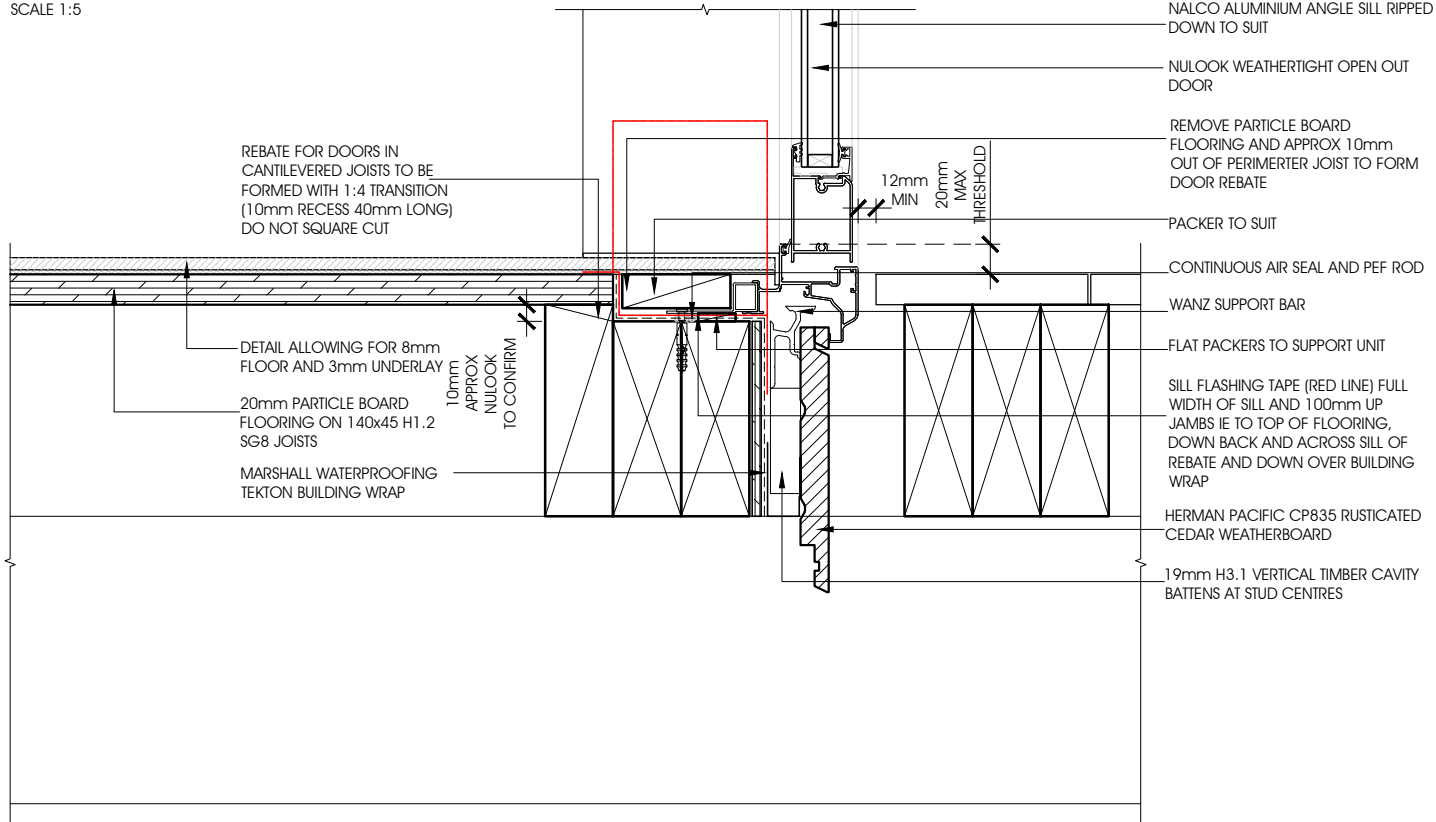
Drawing:

Details Sheet 1

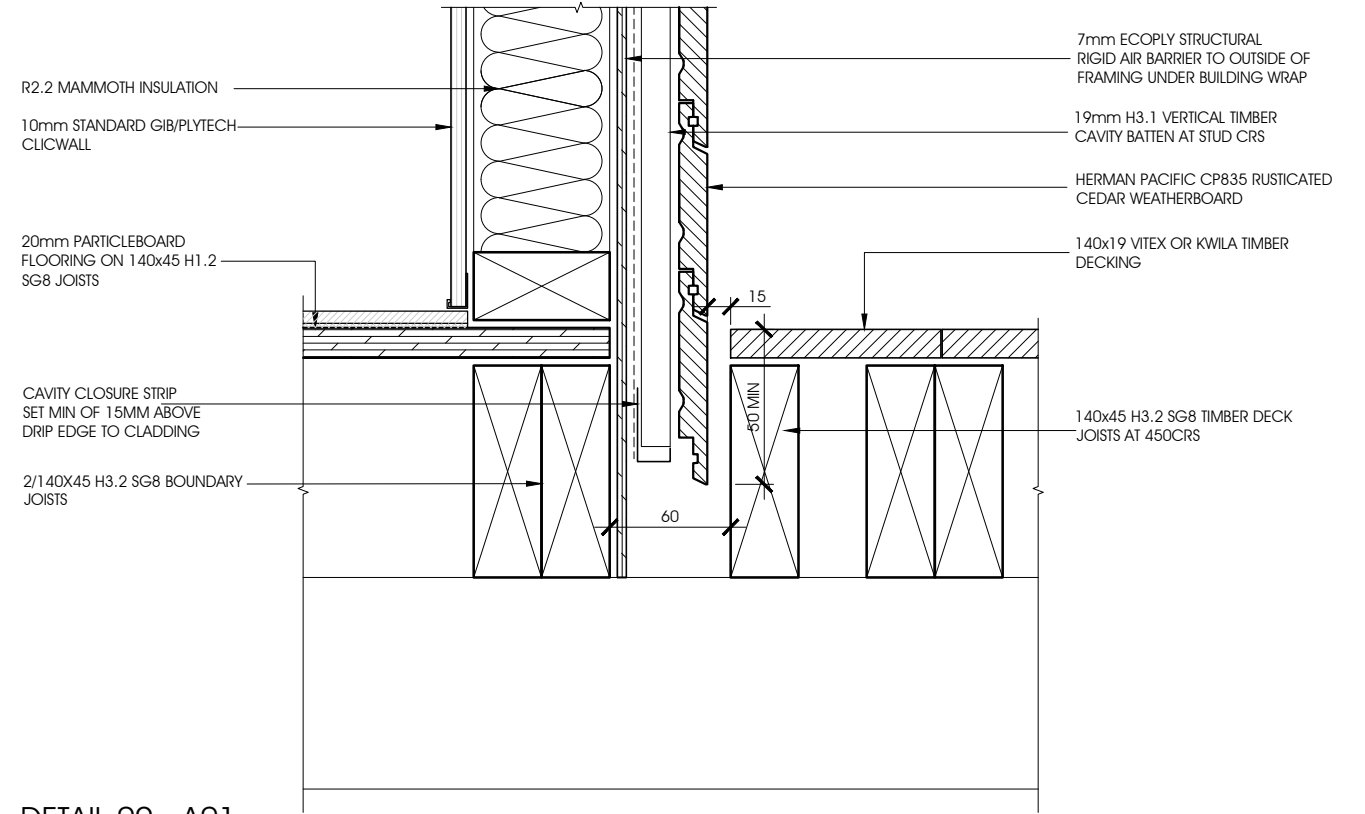
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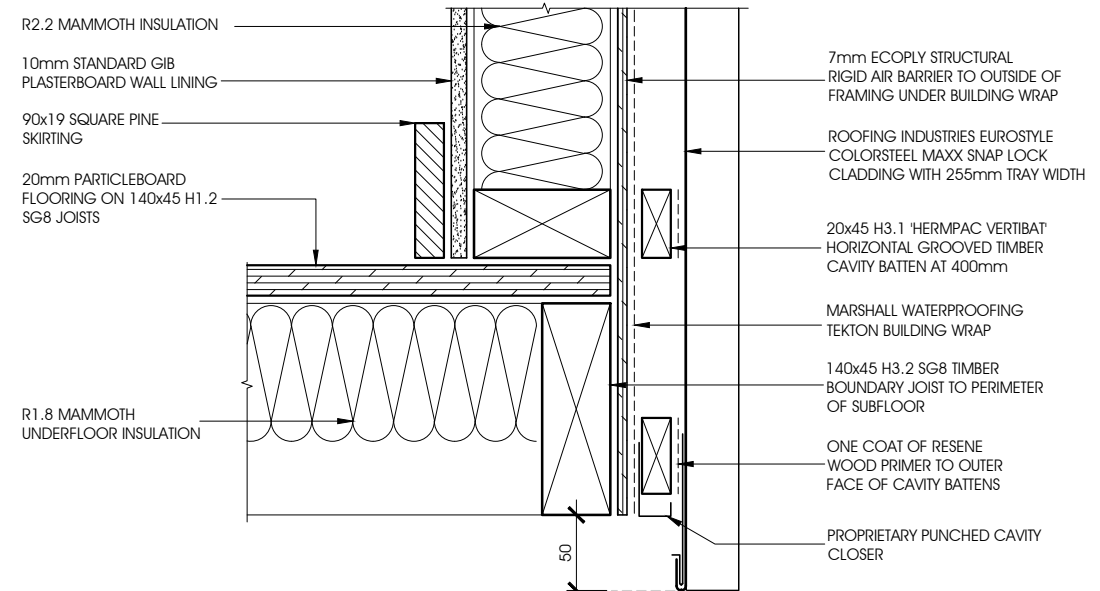
DETAIL 07 - A01
DOOR SILL DETAIL - DECK
SCALE 1:5



DETAIL 08 - A02
DOOR SILL DETAIL - DECK
SCALE 1:5



DETAIL 09 - A01
WALL/FLOOR JUNCTION - CEDAR WEATHERBOARDS
SCALE 1:5



DETAIL 10 - A01
WALL/FLOOR JUNCTION - ROOFING INDUSTRIES EUROSTYLE
SCALE 1:5

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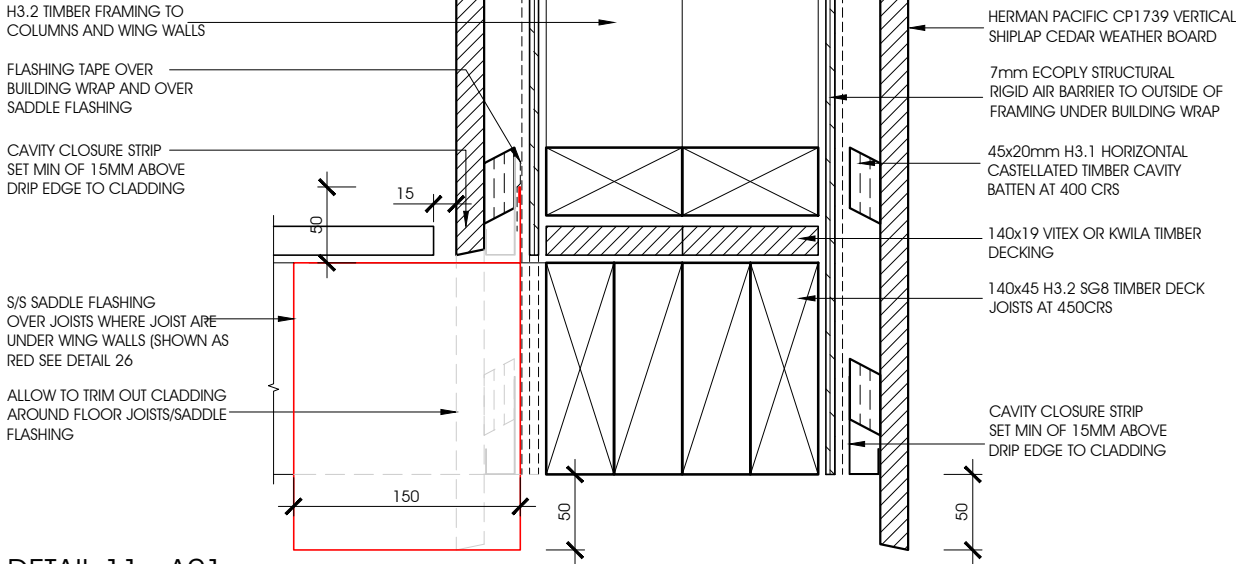
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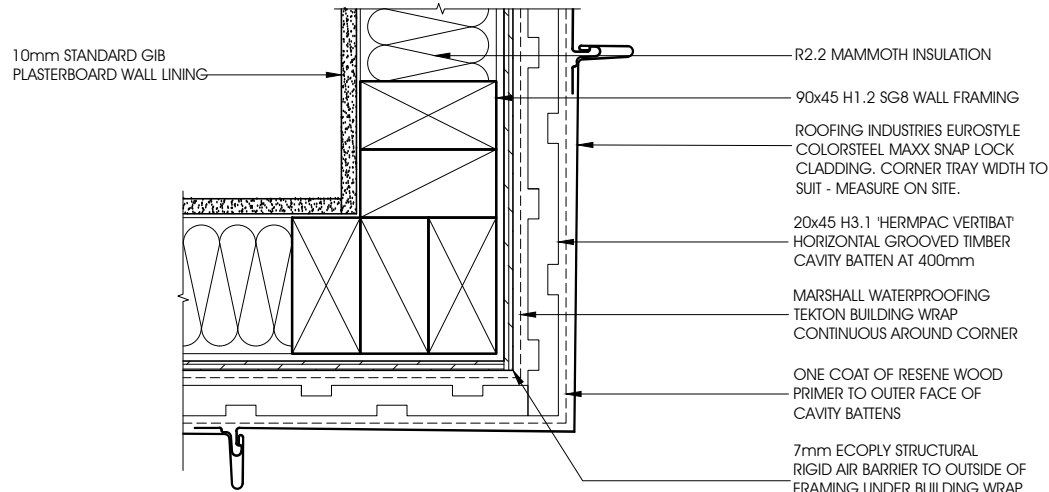
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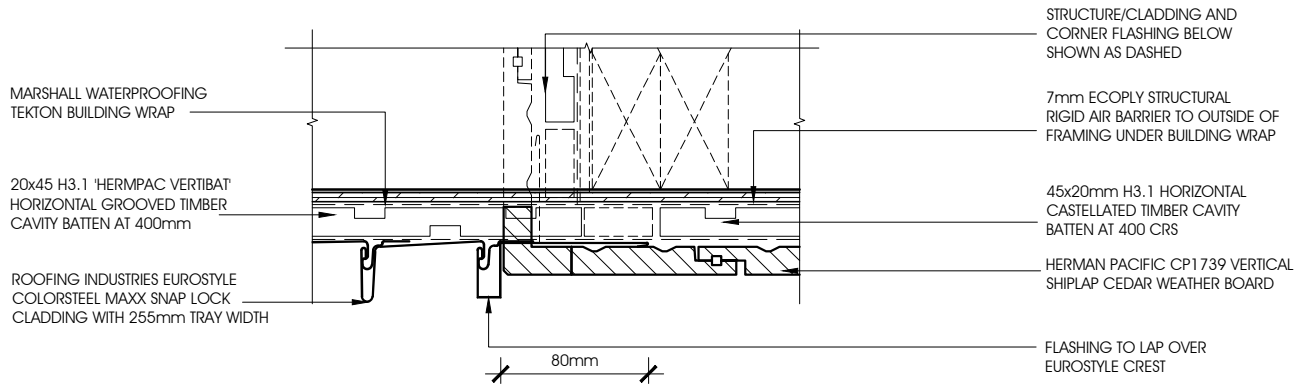
DETAIL 11 - A01

WALL/FLOOR JUNCTION - CEDAR WEATHERBOARDS
SCALE 1:5



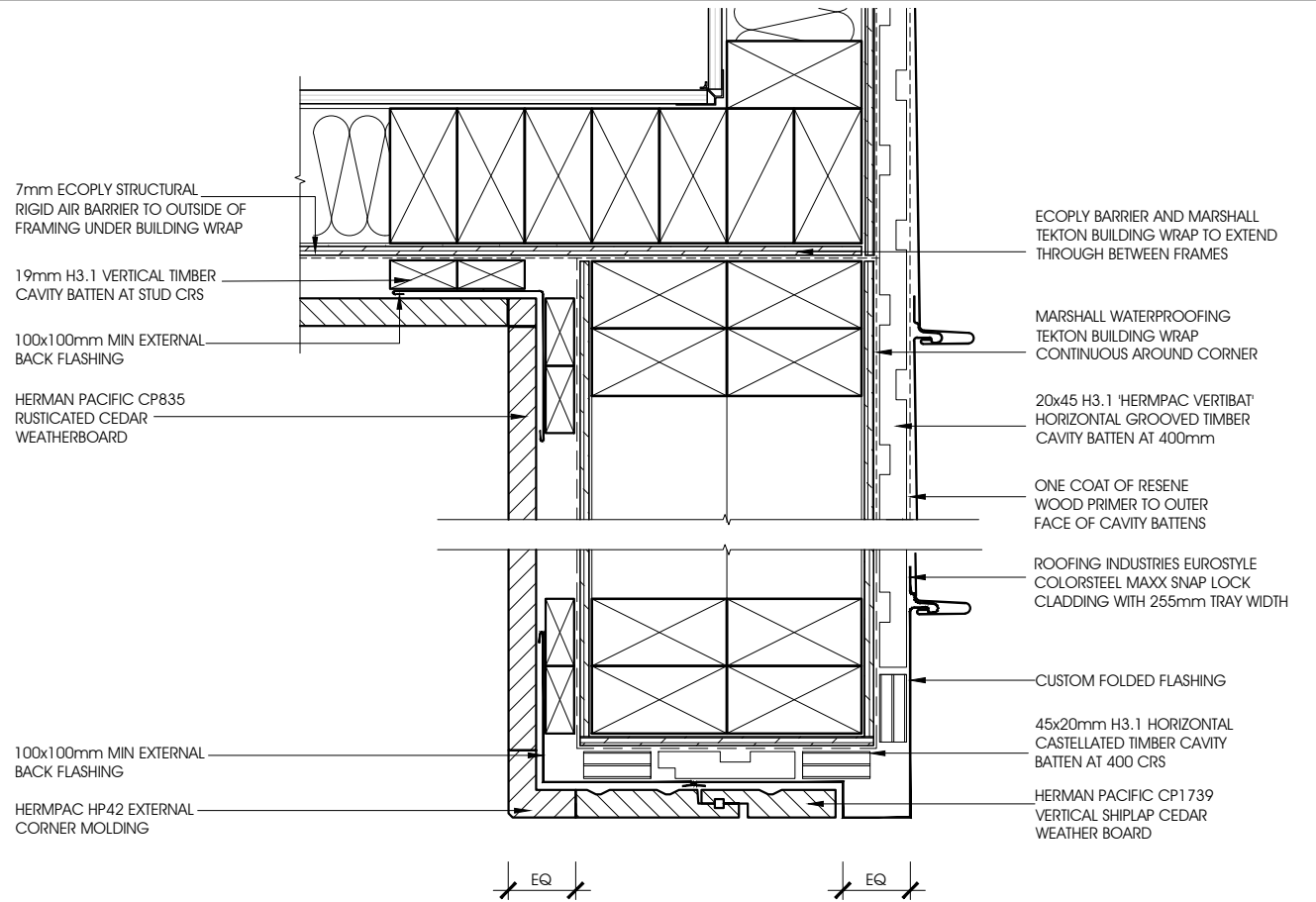
DETAIL 12 - L03

EXTERIOR EXTERNAL CORNER - ROOFING INDUSTRIES EUROSTYLE
SCALE 1:5



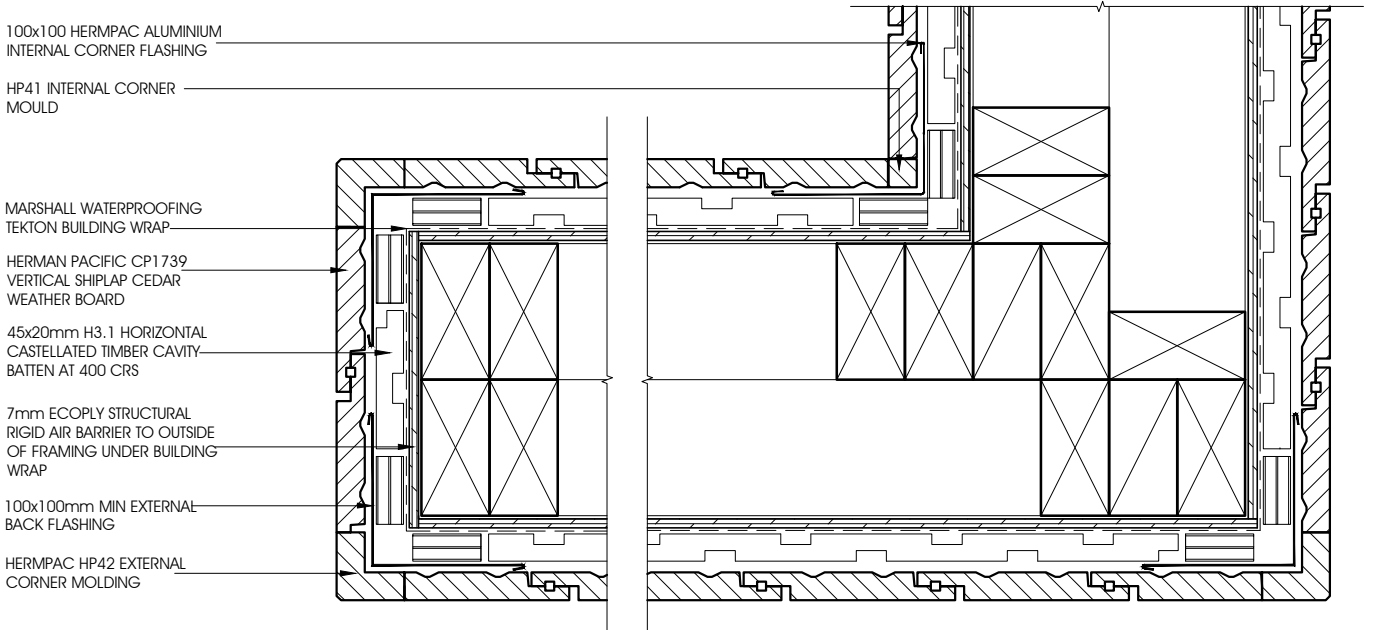
DETAIL 13 - L03

INTERNAL CORNER - EUROSTYLE TO CEDAR BOARDING
SCALE 1:5



DETAIL 14 - L03

INTERNAL CORNER - EUROSTYLE TO CEDAR BOARDING
SCALE 1:5



DETAIL 15 - L03

COLUMN CORNER CLADDING JUNCTION - SHIPLAP CEDAR WEATHERBOARD
SCALE 1:5

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Details Sheet 3

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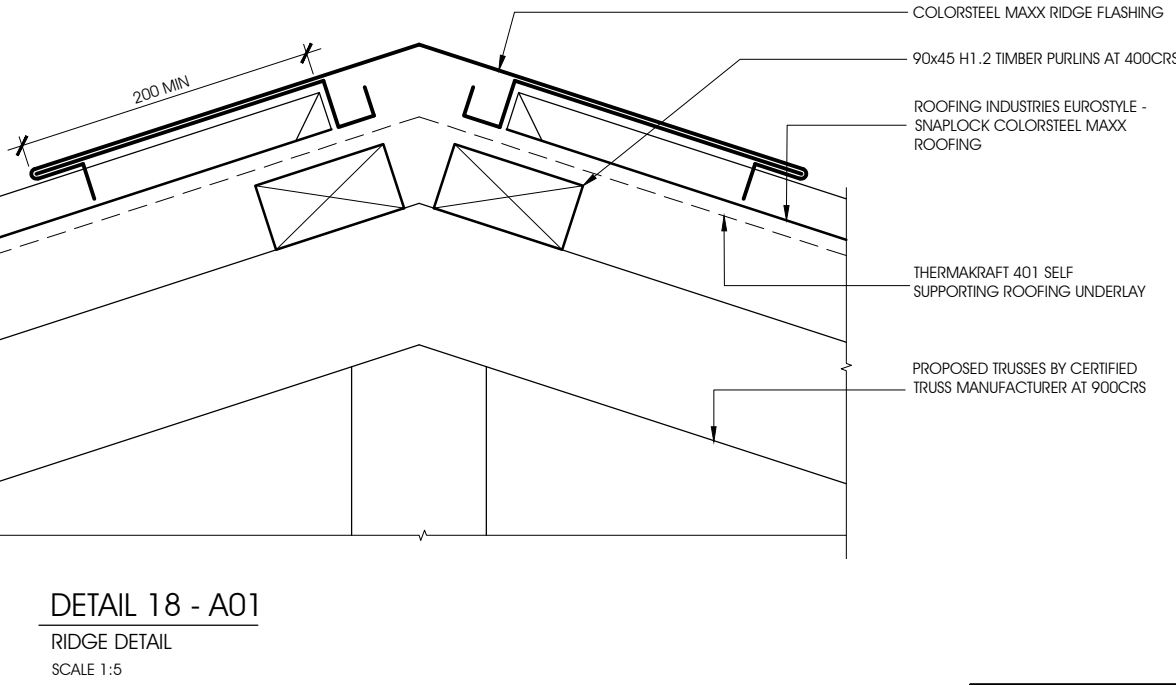
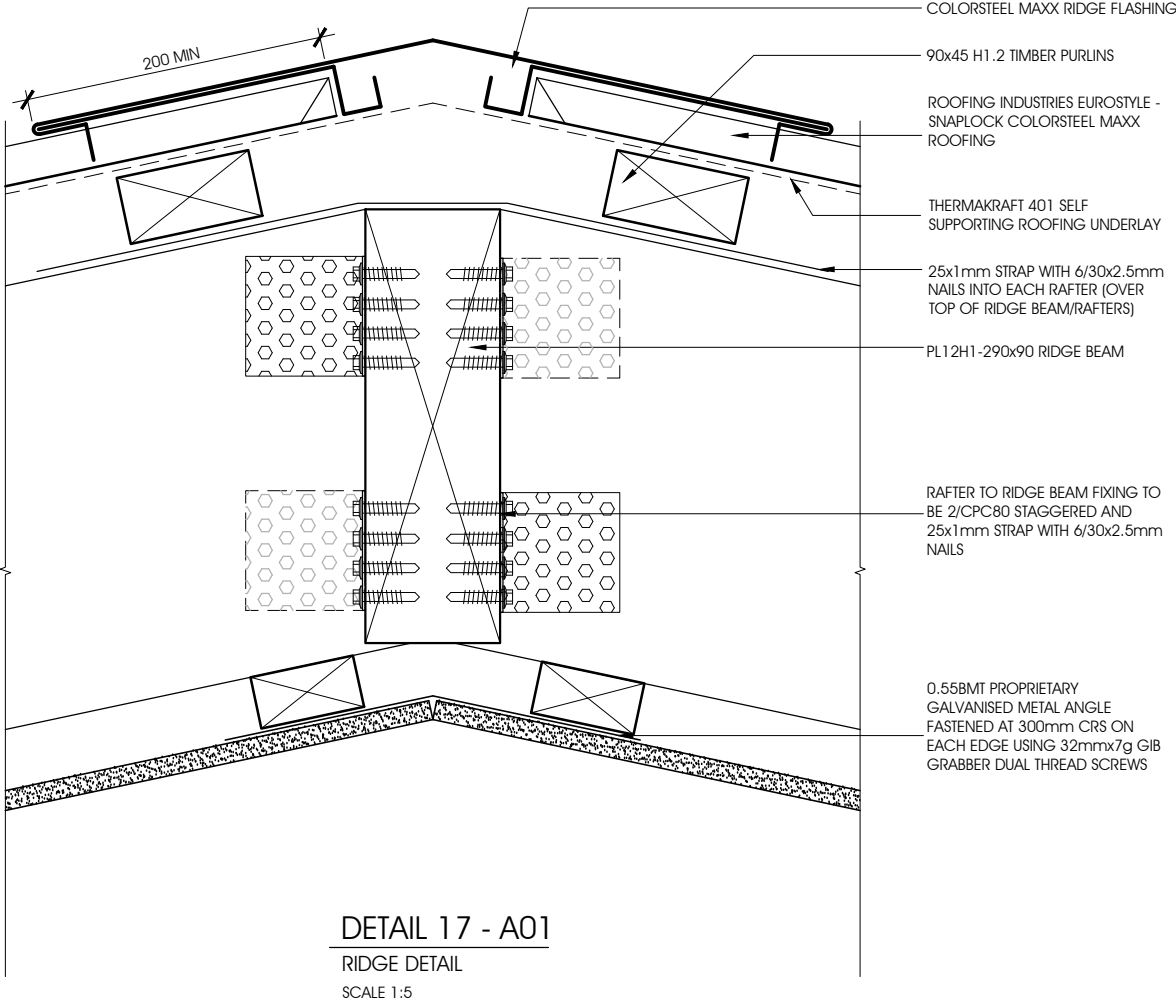
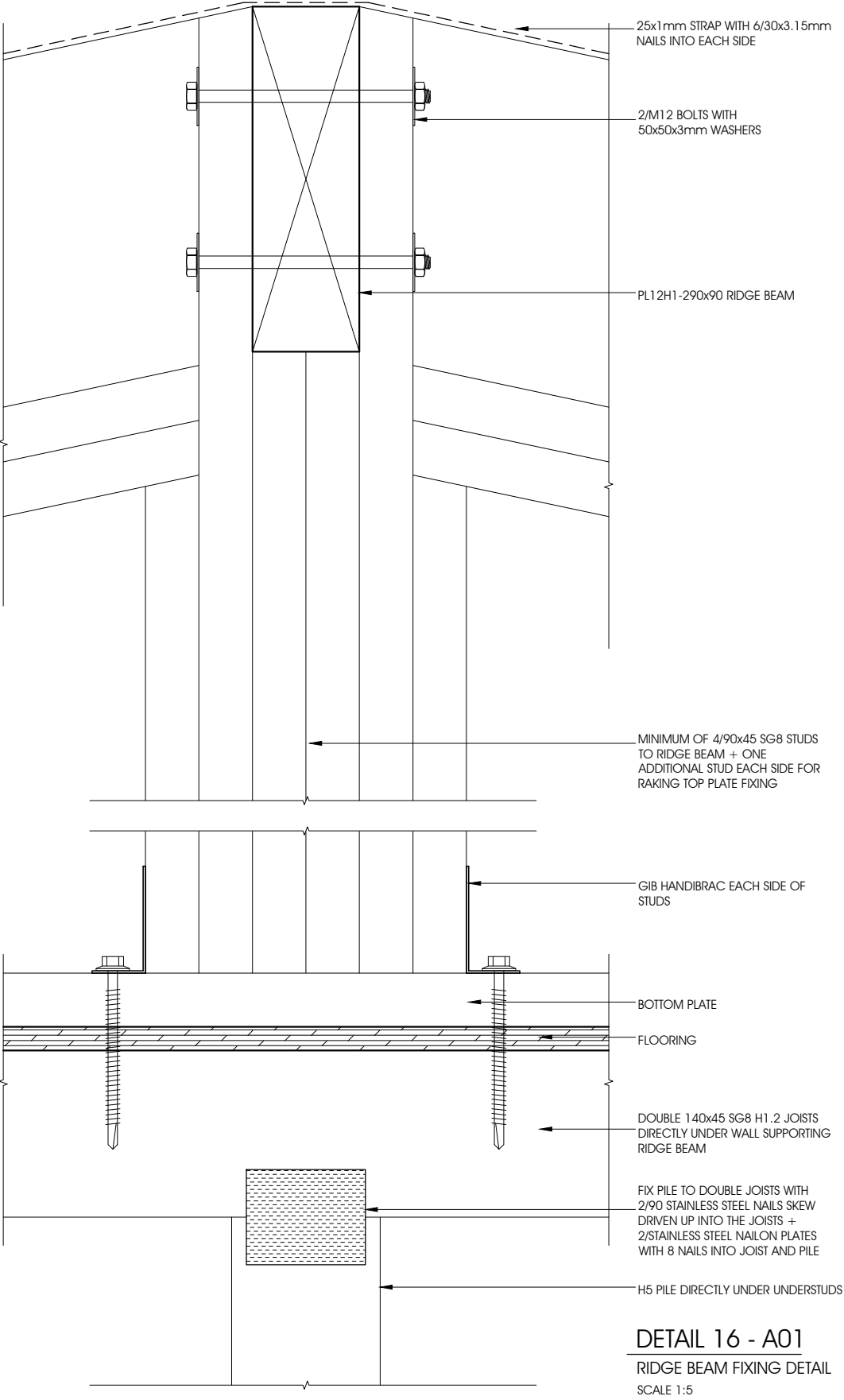
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ROOFING INDUSTRIES
EUROSTYLE - SNAPLOCK
COLORSTEEL MAXX
ROOFING

THERMAKRAFT 215 SELF
SUPPORTING ROOFING
UNDERLAY LAID ON
POLYPROPYLENE STRAPPING
AT 300 CRS MAX

13mm GIB ULTRA LINE
PLASTERBOARD LINING

R3.2 MAMMOTH CEILING
INSULATION

SQUARE STOP PLASTER SCOTIA

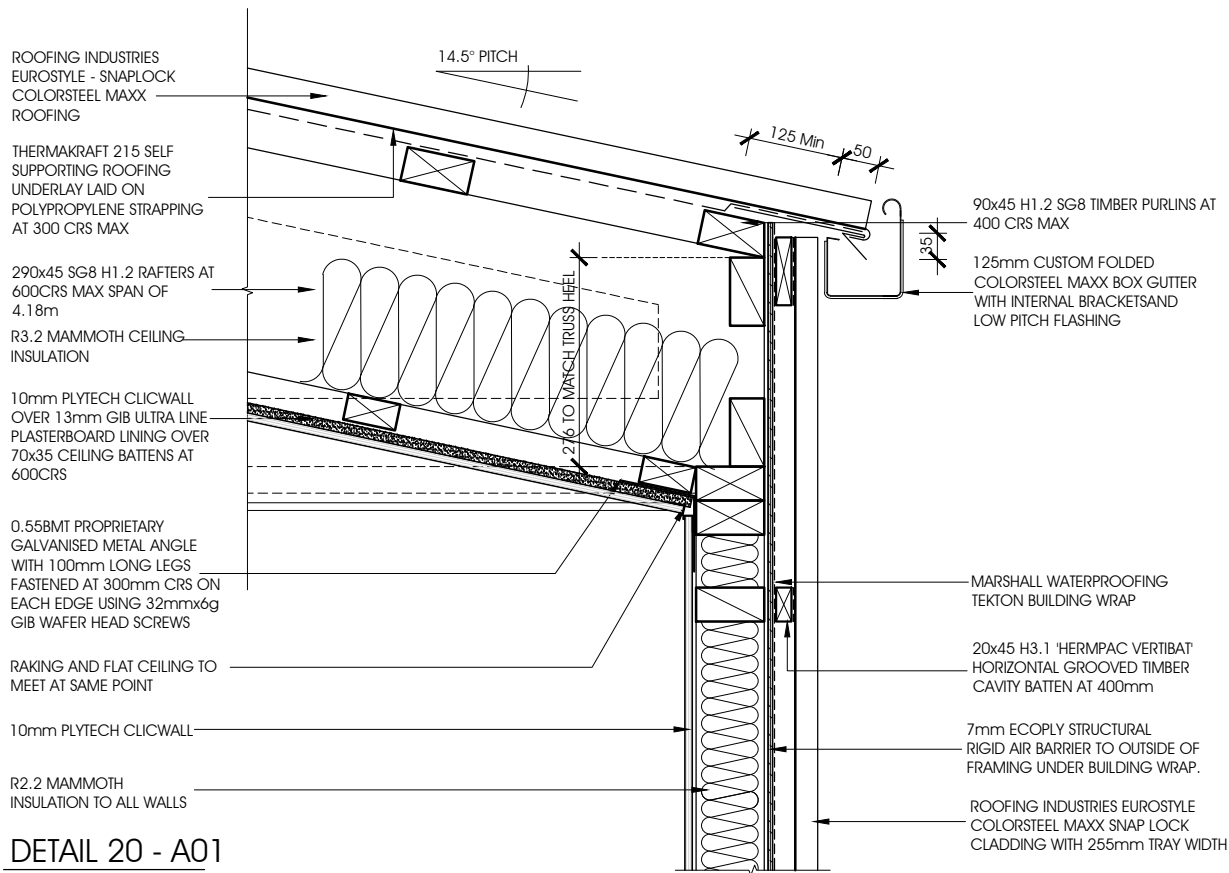
140x35 H1.2 SG8 STRAPPING
ON 90x45 H1.2 TOP PLATE TO
FLAT CEILING AREAS (TYPICAL)

R2.2 MAMMOTH
INSULATION TO ALL WALLS

DETAIL 19 - A01

SOFFIT DETAIL 1

SCALE 1:10



DETAIL 20 - A01

SOFFIT DETAIL 2

SCALE 1:10

ROOFING INDUSTRIES
EUROSTYLE - SNAPLOCK
COLORSTEEL MAXX
ROOFING

THERMAKRAFT 401 SELF
SUPPORTING ROOFING
UNDERLAY

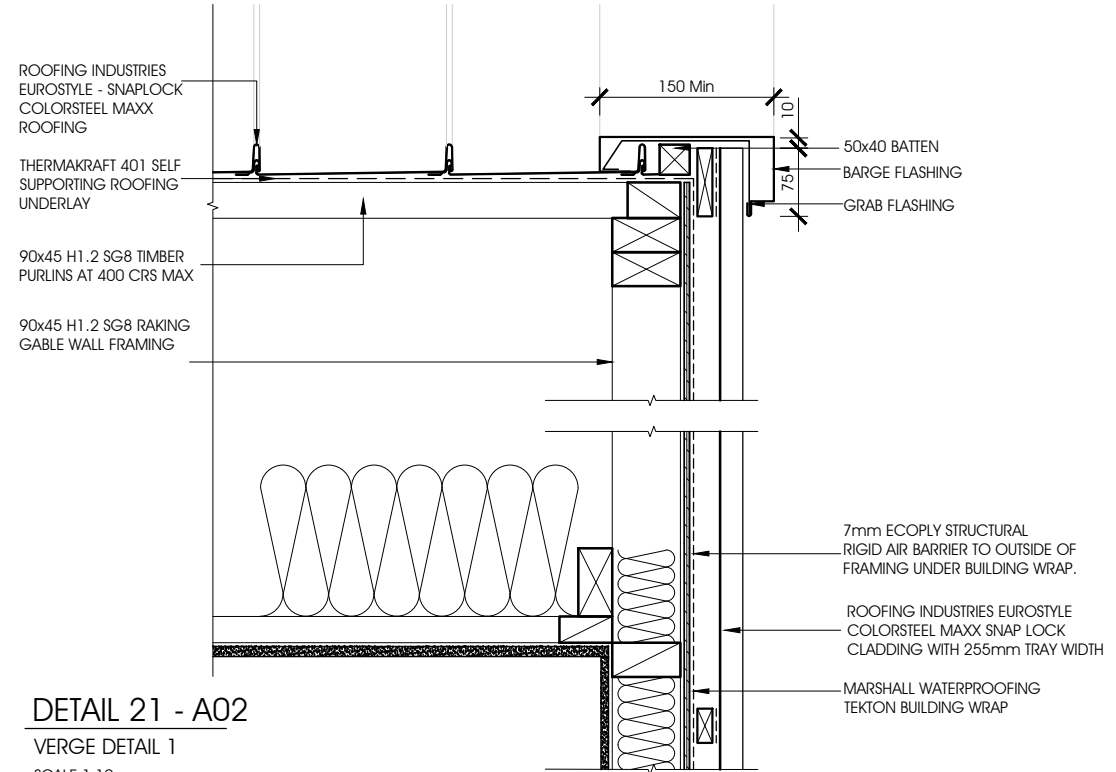
90x45 H1.2 SG8 TIMBER
PURLINS AT 400 CRS MAX

90x45 H1.2 SG8 RAKING
GABLE WALL FRAMING

DETAIL 21 - A02

VERGE DETAIL 1

SCALE 1:10



ROOFING INDUSTRIES
EUROSTYLE - SNAPLOCK
COLORSTEEL MAXX ROOFING

THERMAKRAFT 215 SELF SUPPORTING
ROOFING UNDERLAY LAID ON
POLYPROPYLENE STRAPPING AT 300
CRS MAX

SELECTED 9mm HERMPAC CEDAR
T&G SOFFITS ON 70x35 H1.2 SG8
TIMBER STRAPPING AT 600CRS

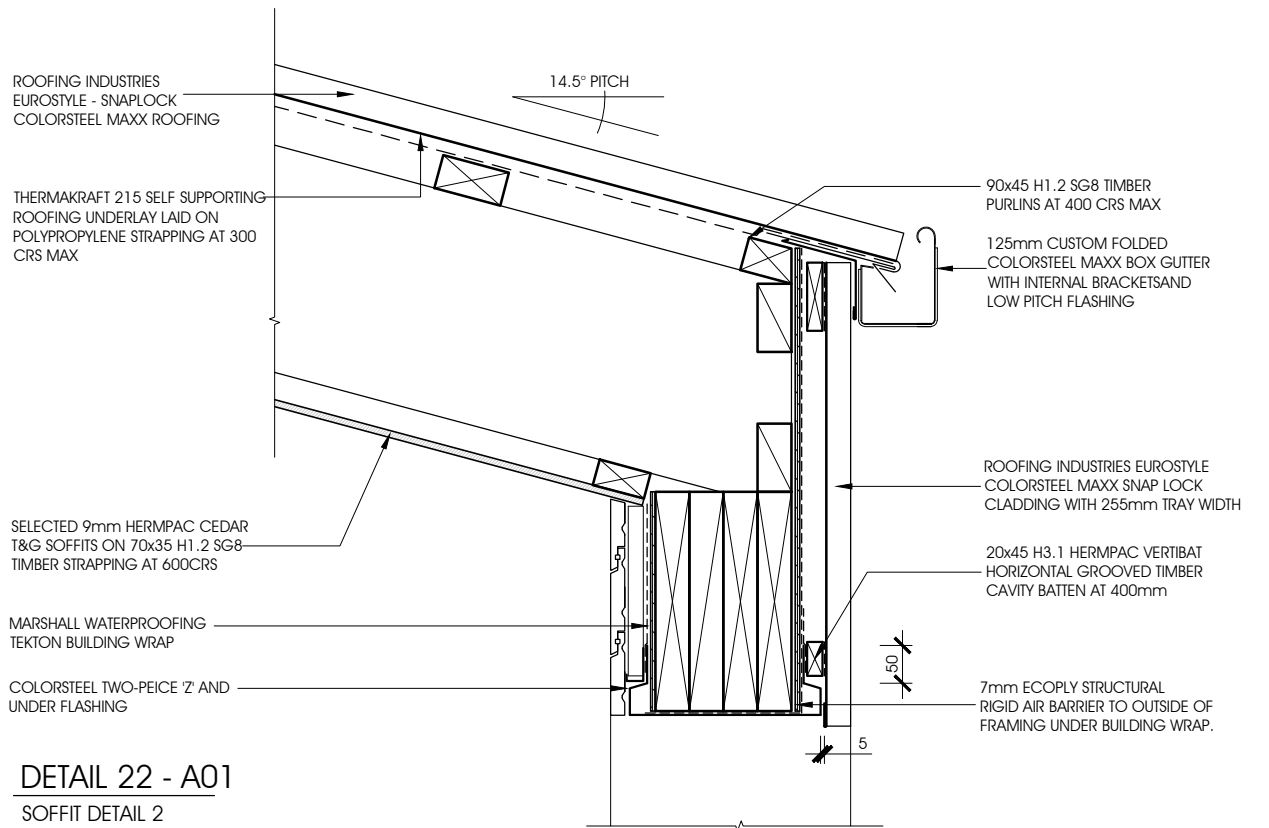
MARSHALL WATERPROOFING
TEKTON BUILDING WRAP

COLORSTEEL TWO-PEICE 'Z' AND
UNDER FLASHING

DETAIL 22 - A01

SOFFIT DETAIL 2

SCALE 1:10



elevate
architectural transportables

ELEVATE ARCHITECTURAL TRANSPORTABLES
221 HANNON ROAD, CAMBRIDGE
Ph: 07 827 0433 Mob :021399406

Client:

Kupe Waka Center

Site:

4554 State Highway 10, Taipa

Drawing:

Details Sheet 5

D5 06/08/20 ISSUED FOR PRICING

REV DATE REVISION

Drawn By: CW

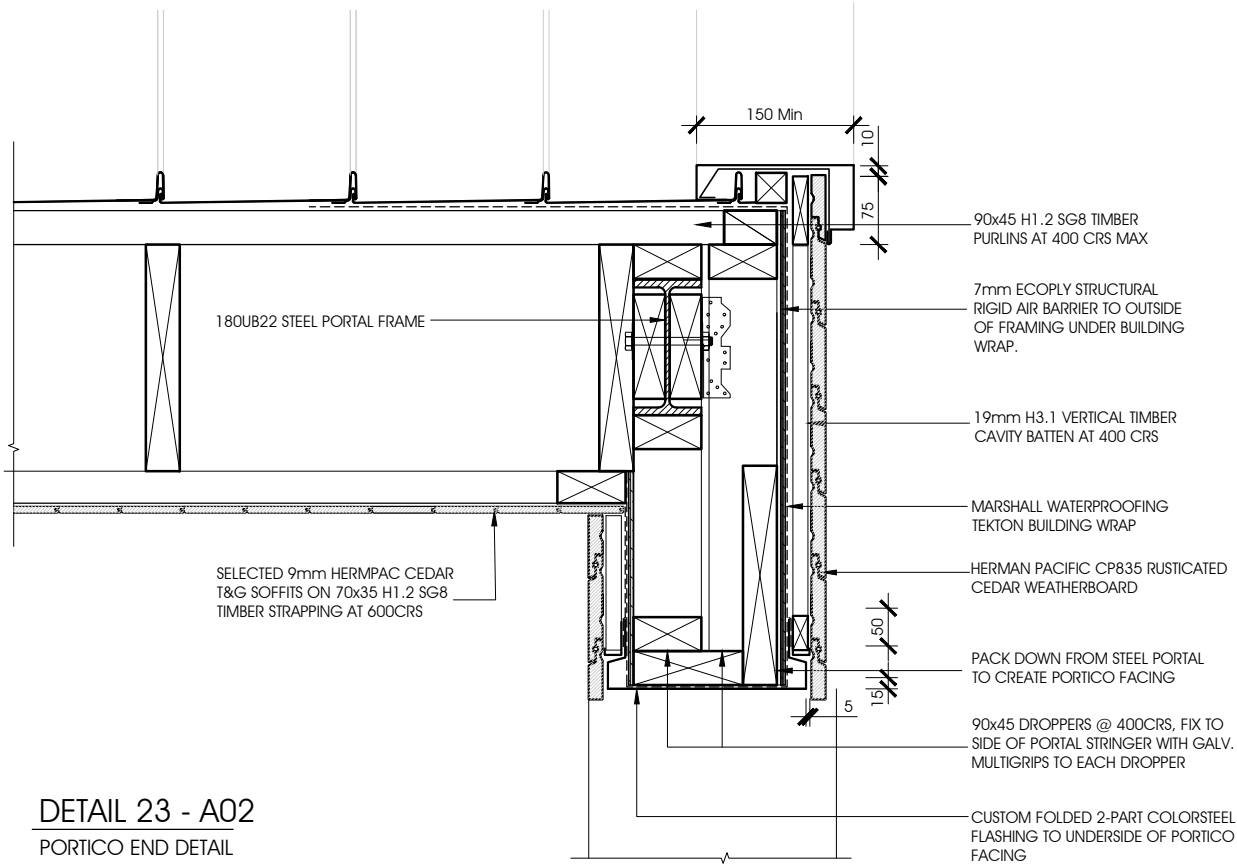
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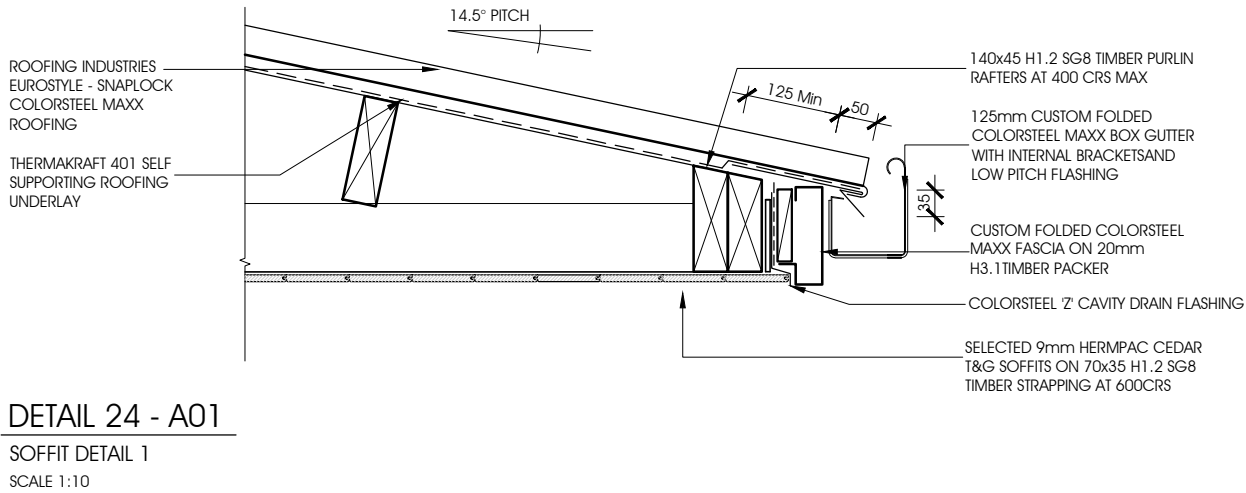
Date: 14-04-2020

Sheet:

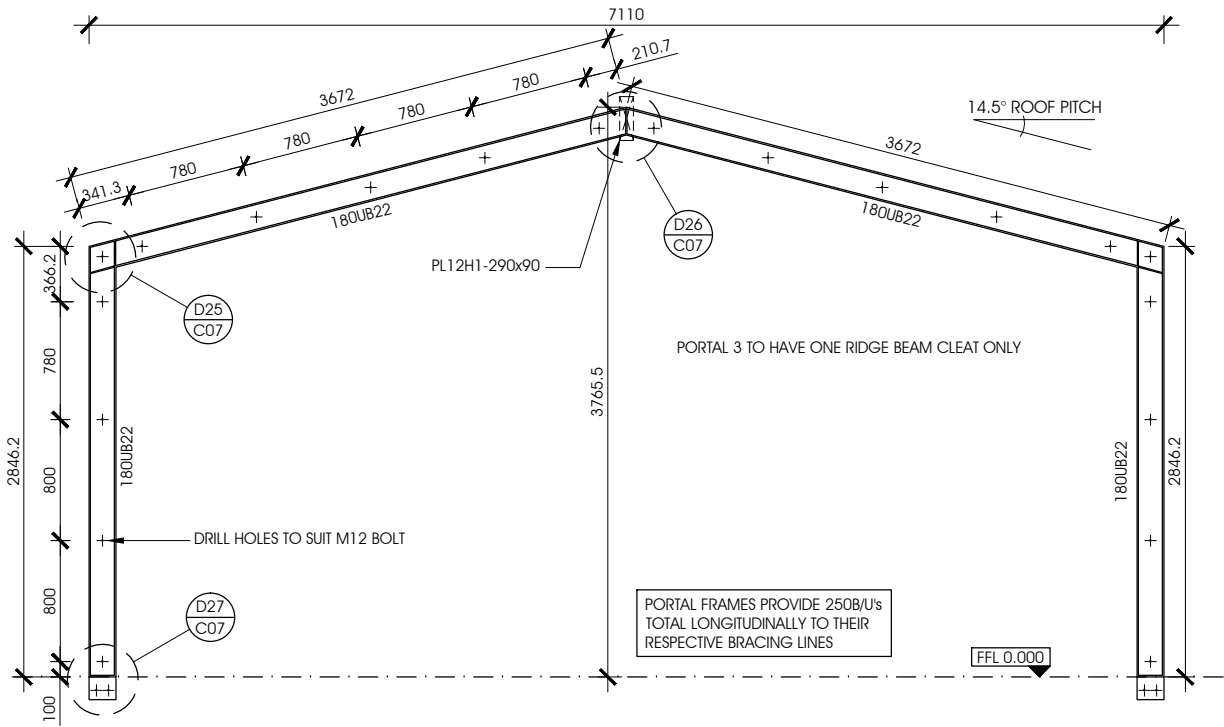
C05



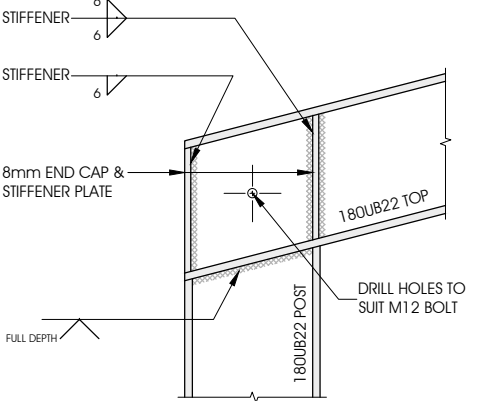
DETAIL 23 - A02
PORTICO END DETAIL
SCALE 1:10



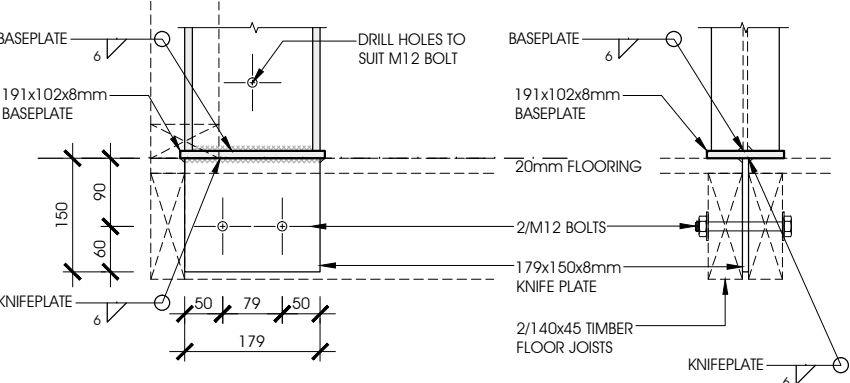
DETAIL 24 - A01
SOFFIT DETAIL 1
SCALE 1:10



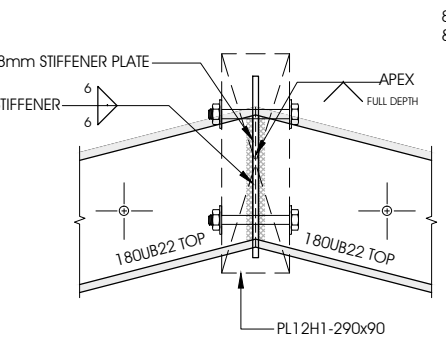
STEEL PORTAL FRAME - P1, P2 & P3
SCALE 1:50



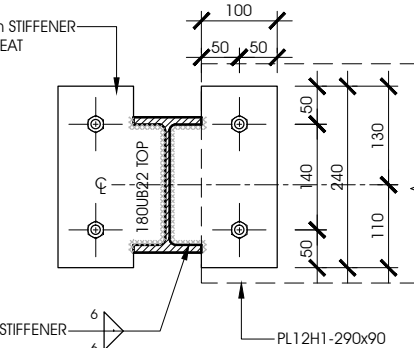
DETAIL 25
PORTAL KNEE JOINT
SCALE: 1:10



DETAIL 27
PORTAL BASEPLATE
SCALE: 1:10



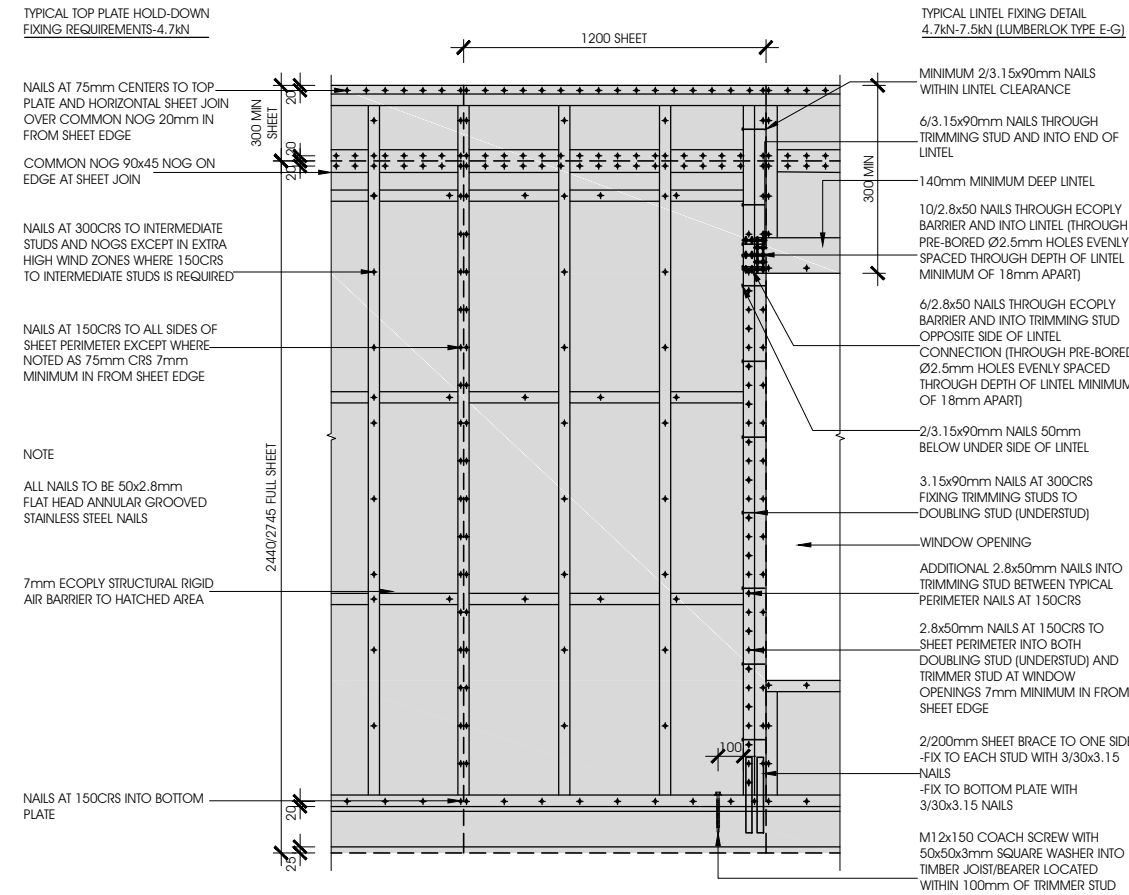
DETAIL 28
PORTAL BASEPLATE
SCALE: 1:10



DETAIL 29
RIDGE BEAM CLEAT
SCALE: 1:10

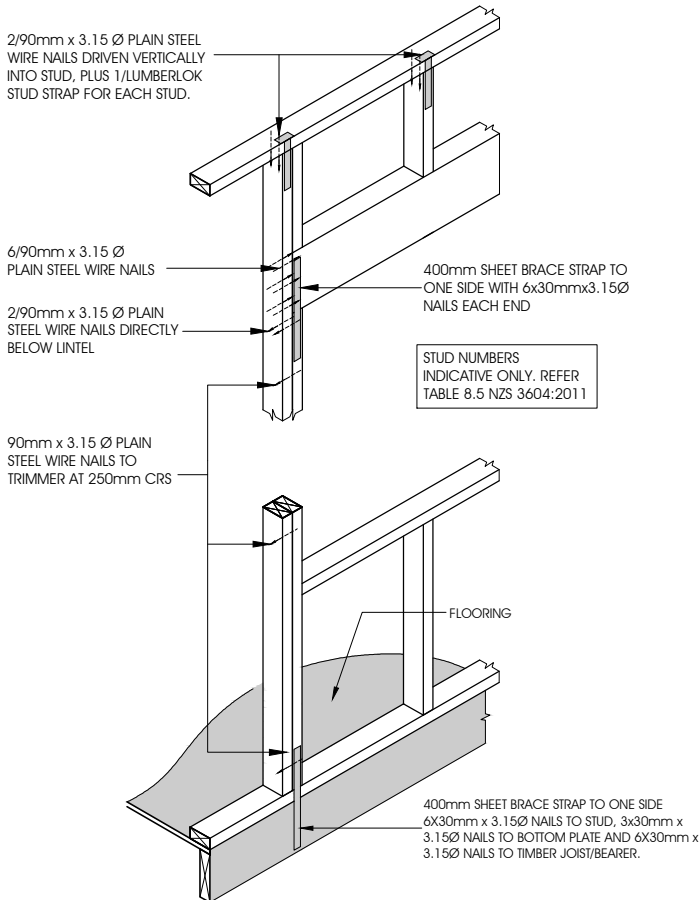
PORTAL FRAMES 1 & 2 TO HAVE
RIDGE BEAM CLEATS BOTH SIDES.
PORTAL FRAME 3 TO HAVE RIDGE
BEAM CLEAT ONE SIDE ONLY

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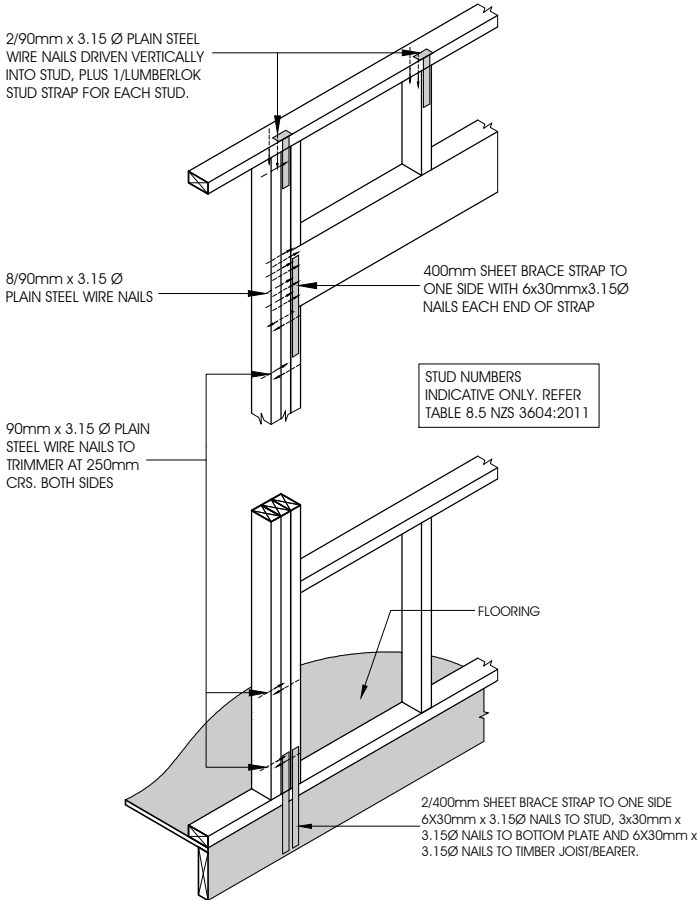


LINTEL UPLIFT FIXING TYPE E-G (1.4kN-7.5 kN)
TOP PLATE HOLD DOWN UP TO 4.7kN

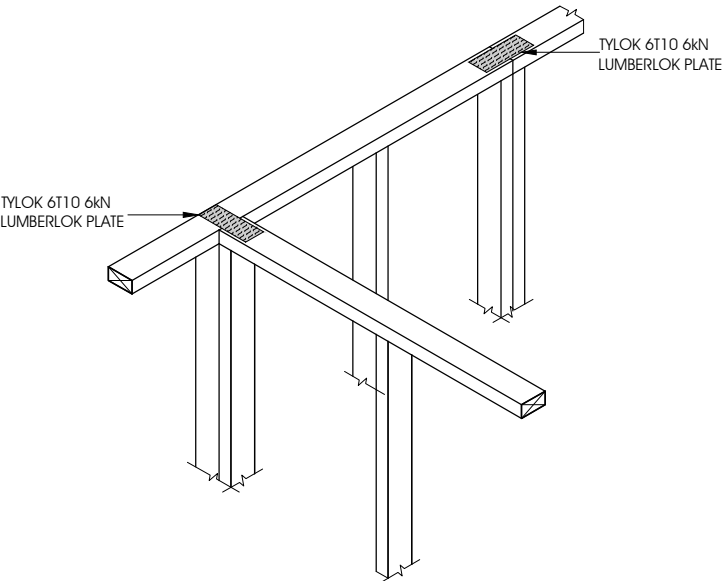
SCALE 1:25



LUMBERLOK WIND UPLIFT FIXINGS TYPE G 7.5 kN



LUMBERLOK WIND UPLIFT FIXINGS TYPE H 13.5 kN



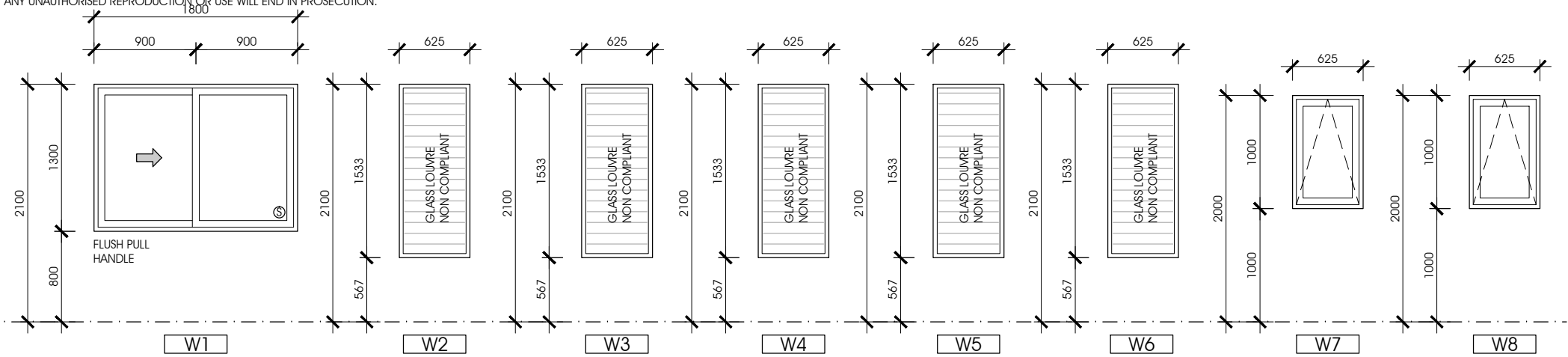
EACH INTERNAL WALL THAT CONTAINS ONE OR MORE BRACING ELEMENTS WILL BE CONNECTED THROUGH THE TOP PLATE LINE TO AN ADJACENT EXTERNAL WALL WITH A 6kN TYLOK 6T10 LUMBERLOK PLATE AS PER CLAUSE 8.7.3 NZS 3604:2011. SEE LUMBERLOK TOP PLATE JOINT DETAIL.

TOP PLATE OF INTERNAL BRACE ELEMENTS MUST BE CONTINUOUS TO THE EXTERNAL WALL JUNCTION, OR JOINTED WITH A 6kN TYLOK 6T10 LUMBERLOK PLATE AS PER CLAUSE 8.7.3 NZS 3604:2011. SEE LUMBERLOK TOP PLATE JOINT DETAIL.

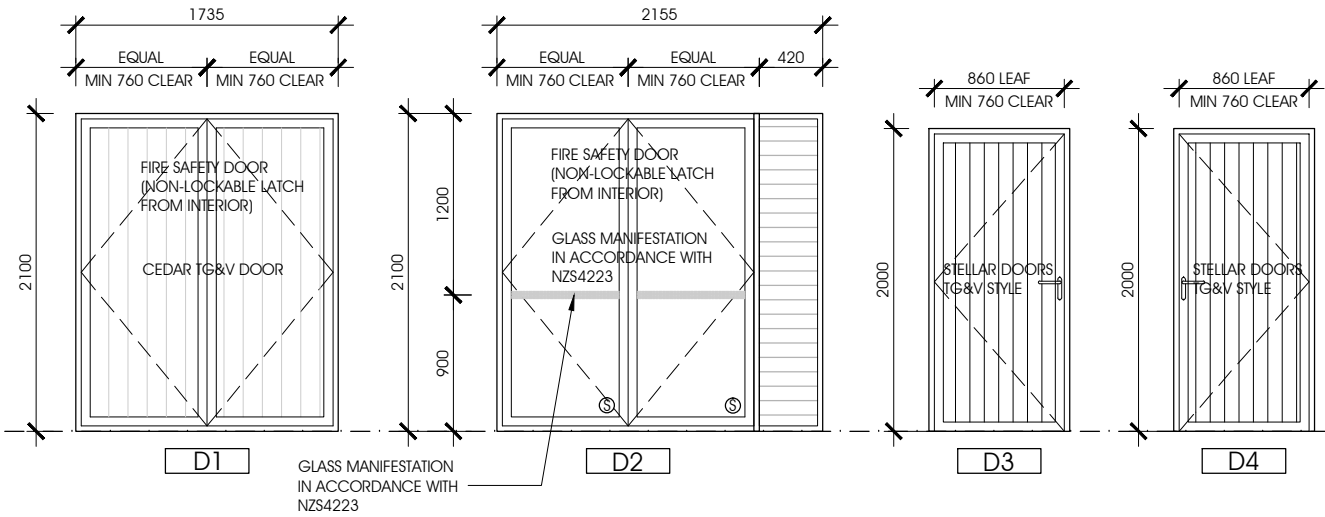
LUMBERLOK TOP PLATE JOINT FIXING 6.0 kN
SCALE 1:25

D5	06/08/20	ISSUED FOR PRICING	
REV	DATE	REVISION	
Drawn By: CW		Sheet: C07	
Checked By: LT			
Scale: 1:25 @ A3			
Date: 14-04-2020			

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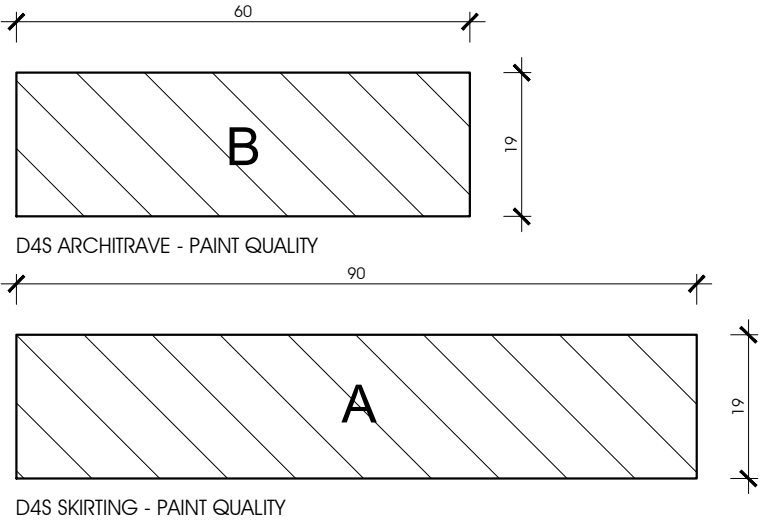


WINDOW SCHEDULE
SCALE 1:50

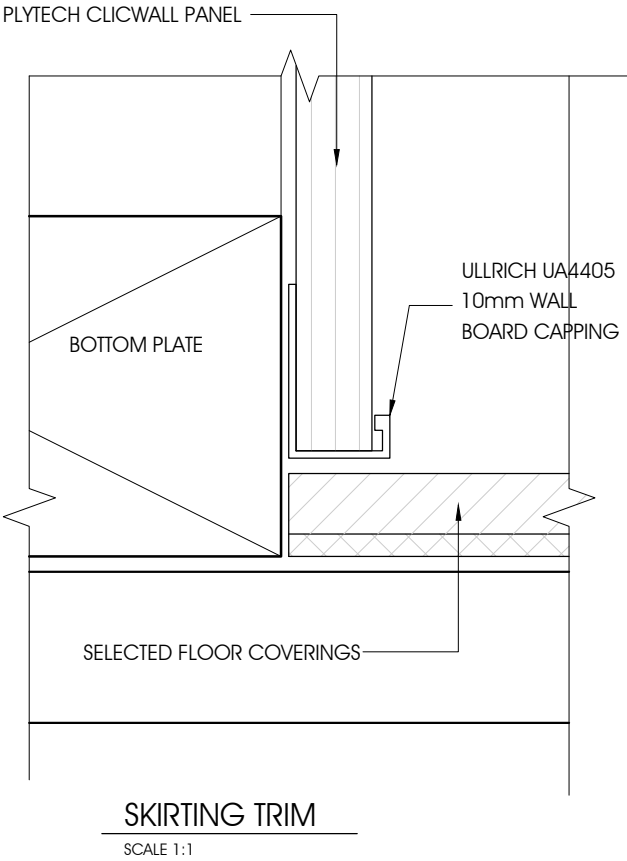
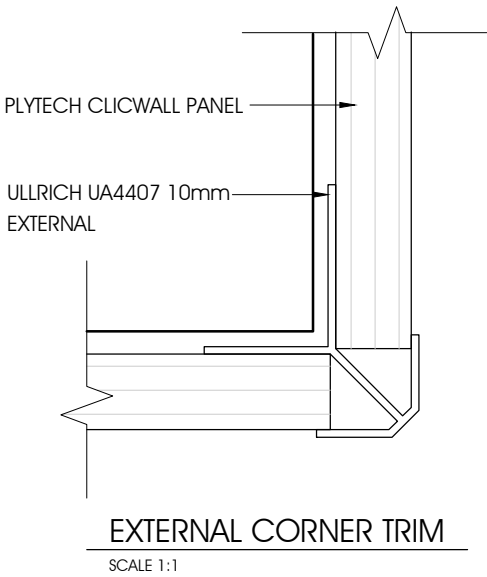
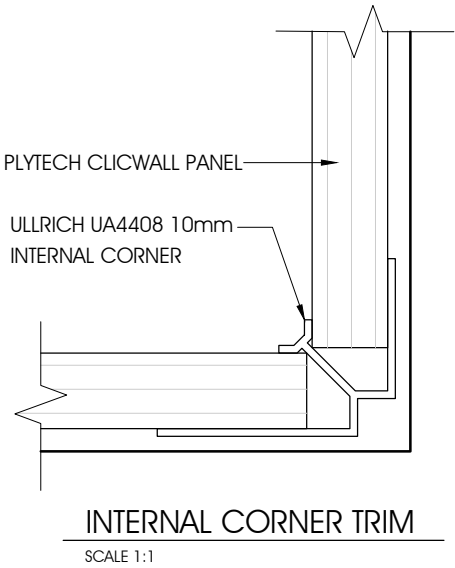
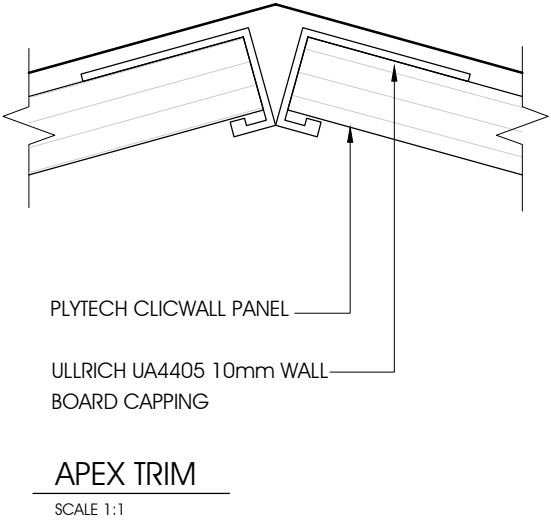
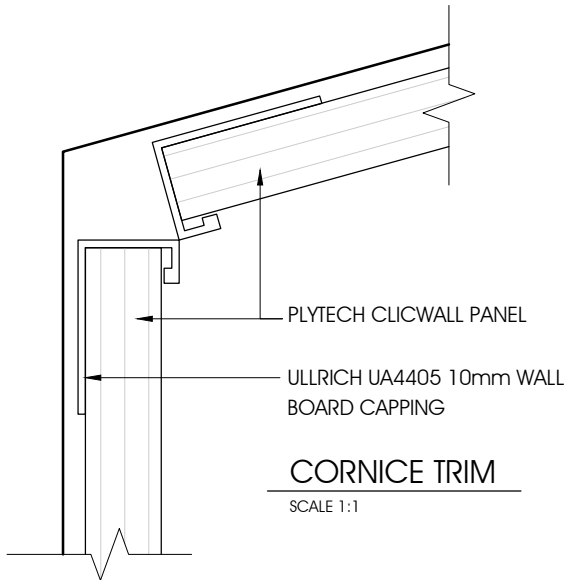


NOTE:
- WINDOW OPENINGS TO BE DETAILED AS SHOWN (DO NOT ADD ADDITIONAL TRIM TO WIDTH OF WINDOW)
- ADD 15mm TRIM TO HEIGHT OF WINDOWS AND DOORS
- GLASS: ALL GLASS AND GLAZING TO NZS4223 PART 3
Ⓢ = SAFETY GLASS
F = FIXED PANEL
ALL EXTERNAL GLAZING TO HAVE A GREY TINT-CONFIRM COLOR PRIOR TO FABRICATION

NOTE:
- ALL WINDOW AND DOOR OPENINGS ARE TO BE FLASHED WITH MARSHALLS PROTECTO SILL SYSTEM COMPRISING OF PROTECTO SILL WINDOW SEALING TAPE, PROTECTO DETAIL TAPE AND PROTECTO TAK PRIMER/ADHESIVE.
- WINDOW SCHEDULE TO BE READ IN CONJUNCTION WITH FLOOR PLANS AND ELEVATIONS.
ALUMINIUM MANUFACTURER TO COMPLETE A FULL ONSITE MEASURE BEFORE MANUFACTURING OF JOINERY



TRIM PROFILES
SCALE 1:1



**TE AURERE – KUPE WAKA CENTRE
TRAFFIC ACCESS REPORT**

INTRODUCTION

It is proposed to build a new Waka Centre on this property.

There is an existing access from the highway and this will service the project.

This report provides details of the existing crossing and makes recommendations for the mitigation of the effects of additional traffic movements.

LOCATION

The property is located on the northern side of State Highway 10 at Aurere. Traffic marker 79/10 is immediately opposite the crossing.

SIGHT DISTANCES

Sight distances from the access point are shown on the attached sketch plan. Photographs of the crossing and roadway are attached.

It is noted that the sight distances to the west are limited due to the curvature of the road. It is not feasible to move the crossing further to the east as the access crosses a bridge over the stream immediately adjacent to the highway.

The visibility to the west can be improved by removing vegetation from the south side of the road closer to the corner. It is also noted that traffic travelling east will have their speed restricted by the series of curves which exist on the approach to the crossing place.

OTHER CROSSINGS

As shown on the plan there is a farm access point 25 m to the west and on the southern side of the road. This access is only to a paddock and has scrub growing on it indicating that it is not in normal use.

There is another crossing into the disused quarry. This is blocked by a earth mound and is not in use.

TRAFFIC MOVEMENTS

There is an existing residence on the property and this will generate 9 equivalent car movements per day. The development will increase number of movements, but the actual will be relatively small due to the majority of visits being for residential courses.

Never the less it is estimated that the total vehicle movements could be between 25 and 35 per day.

ASSESSMENT

Traffic travelling east along the highway will have their speed restricted by the curvature of the road. It is estimated that the vehicle speed will normally be less than 75 km/h. It is therefore considered that a sight distance of 150 m is adequate for the safe operation of the crossing. This distance can be achieved from both sides of the road provided that the vegetation on the south side of the road close to the corner is removed.

The type and number of traffic movements are such that it is recommended that some road widening should be undertaken at the crossing place.

CONCLUSIONS

Provided that the above recommendations are completed it is considered that the crossing will be safe for the proposed development.



R I R Catterall
MA, MICE, MIPENZ, CPEng

Mangonui
24 April 2012

**TE AURERE – KUPE WAKA CENTRE
TRAFFIC ACCESS REPORT**

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TE AURERE – KUPE WAKA TRUST

PHOTOGRAPHS



Existing crossing place – note bridge



View across road from crossing place

PHOTOGRAPHS -sheet 2



View from A to east



View from A to west

TE AURERE – KUPE WAKA TRUST

PHOTOGRAPHS



Existing crossing place – note bridge



View across road from crossing place

PHOTOGRAPHS – sheet 3



View from B to east



View from B to west

PHOTOGRAPHS – sheet 4



Area of vegetation recommended to be cleared

PHOTOGRAPHS – sheet 3



View from B to east



View from B to west

CALCULATION SHEET

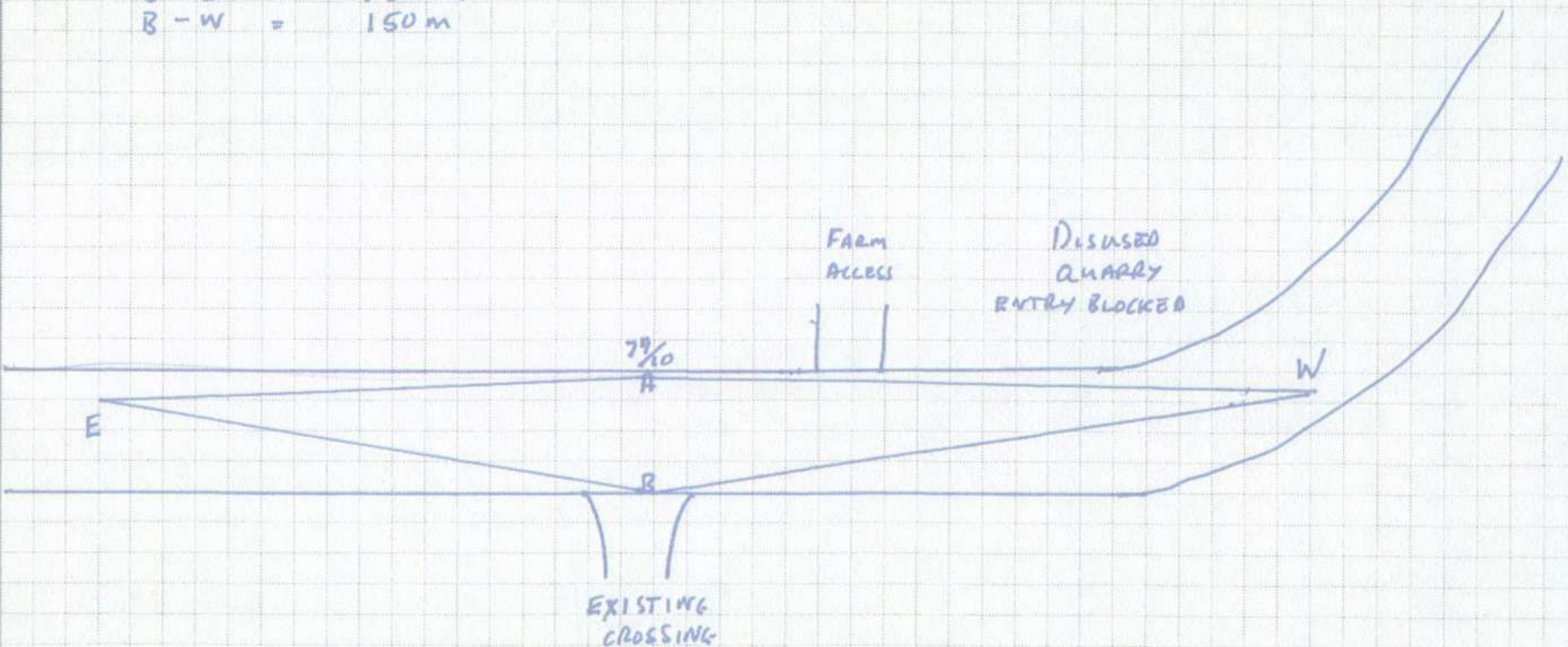
RICHARD I.R. CATERALL
M.A., M.I.C.E., M.I.P.E.N.Z., C.P.Eng.
CONSULTING ENGINEER

PO BOX 53, MANGONUI, FAR NORTH, TEL/FAX 0-9 - 406 0668

JOB NAME:	T ₂ Avenue - Huo's Lagoon		PAGE No.
SECTION:			Sk 1
JOB No.	3712	DESIGNED:	RIC
DATE: 24/4/12		CHECKED:	

SIGHT DISTANCES

A - E = 250m +
A - W = 125m
B - E = 250m +
B - W = 150m



**PROPOSED KUPE WAKA CENTRE – AURERE
ADDITIONAL INFORMATION IN RESPECT TO TRAFFIC EFFECTS.**

ENTRANCEWAY:

The entrance to the property is over an existing single lane bridge which is approximately 20 m from the road edge.

It is proposed to provide road widening in accordance with diagram D standard to allow approaching traffic to have safe turning areas without obstructing the highway. It is also proposed to have signs giving the traffic from the highway right of way across the bridge (as is the case at Inland road).

It is considered that these measures will provide the necessary mitigation for the entranceway.

SIGHTLINES

As noted in the application it is realised that there is limited visibility to the west.

Mitigation is proposed by clearing the vegetation along the south western side of the road. It may also be necessary to take some soil from the face of the bank in the affected area, but the extent of this cannot be determined until the existing vegetation is removed.

By this means the visibility can be greatly improved, but still may not be complying with that required for 100 kph. It is submitted however that the speed of vehicles travelling north will be significantly reduced due to the curvature of the road and that the improved visibility will provide for safe visibility in that direction.

TRAFFIC GENERATION

The attached sheet shows the re-assessment of the traffic numbers for the site.



R I R Catterall
MA, MICE, MIPENZ, CP.Eng

Mangonui
18 June 2012

Existing Traffic			
Activity	Quantity	Formula / Value	Resulting Traffic
Residential Units	3 each	10 vpd/unit [1 exempt]	20 vpd
'Baches' [temporary accommodation]	2 each	3 vpd/unit	6 vpd
Te Puia Wananga	4 persons	Set by RC 2120315	8 vpd
TOTAL			34 vpd

ACTIVITY	OCCURANCES [Nº EVENTS x DAYS]	PERSONS ATTENDING	EXPECTED VEHICLES (AND VPD)	TOTAL (DAYS x TRIPS)	MOVEMENTS PER ANNUM
1 week Navigation Course	10/annum x 7	30	Estimate – 1 bus @ 4 trips / day 5 on own @ 2 trips / day	10 x 7 x 14	980 vpa
2 week Navigation Course	2/annum x 14	30	Estimate – 1 bus @ 4 trips / day 5 on own @ 2 trips / day	2 x 14 x 14	392 vpa
3 day Corporate Marae Stay	6/annum x 3	15	Estimate – 1 van @ 2 trips / day 7 on own @ 2 trips / day	6 x 3 x 16	288 vpa
1 day School Visits	6/annum	1 busload	1 bus – 4 trips / day	6 x 4	24 vpa
1 trip Tourist Bus Visits	24/annum	1 busload	1 bus – 2 trips / day	24 x 2	48 vpa
Casual Tourist Groups	20/annum	1 carload	1 car or van each	20 x 2	40 vpa
Full Capacity Hui	6/annum	84	per formula	6 x 2 x 84	1008 vpa
TOTAL					2780 vpa
DAILY TOTAL [2780 ÷ 365]					(say) 8 vpd

Total Daily Traffic – (Post-Development)	
Kupe Waka Centre (as above)	8 vpd
General Site Usage (eg cleaning, maintenance, staff, committee meetings, casual visitors etc)	20 vpd (figure adopted by way of Marae research)
Existing Use (less the 'Baches' use, which becomes the "Whare Puni" – see site plan – which will not generate extra traffic, as all residents will be course attendees) [34 – 6 = 28]	28 vpd
Total	56 vpd

Conclusion – the average daily traffic for the Kupe Waka Centre, when fully developed in accordance with this proposal will be 56 vehicles per day [22 vpd more than the existing use]. The maximum daily traffic level (being 168 vpd) will occur approximately 6 times a year, on the occasions when there is a hui which fills the Centre to its design capacity, and this maximum is factored in to the daily average above.

**PROPOSED TE AURERE – KUPE WAKA CENTRE
OKOKORI B BLOCK, STATE HIGHWAY 10, AURERE
SITE SUITABILITY REPORT**

INTRODUCTION

It is proposed to construct a new Kupe Waka Centre on this property as shown on the attached site plan.

This report follows a visit to the site, simple soils testing and a general overview of the ground conditions in the area.

It is concluded that provided foundations form the building penetrate to the sandstone pan found below the surface then the ground is suitable for the development.

GEOLOGY

The land is described in the New Zealand Land Inventory of Rock Types as sand: feldspathic with some quartz, forming moving and partially fixed dunes; unconsolidated and unweathered. There are also areas of peat in this area.

Investigations show that the proposed site is sand, but is more fixed than is indicated in the inventory. No significant areas of peat were encountered.

SITE INVESTIGATION

The area is reached by a well formed metal roadway from State Highway 10. The proposed site is elevated from the surrounding land and is close to the bank of the stream.

The bank of the stream is steep, but is protected to some extent by the Pohutukawa trees. There are no signs of any recent erosion of the bank. A cut forming a launching ramp area for the wakas shows firm, weakly cemented sandstone on the cut faces and no recent erosion.

Two hand auger holes were excavated at each end of the site. These both showed mixed sand fill over the upper 900 to 1100 mm of depth over firm sand over harder sandstone pan at 1.0 to 1.5 m depth.

Four penetrometer tests around the site confirmed the harder sandstone layer with a penetration of 4 – 5 blows per 50 mm.

COASTAL HAZARD

The banks of the stream are shown in the District Plan maps as being within the CHZ2 zone for possible erosion within a 100 year time zone.

There is no direct wave action onto the banks and storm tide events will only cause higher water levels in the stream. Any erosion is therefore likely to be caused by slow action due to the stream flows. This will only cause slow, shallow retreat of the bank and hence remedial action can be taken should this occur.

In order to protect the building it is recommended that it is located behind the CHZ 2 line and therefore not considered to be at risk.

With this mitigation there will not be a requirement for the building to be subject to a notice in terms of section 72 of the Act.

FLOODING

The area is shown on the District Plan Maps as being within an area with potential for flooding.

The land for this proposed development is approximately 3 m higher than the farm lands to the south. The farm land has been flooded on a number of occasions, but there has not been inundation at this site.

The area is not considered to be at risk for an ARI 100 year event.

STORMWATER

At present there is little formal stormwater control as the land has very good soakage and there is a general slope to the stream to the northwest which provides a form of very wide swale to discharge excess stormwater.

It is proposed that roof collection would be collected into tanks and the overflow piped to the stream.

Runoff from the formed impervious areas would be treated as is the case at present with natural flows across the grassed areas to the stream.

This form of combined natural soakage and broad sheet flow provides the best disposal option to avoid both erosion of narrow paths and contamination of the stream.

EFFLUENT DISPOSAL

Effluent disposal systems are being prepared by others.

The good natural soakage should provide a relatively simple disposal option.

CONCLUSIONS

It is concluded that the site is suitable for the proposed development provided that the location is moved to the north as recommended above and that the foundations are made into the harder sandstone materials.



R I R Catterall
MA, MICE, MIPENZ, CPEng

Mangonui
9 August 2012

05/08/2020

**Att: Elevate Architectural Transportables / Dr Peter Phillips, MNZPI Director, Arawai Ltd
221 Hannon Road, Cambridge / P.O.Box 51 Mangonui 0442**

To Whom it may Concern

Good Ground Report for Three Proposed New Buildings (Taupaepae – Floor Area: 35m², Putanga – Floor Area: 77m² & Whare Whetu – Floor Area: 115m²) located at the Kupe Waka Centre, 4554 State Highway 10, Lake Ohia 0483.

As requested, FNR Consulting have carried out a series of Scala penetrometer tests for the three proposed new buildings, each with a floor area less than 200m², thus four Scala penetrometer tests were conducted for each building site. A total of 12 Scala penetrometer tests were conducted.

Testing was carried out in general accordance with the requirements of NZS3604 and NZS4402.

The test locations are shown in the photographs (find attached to this document), with the test results also attached to this document.

The Northland Regional Council Soils Map describes the soils in this area as: **Ohia Sand (OE), Ruakaka Peaty Sandy Loam (RK) & Pinaki Sand (PN).**

Observations

The site soils were observed to be consistent with the Northland Regional Council Soils Map description. With Sand Dominant Soils being observed to a depth of approximately 2.0m, at all three proposed building sites.

The three proposed building sites are situated on previously undeveloped Greenfield land. All Scala Penetrometer testing was carried out at the existing ground level, to a depth of 2.0m.

There are no visual signs of geotechnical instability in the vicinity of the building site.

The site classification based on the soil reactivity in accordance with AS 2870 – 2011, Table 2.1 is **Class A**.

Results

The penetrometer testing results are attached below to this document. With penetrometer testing indicating that the in-situ soils achieve “Good Ground” (as per the NZS 3604 definition) criteria at the following depths.

- Taupaepae – “Good Ground” was achieved at approximately 1200mm below the existing ground level.
- Putanga - “Good Ground” was achieved at approximately 1500mm below the existing ground level.
- Whare Whetu - “Good Ground” was achieved at approximately 1500mm below the existing ground level.

Due to the depth at which good ground is reached at each proposed building site it is recommended that a specifically engineered foundation design be prepared.

Please refer to attached Scala Penetrometer results.

Yours Sincerely

A handwritten signature in dark ink, appearing to read 'M. Burkhardt Macrae'.

Manu Burkhardt Macrae

BE, CMEngNZ, 253797

Attachments:

- *Test Location Photos; Scala Test Reports & Raw Results*

Test Locations & Photos



Figure 1: Location of Kupe Waka Centre and overview of the site. Scala tests conducted at proposed building sites 1 (Taupae), 2 (Whare Whetu) & 6 (Putanga), marked in YELLOW on the site overview.

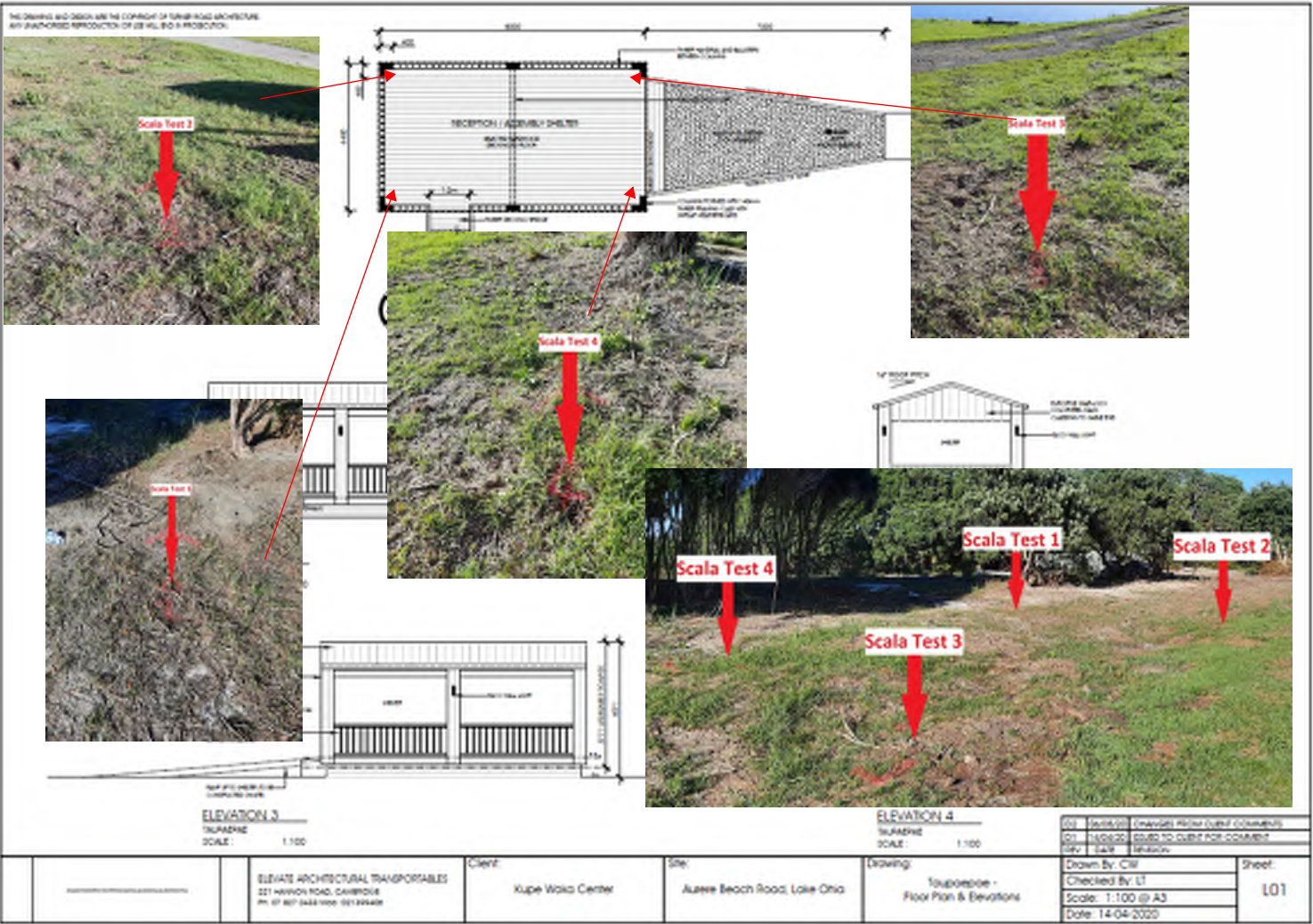


Figure 2: Taupae floor plan with scala test locations shown, and pictures supplied.

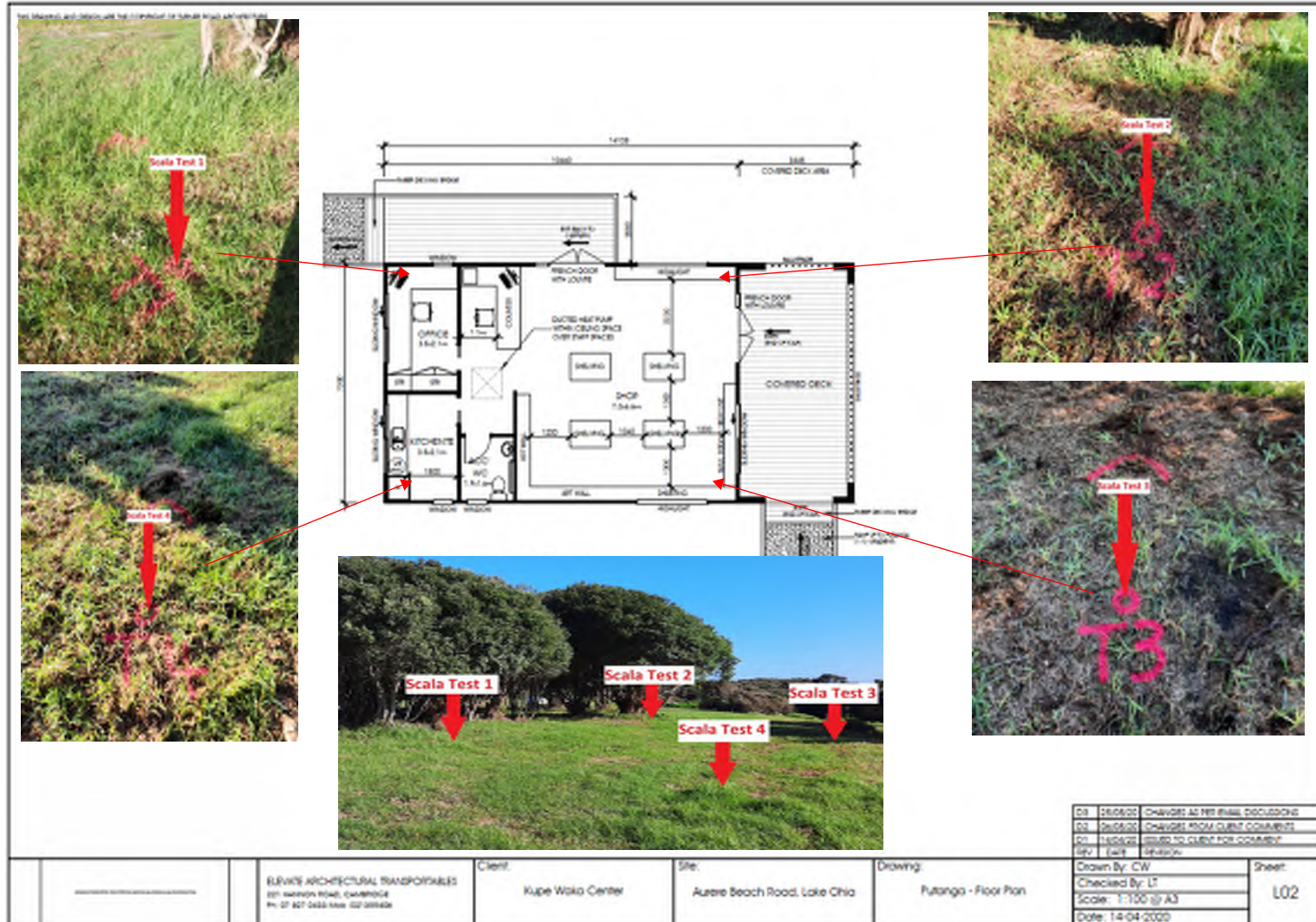


Figure 3: Floor plan of Putanga building with Scala Penetrometer test locations shown, with photos of test sites included.

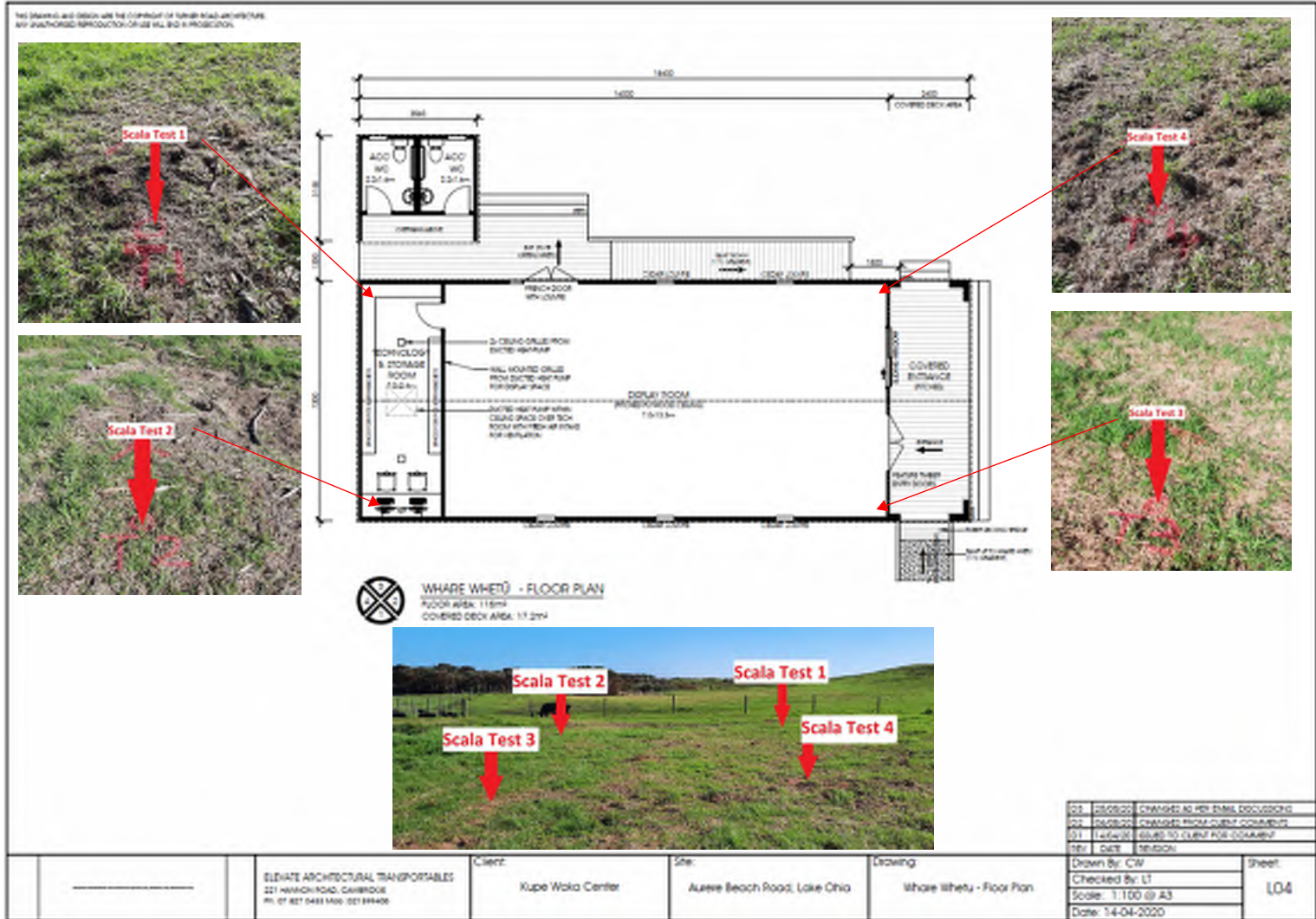


Figure 4: Floor plan for the proposed Whare Whetu building with Scala Penetrometer test locations and photos.

Scala Test Results

Please refer to the next page.

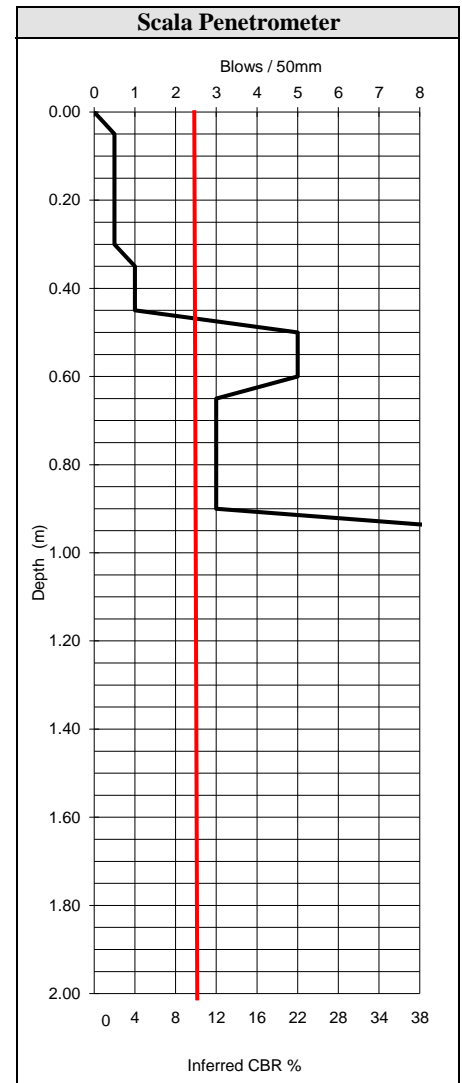
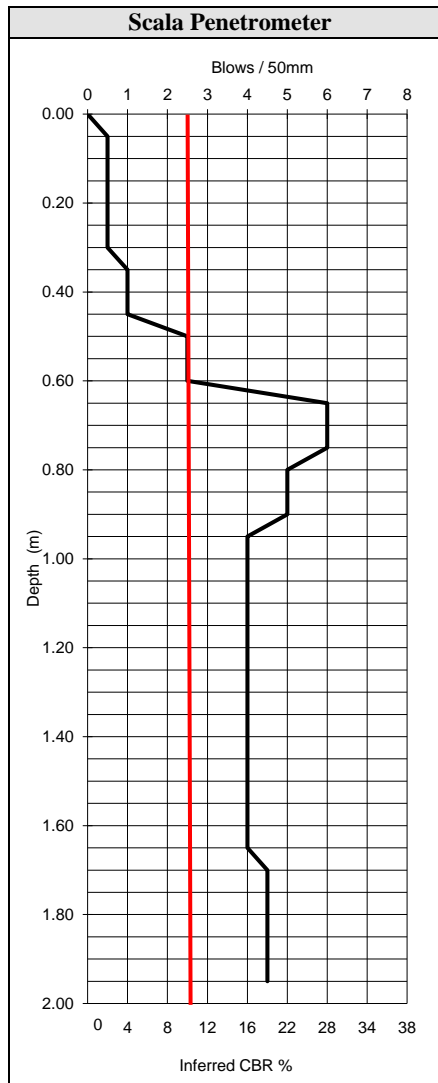
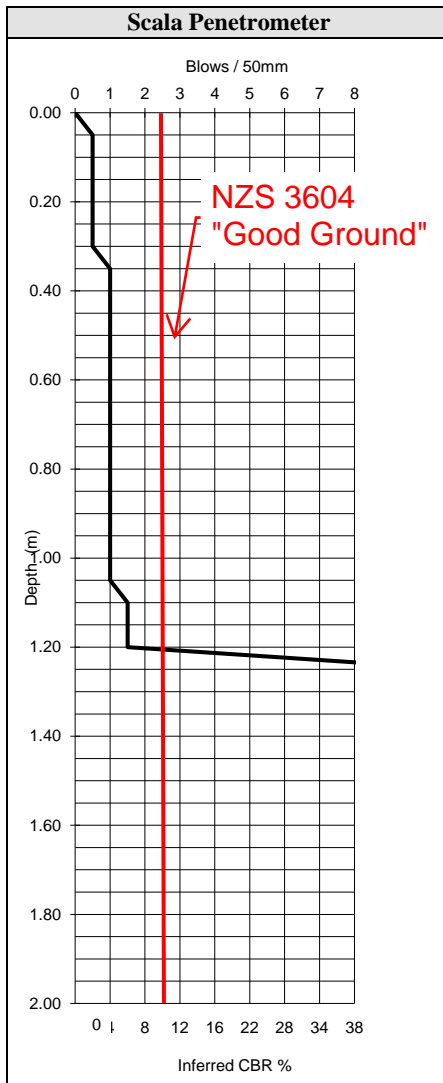
SCALA PENETROMETER TEST REPORT

Project : Kupe Waka Centre - Taupaepae
 Location : 4554 State Highway 10, Lake Ohia 0483
 Client :
 Contractor :
 Test number : 1
 Water level : N/A
 Reduced level : Ex. Ground Level

Test number : 2
 Water level : N/A
 Reduced level : Ex. Ground Level

Project No :

Test number : 3
 Water level : N/A
 Reduced level : Ex. Ground Level



Test Methods

Determination of Penetration Resistance of a Soil, NZS 4402 : 1988, Test 6.5.2
 Inferred CBR values taken from Austroads Pavement Design Manual 2004

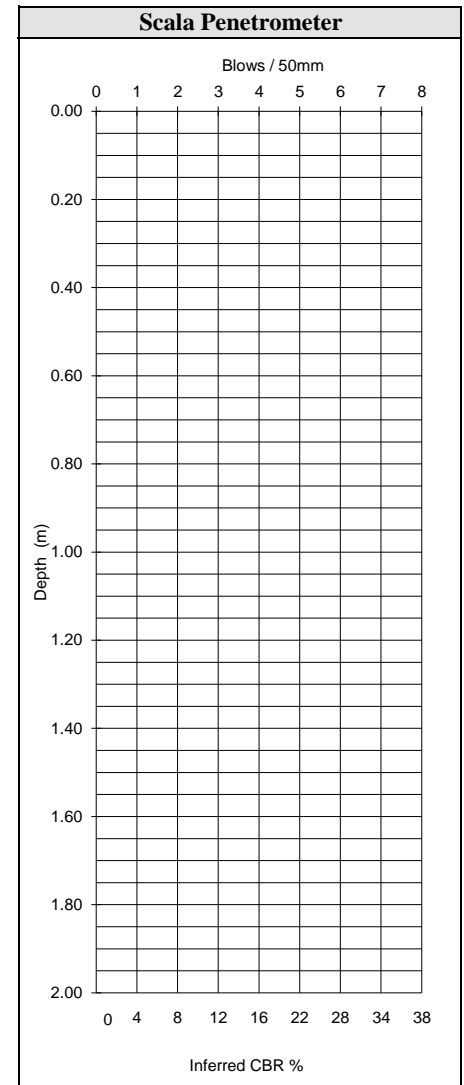
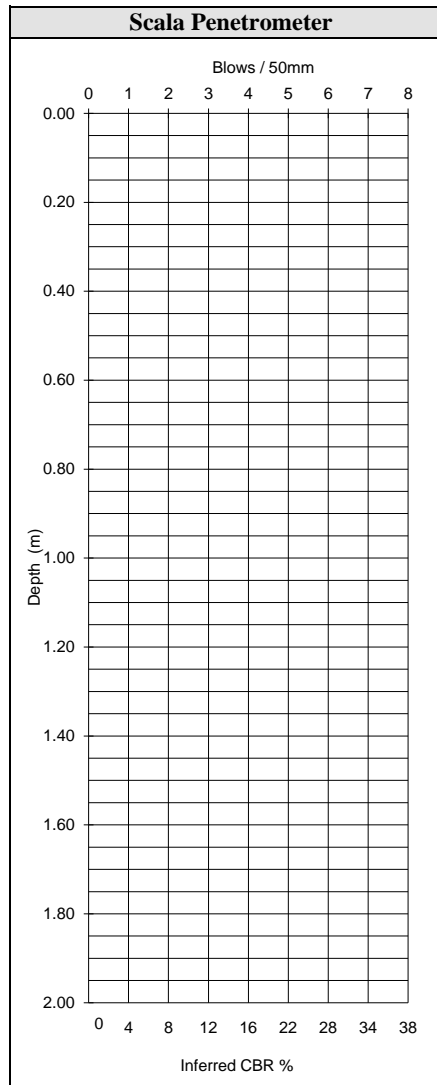
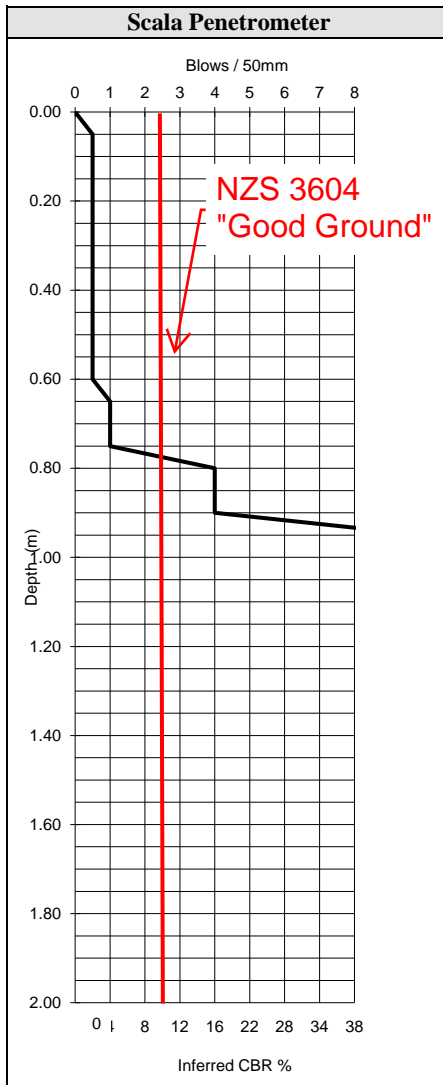
Date tested : 04/08/20 Tested by: SWH
 Date reported : 04/08/20 Reported by: MBM

SCALA PENETROMETER TEST REPORT

Project : Kupe Waka Centre - Tuapaepae
 Location : 4554 State Highway 10, Lake Ohia 0483
 Client :
 Contractor :
 Test number : 4
 Water level : N/A
 Reduced level : Ex. Ground Level

Project No :

Test number :
 Water level :
 Reduced level :



Test Methods

Determination of Penetration Resistance of a Soil, NZS 4402 : 1988, Test 6.5.2
 Inferred CBR values taken from Austroads Pavement Design Manual 2004

Date tested : 04/08/20 Tested by: SWH
 Date reported : 04/08/20 Reported by: MBM

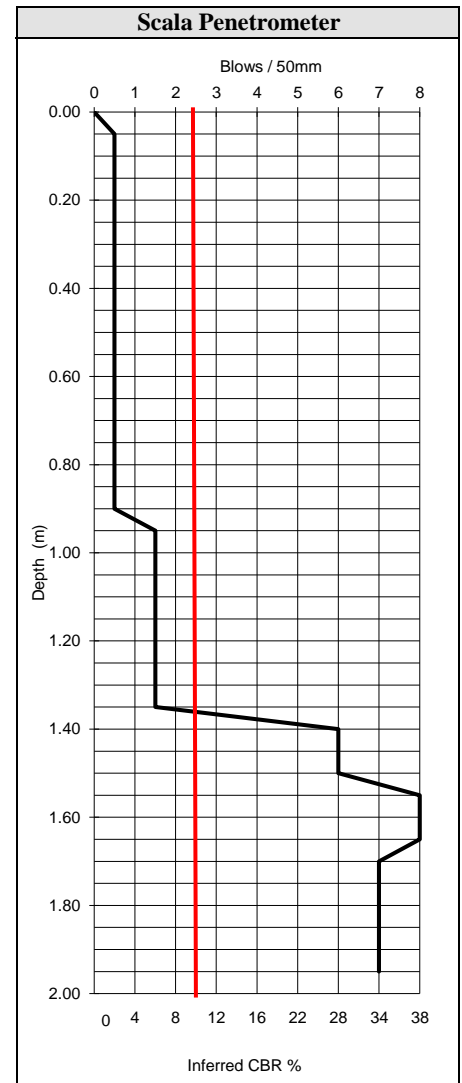
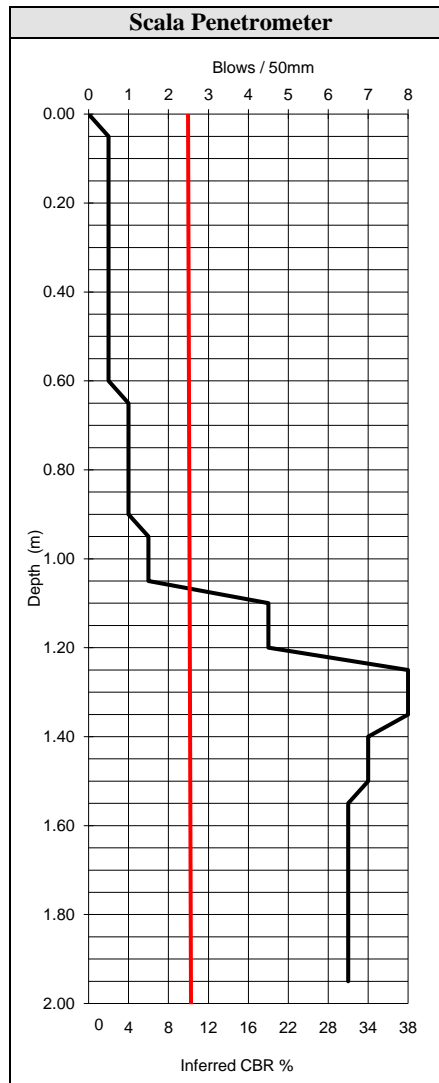
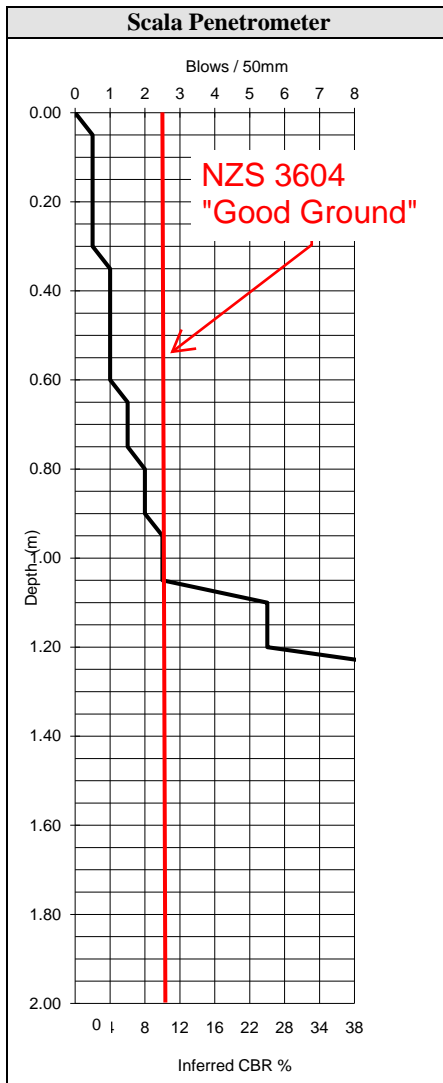
SCALA PENETROMETER TEST REPORT

Project : Kupe Waka Centre - Putanga
 Location : 4554 State Highway 10, Lake Ohia 0483
 Client :
 Contractor :
 Test number : 1
 Water level :
 Reduced level :

Test number : 2
 Water level :
 Reduced level :

Project No :

Test number : 3
 Water level :
 Reduced level :



Test Methods

Determination of Penetration Resistance of a Soil, NZS 4402 : 1988, Test 6.5.2
 Inferred CBR values taken from Austroads Pavement Design Manual 2004

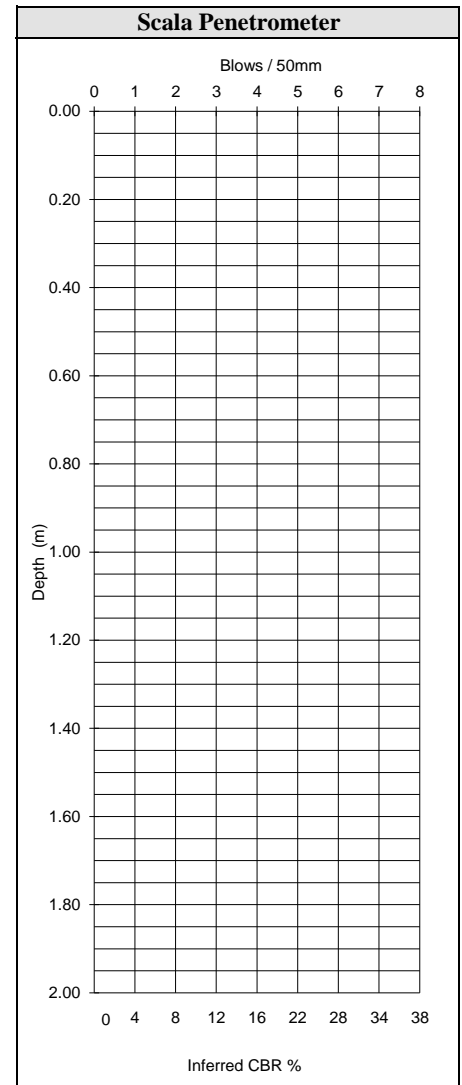
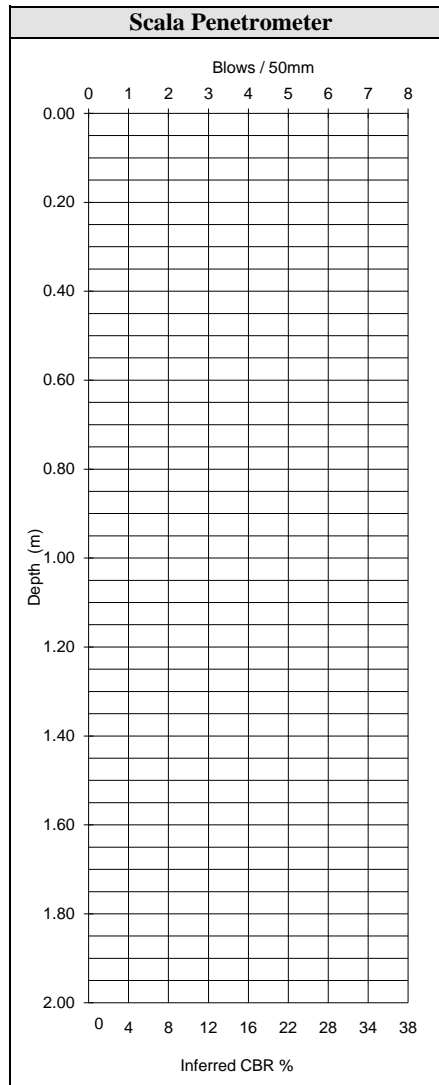
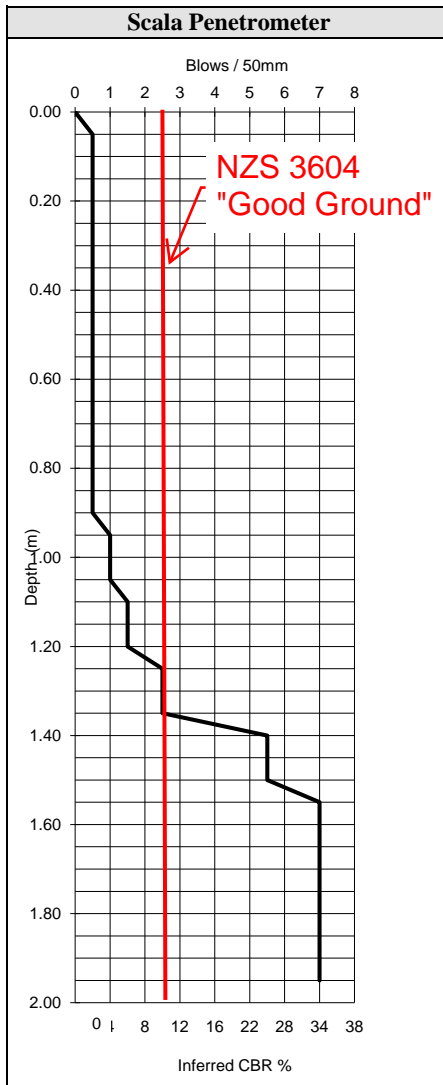
Date tested : 04/08/20
 Date reported : 04/08/20
 Tested by: SWH
 Reported by: MBM

SCALA PENETROMETER TEST REPORT

Project : Kupe Waka Centre - Putanga
 Location : 4554 State Highway 10, Lake Ohia 0483
 Client :
 Contractor :
 Test number : 4
 Water level :
 Reduced level :

Project No :

Test number :
 Water level :
 Reduced level :



Test Methods

Determination of Penetration Resistance of a Soil, NZS 4402 : 1988, Test 6.5.2
 Inferred CBR values taken from Austroads Pavement Design Manual 2004

Date tested : 04/08/20 Tested by: SWH
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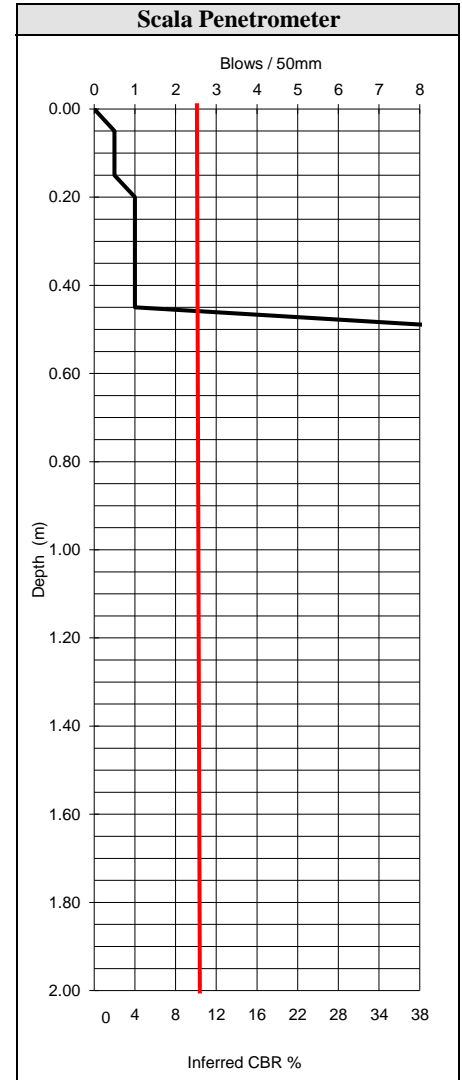
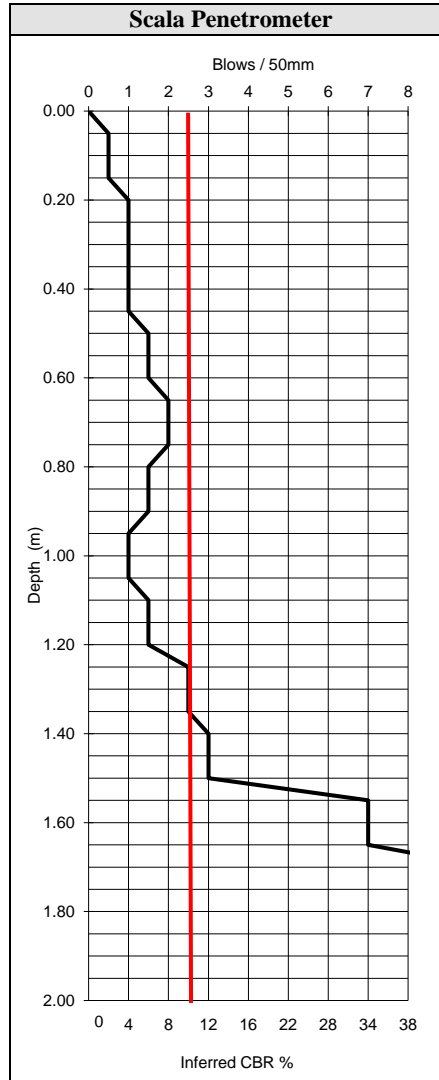
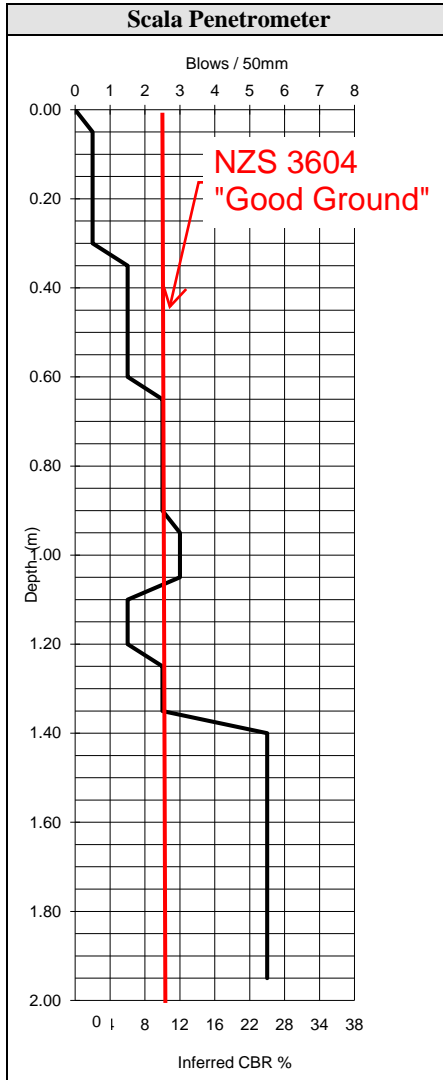
SCALA PENETROMETER TEST REPORT

Project : Kupe Waka Centre - Whare Whetu
 Location : 4554 State Highway 10, Lake Ohia 0483
 Client :
 Contractor :
 Test number : 1
 Water level : N/A
 Reduced level : Ex. Ground Level

Test number : 2
 Water level : N/A
 Reduced level : Ex. Ground Level

Project No :

Test number : 3
 Water level : N/A
 Reduced level : Ex. Ground Level



Test Methods

Determination of Penetration Resistance of a Soil, NZS 4402 : 1988, Test 6.5.2
 Inferred CBR values taken from Austroads Pavement Design Manual 2004

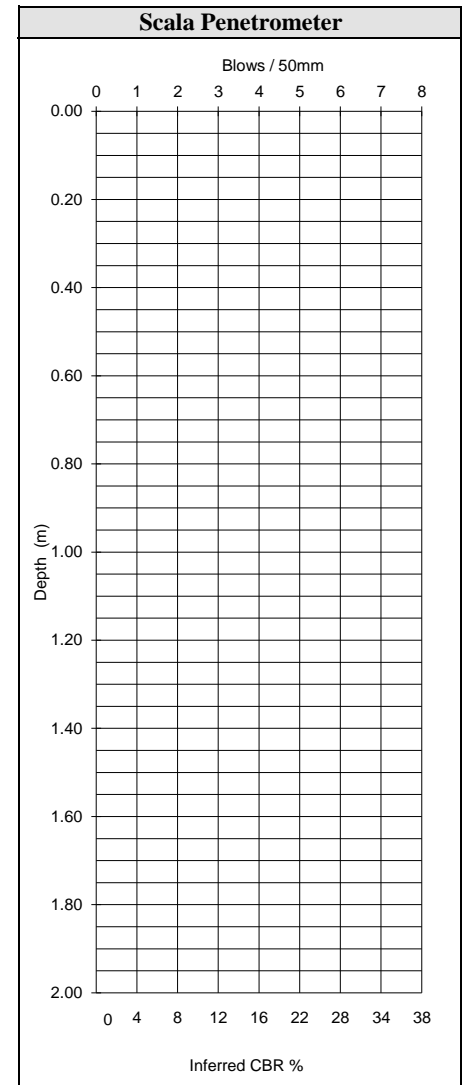
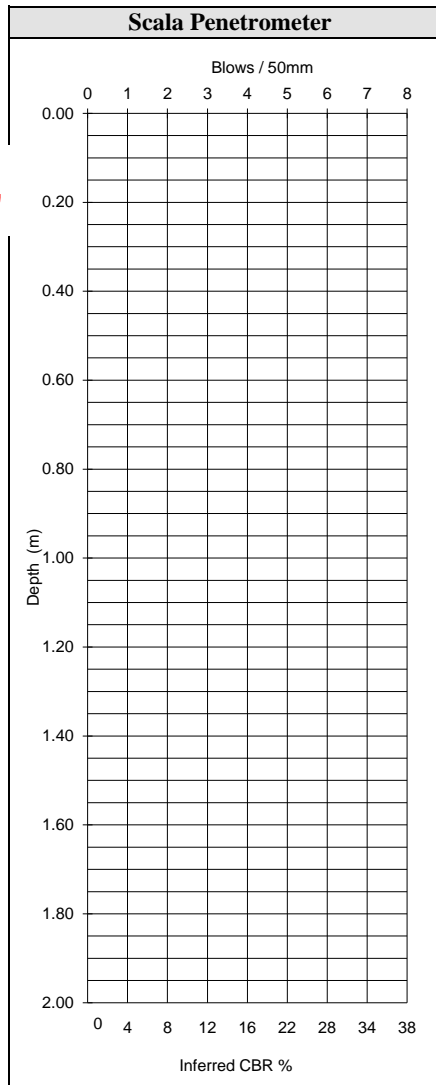
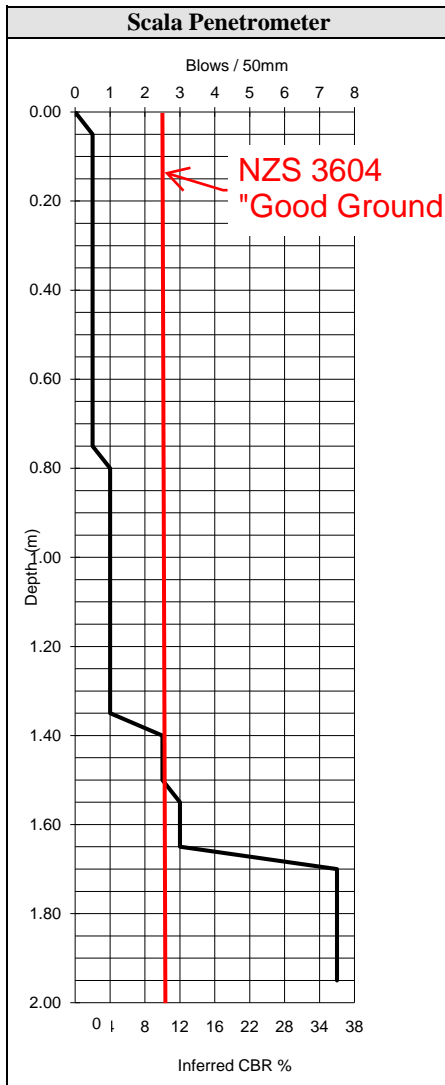
Date tested : 04/08/20 Tested by: SWH
 Date reported : 04/08/20 Reported by: MBM

SCALA PENETROMETER TEST REPORT

Project : Kupe Waka Centre - Whare Whetu
 Location : 4554 State Highway 10, Lake Ohia 0483
 Client :
 Contractor :
 Test number : 4
 Water level : N/A
 Reduced level : Ex. Ground Level

Project No :

Test number :
 Water level :
 Reduced level :



Test Methods

Determination of Penetration Resistance of a Soil, NZS 4402 : 1988, Test 6.5.2
 Inferred CBR values taken from Austroads Pavement Design Manual 2004

Date tested : 04/08/20 Tested by: SWH
 Date reported : 04/08/20 Reported by: MBM

Kupe Waka Navigation Centre

Architect's Assessment of Visual Impact

The Kupe Waka Navigation Centre complex is designed to instantly engage the visitor in a modern, Māori / Pacific, maritime experience. As a learning centre, the whare wānanga floor plan is evocative of a waka hull, while the central roof lines derive from the lanteen sail familiar on many traditional sailing waka across the Pacific.

The design and location of the complex is an innovative response to the major planning issue posed by the site – the need to protect the landscape values of the coast of Tokerau Beach / Doubtless Bay. While any construction on the upper dune would interrupt these important views, the main complex is located on the flat terrace below the level of the main dune, maintaining the integrity of the un-built star compass upper dune area.

Important features of the whare wānanga complex are the large north and south facing gables which both acknowledge the manuhiri arriving from the north as well as those arriving by waka from the south. The more humble cooking and ablutions functions, to the west and east respectively, have received mono pitch roofs sloping up to the north, allowing both natural light and winter warmth into these spaces.

The proposed materials of cedar boards, concrete block and glass have been selected to resonate with the natural surroundings – the concrete block and glass elements speaking to the sand dune environment and the timber calling up ancient waka construction traditions.

From the north, visitors will be welcomed onto the marae ātea (ceremonial forecourt) with the māhau (porch) providing shelter from south and westerly winds. With an 8.7m high maximum apex height, the main gable is designed to provide an imposing backdrop to formal powhiri processes as well as allowing for the internal ceilings to be developed as a comprehensive star compass. While views of the complex from across the Awapoko River will be filtered by existing vegetation, in receiving manuhiri arriving by waka, the southern wharekai gable (maximum apex height of 6.4m) in turn helps to visually welcome visitors.

To conclude, while sensitive to the *natural* landscape, the proposed Kupe Waka Navigation Centre presents a contemporary and highly appropriate Māori / Pacific visual contribution to the local *cultural* landscape, as well as simultaneously acknowledging the myriad functional requirements of the Centre.

Heoi ano



Rau Hoskins B.Arch, M.Arch (Hons)

design TRIBE Architects



unlocking the past

ASL Archaeology Solutions Ltd, PO Box 48134, Blockhouse Bay, Auckland 0644

Phone/Fax: 09 6267860

Email: info@archaeologysolutions.co.nz

Web: www.archaeologysolutions.co.nz

27. March 2021

Tohu Consulting
39A Commerce Street,
Kaitia 0410

Attn.: Nina Pivac

Project: Okokori B Block Archaeological Assessment

Location: Te Aurere, Far North

ASL was contacted early January to undertake a field assessment at Te Aurere, Far North.

An upgrade of the Sir Hec Busby Kupe Waka Centre is proposed including several new buildings, a new carpark and landscaping.

Melina Goddard undertook a field survey in February 2021.

No archaeological sites were recorded previously on the extent of the proposed development and no new archaeological sites were encountered during the recent survey.

The site O04/932, a shell midden, is the closest recorded site to the proposed development. It is in fact 3 middens that have been grouped as one site. one of them is 22x7m. They are 170m inland from the high tide mark in the dunes and not part of the upgrade area. Attached is an archaeological survey map which shows that other midden run right up the beach. This was a well used area in the past.

Despite the fact that no archaeological features or deposits were previously recorded or encountered during the current survey, the general location and the density of previously recorded sites, does not rule out the presence of subsurface unrecorded shell midden and / or hearths. The highest risk to encounter such unrecorded sites is close to the beach (the planting area) or along the river side where the ramp and waka shed are to be built, #4 on the map. The risk will be lower at #7, 8, and the carpark.

It is recommended to use an Accidental Discovery Protocol during the development as a minimum requirement. The Northland office of Heritage NZ Pouhere Taonga will certainly help with this.



unlocking the past

A precautionary authority to modify as yet unrecorded archaeological sites could be applied for with Heritage NZPT and this should be considered. It is not legally required, as no archaeological sites have been found on the proposed development area so far. But it could be part of the overall risk management of the development in order to prevent possible construction delays.

Please feel free to discuss further if required.

Ngā mihi nui,

Dr. Hans-Dieter Bader



unlocking the past

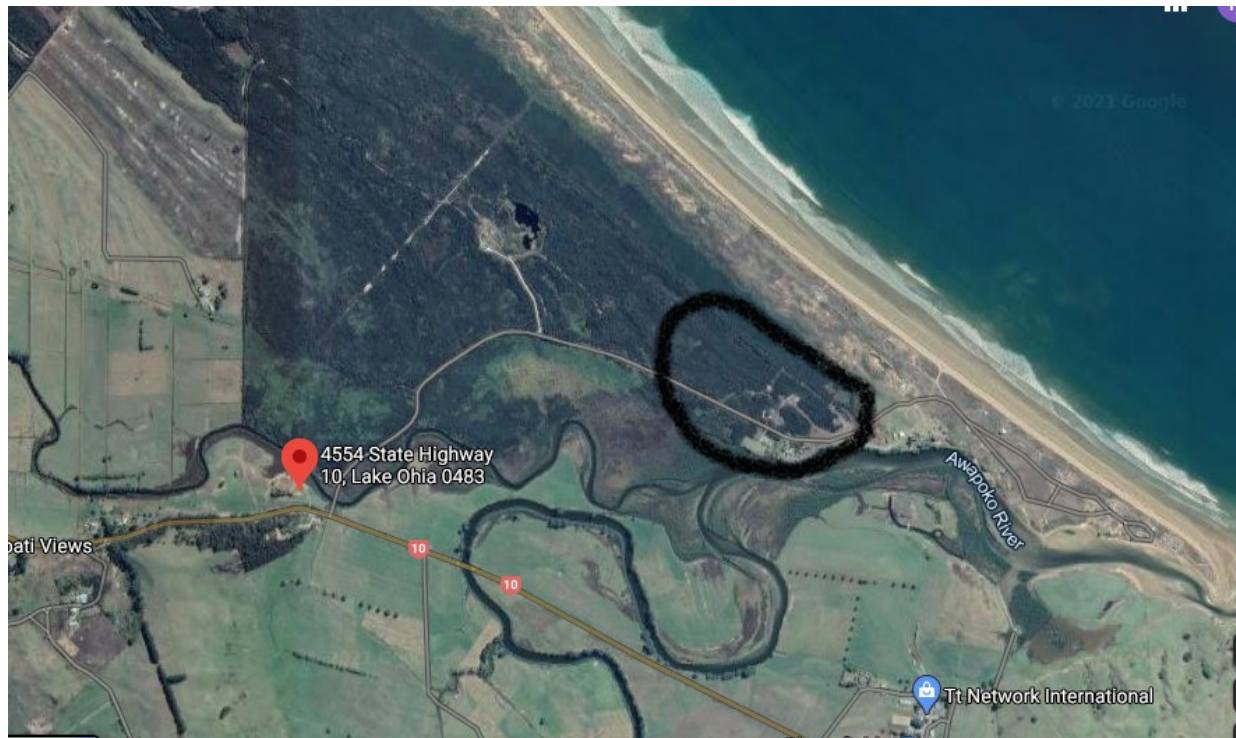


Figure 1: Location of proposed development (approximately within black marked area).

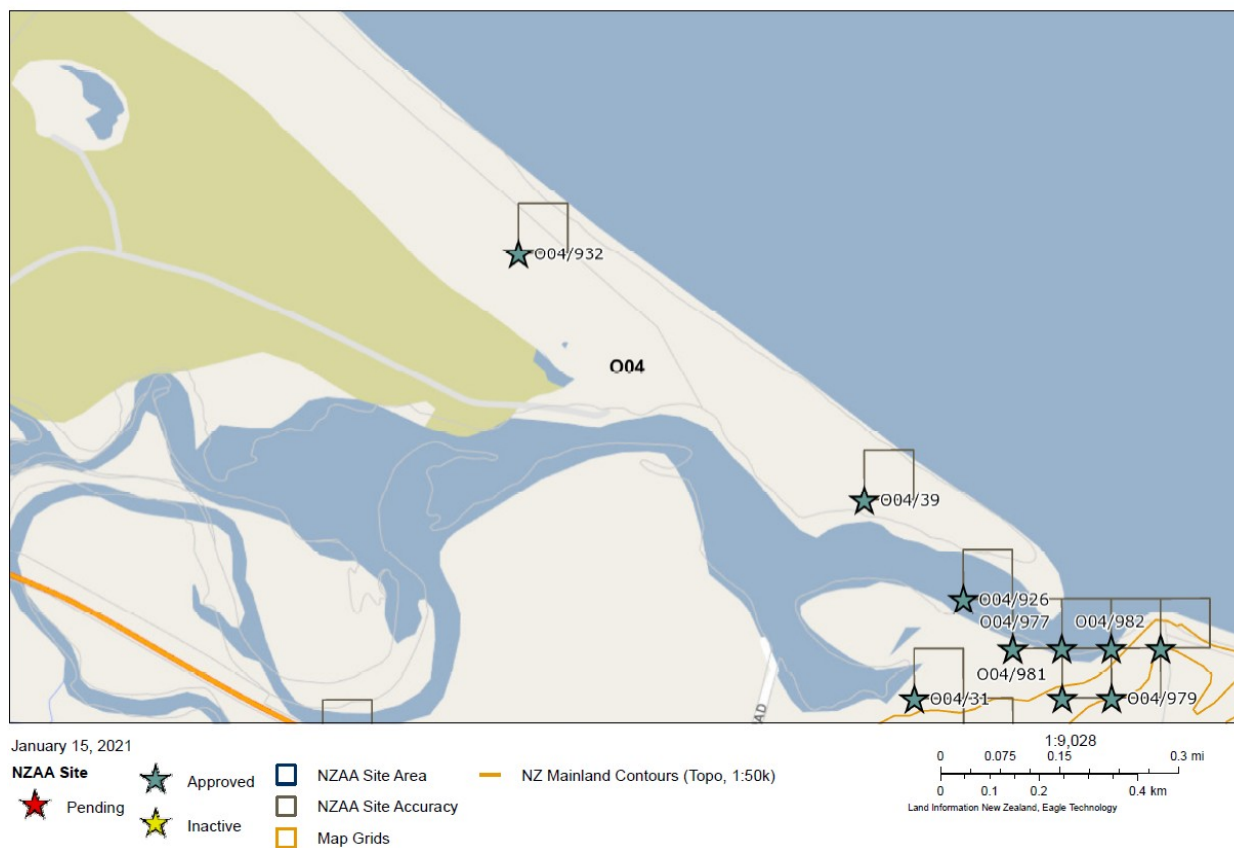


Figure 2: Proposed upgrades to the Sir Hec Busby Kupe Waka Centre.



unlocking the past

Te Aurere Beach



hansbader
NZ Archaeological Association

Figure 4: Previously recorded site closest to the property - NZAA Site Recording Scheme, ArchSite.



unlocking the past



Figure 5: Area 4 of the proposed development.



unlocking the past



Figure 6: Planting area - high risk area of sub surface unrecorded archaeological features or deposits.

Quickmap Title Details



Information last updated as at 11-Oct-2020

RECORD OF TITLE DERIVED FROM LAND INFORMATION NEW ZEALAND FREEHOLD

Identifier NA46C/958

Land Registration District North Auckland

Date Issued 29 July 1980

Prior References

NA46C/957

Type	Fee Simple
Area	115.8000 hectares more or less
Legal Description	Okokori B Block

Registered Owners

Hector Busby

Appurtenant hereto is a right of way created by Transfer 572290.1

D534038.1 Notice pursuant to Section 94C Transit New Zealand Act 1989 declaring the adjoining State Highway 10 to be a limited access road - 21.8.2000 at 2.05 pm

D539232.1 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 7.9.2000 at 1.31 pm

9520362.2 Gazette Notice 2013 page 3089 setting apart part Okokori B Block (2.1000 ha) herein as a Maori reservation for the purpose of Whare Wananga for kaupapa waka, to be known as Te Awapoko Waka Whananga Reserve for the benefit of the trustees for the time being of the Hekenukumai Nga Iwi Trust - 20.9.2013 at 7:00 am

9520362.3 Trustee Order vesting part Okokori B Block (2.1000 ha - Maori Reservation in Gazette Notice 9520362.2) in Hekenukumai Busby, Charles Peter Wilson, Robert Gabel and Stanley Sedman Conrad as responsible trustees jointly - 20.9.2013 at 7:00 am

10886667.1 Status Order determining the status of the within land to be Maori Freehold Land - 24.8.2017 at 2:04 pm

Property Map

Date Printed: 09-October-2020



SCALE 1: 50,000

0 2,500
Meters

Projection: NZGD_2000_New_Zealand_Transverse_Mercator

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Property Map

Date Printed: 09-October-2020



SCALE 1: 50,000

0 2,500
Meters

Projection: NZGD_2000_New_Zealand_Transverse_Mercator

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Please note, the valuation data is current as of 2016.

Valuation Number:	00085-16700
Address:	Okokori B Tokerau Beach Road Karikari Peninsula 0483
Legal Description:	Okokori B
Capital Value:	\$1,135,000.00
Land Value:	\$900,000.00
Rate Account:	
Area (ha)	1158000

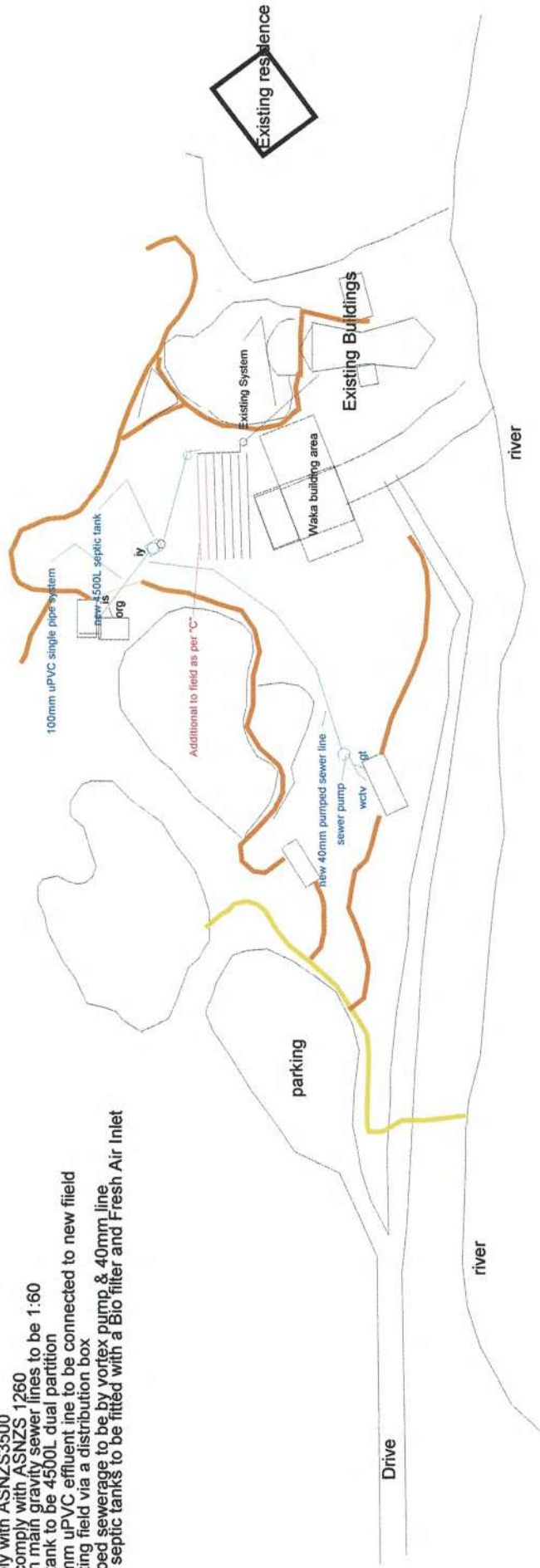
Valuation Number:	00085-16700-A
Address:	Okokori B Tokerau Beach Road Karikari Peninsula 0483
Legal Description:	Okokori B

Capital Value:	\$94,000.00
Land Value:	\$17,000.00
Rate Account:	5013348
Area (ha)	1163825

Valuation Number:	00085-16700-B
Address:	Okokori B Tokerau Beach Road Karikari Peninsula 0483
Legal Description:	Okokori B
Capital Value:	\$1,080,000.00
Land Value:	\$930,000.00
Rate Account:	5013349
Area (ha)	1163825

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Notes:
 All works to comply with ASNZS3500
 All materials to comply with ASNZS 1260
 Minimum fall in main gravity sewer lines to be 1:60
 New septic tank to be 4500L dual partition
 New 100mm uPVC effluent line to be connected to new field
 & existing field via a distribution box
 Pumped sewerage to be by vortex pump & 40mm line
 All septic tanks to be fitted with a Bio filter and Fresh Air Inlet



Schematic Septic Plan Sir Hec Busby Kupe Whaka Centre

E.J. Wagener Certifying Registered Drainlayer 05877

scale approx 100m

PRODUCER STATEMENT

DESIGN: ON-SITE EFFLUENT DISPOSAL SYSTEMS (T.P.58)

ISSUED BY: ...Eric Wagener..... (approved qualified design professional)

TO: Sir Hector Busby (Deceased) Kupe Waka Centre

(owner).....

TO BE SUPPLIED TO:Far North District Council.....

PROPERTY LOCATION: Okokori B Tokerau Beach Road Aurere

.....Kaitia.....

LOT Okokori BML15115..... VALUATION
NUMBER.....

TO PROVIDE : Design an on-site effluent disposal system in accordance with Technical paper 58 and provide a schedule to the owner for the systems maintenance.

THE DESIGN: Has been in accordance with G13 (Foul Water) G14 (Industrial Liquid Waste) B2 (durability 15 years) of the Building Regulations 1992.

As an independent approved design professional covered by a current policy of Professional Indemnity Insurance (Design) to a minimum value of \$200,000.00, I BELIEVE ON REASONABLE GROUNDS that subject to:

- (1) The site verification of the soil types.
- (2) All proprietary products met the performance requirements.

The proposed design will met the relevant provisions of the Building Code and 8.15 of The Far North District Council Engineering Standards.



.....(Signature of approved design professional)

...Certifying Registered Drainlayer(Professional qualifications)

.....05877.....(Licence Number or professional Registration number)

Address ...3778 Far North Road R.D4 Kaitia.....

.....

Phone Number...09 409 8854.....

Fax Number

Cell Phone0274 885584.....

Date ...9/10/2020.....

Note: This form is to accompany every application for a Building Consent incorporating a T.P.58. Approval as a design professional is at Councils discretion.

On-site Wastewater Disposal Site Evaluation Investigation Checklist

FAR NORTH DISTRICT COUNCIL

Appendix E

TP58

On-site Wastewater Disposal Site Evaluation Investigation Checklist

Part A –Owners Details**1. Applicant Details:**

Applicant Name	Peter Pillips		
Company Name			
Property Owner Name(s)	First Name(s)	Surname	
	Sir Hector	Busby (diseased)	

Nature of Applicant* owners

(*i.e. Owner, Leasee, Prospective Purchaser, Developer)

2. Consultant / Site Evaluator Details:

Consultant/Agent Name	Eric Wagener			
Site Evaluator Name				
Postal Address	3778 Far North Road			
	R.D.4			
	Kaitaia			
Phone Number	Business	094098854	Private	
	Mobile	0274885584	Fax	
Name of Contact Person	Eric Wagener			
E-mail Address	ewagener@xtra.co.nz			

3. Are there any previous existing discharge consents relating to this proposal or other waste discharge on this site?

Yes	Yes	No		(Please tick)
If yes, give Reference Numbers and Description				
Kupe Waka centre , Private Dwelling				

4. List any other consent in relation to this proposal site and indicate whether or not they have been applied for or granted

If so, specify Application Details and Consent No.

(eg. LandUse, Water Take, Subdivision, Earthworks Stormwater Consent)

Part B- Property Details**1. Property for which this application relates:**

Physical Address of Property	State Highway 10 Aurere		
Territorial Local Authority	FAR NORTH DISTRICT COUNCIL		
Regional Council	NORTHLAND REGIONAL COUNCIL		
Legal Status of Activity	Permitted:	Controlled:	Discretionary:
Relevant Regional Rule(s) (Note 1)			
Total Property Area (m ²)	115800m2		
Map Grid Reference of Property If Known			

2. Legal description of land (as shown on Certificate of Title)

	Okokori B	ML15115		ID	
Other (specify)					

Please ensure copy of Certificate of Title is attached

PART C: Site Assessment - Surface Evaluation

(Refer TP58 - Sn 5.1 General Purpose of Site Evaluation and Sn 5.2.2(a) Site Surface Evaluation)

Note: Underlined terms defined in Table 1, attached

Has a relevant property history study been conducted?

Yes	Y	No		(Please tick one)
-----	---	----	--	-------------------

If yes, please specify the findings of the history study, and if not please specify why this was not considered necessary.

see survey	-The study basically revealed that the section had previously been part of farm land many years ago there are no hazards associated with this past use,

1. Has a Slope Stability Assessment been carried out on the property?

Yes		No	N	Please tick
-----	--	----	---	-------------

If No, why not?

Site is gently undulating/sloping but there is no sign of erosion either on this site or on other built adjacent sections

If Yes, please give details of report (and if possible, please attach report):

Author	
Company/Agency	
Date of Report	
Brief Description of Report Findings:-	

2. Site Characteristics (See Table 1 attached):

Provide descriptive details below:

Performance of Adjacent Systems:

All are performing well and are modern designs

Estimated Rainfall and Seasonal Variation:

Information available from N.I.W.A MET RESEARCH

1200>1300mm

Vegetation / Tree Cover:

Grass plus gardens

Slope Shape: (Please provide diagrams)

Flat to mildly undulating - building platforms are on an areas with around a 2 >degrees slope

Slope Angle:

2>5 degree

Surface Water Drainage Characteristics:

There are no concerns with surface water retention, slopes direct water away from the proposed primary system and effluent sites

Flooding Potential: YES/NO

no

If yes, specify relevant flood levels on appended site plan, i.e. one in 5 years and/or 20 year and/or 100 year return period flood level, relative to disposal area.

Surface Water Separation:

+20m

Site Characteristics: or any other limitation influencing factors

3. Site Geology**Check Rock Maps**

The soil is a mix of Sandy Soils predominately Whananaki Sand Classification 3

Geological Map Reference Number 290

4. What Aspect(s) does the proposed disposal system face? (please tick)

North		West	
North-West	X	South-West	
North-East		South-East	
East		South	

5. Site clearances, (Indicate on site plan where relevant)

Separation Distance from	Treatment Separation Distance (m)	Disposal Field Separation Distance (m)
Boundaries	+10m	Check Council requirements +1.5m
Surface water, rivers Creeks drains etc	+30	+30m
Groundwater	+1.5m	+1.5m
Stands of Trees/Shrubs	N/A	N/A
Wells, water bores	N/A	N/A
Embankments/retaining walls	N/A	N/A
Buildings	+3m	+17m
Other (specify):		

PART D: Site Assessment - Subsoil Investigation

(Refer TP58 - Sn 5.1 General Purpose of Site Evaluation, and Sn 5.2.2(a) Site Surface Evaluation and Sn 5.3 Subsurface Investigations)

Note: Underlined terms defined in Table 2, attached

1. Please identify the soil profile determination method:

Test Pit	(Depth _____ m)	No of Test Pits	
Bore Hole	(Depth <u>1.5</u> m)	No of Bore Holes	2
Other (specify):			

Soil Report attached?

Yes	Y	No		Please tick
-----	---	----	--	-------------

2. Was fill material intercepted during the subsoil investigation?

Yes		No	N	Please tick
-----	--	----	---	-------------

If yes, please specify the effect of the fill on wastewater disposal

3. percolation testing (mandatory and site specific for trenches in soil type 4 to 7)

Please specify the method	Constant Head Ksat

Test Report Attached?	Yes	Y	No		Please tick
-----------------------	-----	---	----	--	-------------

4. Are surface water interception/diversion drains required?

Yes		No	N	Please tick
-----	--	----	---	-------------

If yes, please show on site plan

4a Are subsurface drains required No

If yes enter details

5. Please state the depth of the seasonal water table:

Winter	1.5m	m	Measured	Yes	Estimated	
Summer	As Above	m	Measured	Yes	Estimated	

6. Are there any potential storm water short circuit paths?

Yes		No	No	Please tick
-----	--	----	----	-------------

If the answer is yes, please explain how these have been addressed

7. Based on results of subsoil investigation above, please indicate the disposal field soil category (Refer TP58 Table 5.1)

Is Topsoil Present?	Yes	If so, Topsoil Depth?	100mm>	(m)
---------------------	-----	-----------------------	--------	-----

Soil Category	Description	Drainage	Tick One
1	Gravel, coarse sand	Rapid draining	
2	Coarse to medium sand	Free draining	
3	Medium-fine & loamy sand	Good drainage	X
4	Sandy loam, loam & silt loam	Moderate drainage	
5	Sandy clay-loam, clay loam & silty clay-loam	Moderate to slow drainage	
6	Sandy clay, non-swelling clay & silty clay	Slow draining	
7	Swelling clay, grey clay, hardpan	Poorly or non-draining	

Reasons for placing in stated category

Soil tests and soil maps -GIS290

PART E: Discharge Details

1. Water supply source for the property (please tick):

Rainwater (roof collection)	Tank
Bore/well	
Public supply	

2. Calculate the maximum daily volume of wastewater to be discharged, unless accurate water meter readings are available

(Refer TP58 Table 6.1 and 6.2)

Number of Bedrooms	2 - 3 - 4	As per Spread sheet
Design Occupancy	30 Per @ 73L	(Number of People)
Per capita Wastewater Production	140 160 180	(tick) (Litres per person per day)
Other - specify	200 220	
		Total annual L/P divided by 365
Total Daily Wastewater Production	2190	(litres per day)

3. Do any special conditions apply regarding water saving devices

a) Full Water Conservation Devices?	no				(Please tick)
b) Water Recycling - what %?	%				(Please tick)

If you have answered yes, please state what conditions apply and include the estimated reduction in water usage

4. Is Daily Wastewater Discharge Volume more than 2000 litres:

Yes	Y	(Please tick)
No		(Please tick)

Note if answer to the above is yes, an N.R.C wastewater discharge permit may be required

5. Gross Lot Area to Discharge Ratio:

Gross Lot Area	115800	Note L/D Ratio is for all dwellings
Total Daily Wastewater Production	2190	(Litres per day)(from above)
Lot Area to Discharge Ratio	52.87	

7. Does this proposal comply with the Northland Regional Council Gross Lot Area to Discharge Ratio of greater than 3?

Yes	yes	No		Please tick
-----	-----	----	--	-------------

8. Is a Northland Regional Council Discharge Consent Required?

Yes		No	no	(Please tick)
-----	--	----	----	---------------

PART F: Primary Treatment (Refer TP58 Section 7.2)

1. Please indicate below the no. and capacity (litres) of all septic tanks including type (single/dual chamber grease traps) to be installed or currently existing: If not 4500 litre, dual chamber explain why not

Number of Tanks	Type of Tank	Capacity of Tank (Litres)
1		
	concrete	4500L
New instalation		
	Total Capacity	4500L

2. Type of Septic Tank Outlet Filter to be installed? Bio filter

PART G: Secondary and Tertiary Treatment

(Refer TP58 Section 7.3, 7.4, 7.5 and 7.6)

1. Please indicate the type of additional treatment, if any, proposed to be installed in the system: (please tick)

Secondary Treatment		
Home aeration plant		
Commercial aeration plant		
Intermediate sand filter		
Recirculating sand filter		
Recirculating textile filter		
Clarification tank		
Tertiary Treatment		
Ultraviolet disinfection		
Chlorination		
Other	Specify	

PART H: Land Disposal Method

(Refer TP58 Section 8)

1. Please indicate the proposed loading method: (please tick)

Gravity	X
Dosing Siphon	
Pump	

Note: A small daily quantity from the shop may need to be Pumped to the new septic

2. High water level alarm to be installed in pump chambers

Yes ☐

If not to be installed, explain why

Yes if pumping is required

3. If a pump is being used, please provide the following information:

Total Design Head		(m)
Pump Chamber Volume		(Litres)
Emergency Storage Volume		(Litres)

4. Please identify the type(s) of land disposal method proposed for this site: (please tick)
(Refer TP58 Sections 9 and 10)

Surface Dripper Irrigation		
Sub-surface Dripper irrigation		
Standard Trench	As per "C"	
Deep Trench		
Mound		
Evapo-transpiration Beds		
Other		
	Specify	As per design "C"

5. Please identify the loading rate you propose for the option selected in Part H, Section 4 above, stating the reasons for selecting this loading rate:

Loading Rate	Ksat 20	(Litres/m2/day)
Disposal Area	Design 109.5	(m2)
	reserve 109.5	(m2)

Note: This is old plus new development

Explanation (Refer TP58 Sections 9 and 10)

Test showed better than ksat25 refer to site tests

6. What is the available reserve wastewater disposal area (Refer TP58 Table 5.3)

Reserve Disposal Area (m ²)	109.5
Percentage of Primary Disposal Area (%)	100%

7. Please provide a detailed description of the design and dimensions of the disposal field and attach a detailed plan of the field relative to the property site:

Description and Dimensions of Disposal Field:

See Design Appendix C

Plan Attached?	Yes	yes	No		(Please tick)
----------------	-----	-----	----	--	---------------

If not, explain why not

PART I: Maintenance & Management

(Refer TP58 Section 12.2)

1. Has a maintenance agreement been made with the treatment and disposal system suppliers?

Yes			No	(Please tick)
-----	--	--	----	---------------

Name of Suppliers

--

PART J: Assessment of Environmental Effects

1. Is an assessment of environmental effects (AEE) included with application?

(Refer TP58 section 5. Ensure all issues concerning potential effects addressed)

Yes	See enclosed			(Please tick)
-----	--------------	--	--	---------------

If Yes, list and explain possible effects


PART K: Is Your Application Complete?

1. In order to provide a complete application you have remembered to:

Fully Complete this Assessment Form	Y
Include a <i>Location Plan</i> and <i>Site Plan</i> (with Scale Bars)	Y
Attach an Assessment of Environmental Effects (AEE)	Y

1. Declaration

I hereby certify that, to the best of knowledge and belief, the information given in this application is true and complete.

Name	Eric Wagener	Signature	
Position	Certifying Registered Drainlayer 05877	Date	9/10/2020

Note

Any alteration to the site plan or design after approval will result in non compliance.

Note 2 This is for an extension to the original approved design

APPENDIX – A

ASSESSMENT OF ENVIRONMENTAL EFFECTS

Summary:

Kupe Waka Centre

Okokori B

Aurere

In Preparing this design and recommendations the writer has taken into account:

- Subsoil structure, surface structure and the ability to contain effluent on the Kupe Waka site.
- Ground water separation and potential for contamination.
- Evaluated the potential for effluent disposal and calculated the absorption field requirements using conservative values.
- Adopted and evaluated design criteria as they apply to secondary and septic tank systems
- The ability for the recommended effluent systems to minimize environmental concerns
- Selected a simple solution and design recommendation for all effluent disposal.
- Calculated the daily water use and combined that into the calculations for effluent disposal in m2 requirements plus 100% reserve.
- Evaluated visually the potential for surface water contamination and potential for system short circuit.
- Identified that there is enough area within the proposed site constraints to allow for occupancy use, and the designed effluent disposal.
- Identified that there is capacity for reserve if the reserve is required
- Identified and recorded the site aspect, and location
- Included topographical, site, and location maps.
- Included site drainage proposed location
- Stipulated design criteria
- Referred to the design criteria in T.P.58 Manual for On Site Disposal with particular reference to soil categories “Appendix D”
- Taken note of any special clauses of the consent notices, and evaluated the impact that this septic treatment proposal may have.
- Used for assessment purposes calculations based on actual site land bore investigation and percolation test, balanced that against seasonal absorption variations.
- Taken note of overland surface water drainage patterns
- Concluded from careful evaluation that there will be no environmental effects which cannot be easily remedied.
- Designed and placed storm water attenuation so that impact will be minimal and that there will be no chance for storm water to compromise the effluent system.

Background to the summary for the assessment of environmental effects and mitigation measures Appendix A-

Owners: Kupe Whaka Trust
Location: State Highway 10 Aurere
Description: Okokori B

The property is located off State Highway 10 Aurere. This part of Tokerau/Aurere is mildly undulating coastal land, with the development area on consolidated dune structures. The section in question has been taken out of undeveloped manuka covered land many years ago. It consists of a rural coastal development block. The main residence is on top of a consolidated parabolic dune structure, created by tombolo action, with the existing and new development below and adjacent.

Risk assessment:

The sandy soil site will not need any real modification. The site has minimum falls but sufficient to enable surface water drainage so that little retention will occur. There are no ecological risks with the use of the primary treatment system, or the current secondary system designed for effluent disposal.

This soil type tends to be good drainage in all seasons. No ground water was found at test. Given the location this is to be expected. Under normal conditions in this area with the penetration/breaking of the hard pan ground water disappears. It is recommended that pan penetration be undertaken at the effluent site should it be found.

Impact on surface water:

Visual evaluation of the site showed that there are falls of 2>3 degrees at the current, and extended proposed effluent site. This disposal area will not affect, or be affected by surface water. The primary treated effluent is designed to be disposed of into the sand media, and via transpiration, by the designed trench/bed structure, the secondary is also disposed of in the same manner. There is sufficient slope on the section to ensure that there will be no surface water retention which could affect or compromise the effluent disposal systems chosen.

This effluent system design is not seen to pose any threat to surface water for the above risk matrix reasons.

Impact on groundwater:

On site exploration and extensive testing has shown:

- Tests carried out on the sites indicate that the soil falls into a category 3. The location of the alternate effluent soakage fields for reserve areas, were chosen as those areas were similar in nature and had similar test results. The property is large with a considerable buffer area.
- Current tests indicate a better absorption factor than that used for calculation but this has seasonal factors to consider.
- The decision tree process upon which the designs were based involved the careful analysis of soil structure, consideration of the area available, the depth of soil available and the ability of the site to safely contain effluent

discharge . The soil loading rates used were as a result of Ksat tests, those recommended in T.P58, and ASNZS standards.

- Having taken all of the above factors into consideration it is believed that there will be little possibility of any effect on groundwater. There is a buffer between the effluent sites and any risk area. The development area is well removed from any other habitation. The location of the effluent disposal system, has been placed so that the horizontal movement of any contaminants would not cause a hazard or have any effect on the immediate environment.

Impact on the soil:

It is generally accepted that the degree of nitrogen leaching increases with higher soil carriage water (rain fall and effluent loading rate). Therefore low effluent loading rates can assist in the mitigation of nitrogen leaching.

The primary mechanism for reducing nitrogen discharges into the receiving environment is the reduction of the organic load from the household and other users. In this case the opportunity for intensive organic load is not considered a major factor due to the reliance on rainwater, and the minimal daily occupancy use the residence and other buildings will have.

The soil is classified as being Whannaki sand. This soil type is classed as being well drained. Soil tests done in the summer give a very good result, however there will be a slightly worse result in the winter months. The soil type is therefore better treated as a moderately well drained class 3.

Storm Water:

Storm water overflow from roof catchment has been designed for disposal via 100mm uPVC pipe to a spreader. The flow charts for determining attenuation need, give the impervious to land mass ratio of < .2%. This lot has a ratio lower than that (0.004%) so no attenuation design is normally required. Further the small footprint of the proposed buildings will have minimum impact.

Design mitigation measures:

The systems are designed to maximise the dual potential for evapotranspiration and basal ground area disposal.

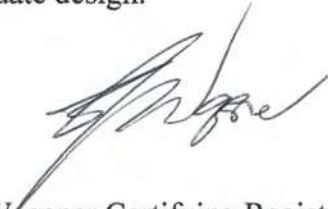
The separation distance of waste water distribution from potential groundwater aquifers which were not found at deep sand levels minimises the opportunity for any aquifer contamination. Sand is generally recognised for an ability to “polish” effluent and help to clean effluent. Storm water and storm water treatment is managed so that there will be no impact on effluent disposal.

Ammenity Values:

An in-depth study of the immediate areas of impact indicates that this proposal will have no more impact on the surrounding land users or occupiers than that currently existing. The fact that the system provides for effluent treatment into a sandy soil media, and sandy top soil means that the chance of accidental breakout is highly unlikely. The current system for the main dwelling shows no sign of septic stress.

Conclusion:

The summary of factors taken into consideration "Appendix A" leads to the conclusion that there are no environmental effects which cannot be mitigated by adequate design.

A handwritten signature in black ink, appearing to read "E.J. Wagener", written in a cursive style.

E.J. Wagener Certifying Registered Drainlayer 05877

Effluential DrainLayers Ltd

3778 Main North Road

R.D.4

Kaitia 0484

Phone 09 409 8854 Fax 09 409 7720 Mobile 0274 8855 84

7/10/2020

Kupe Waka Centre

State Highway 10

Aurere

Report on Storm Water Attenuation Okokori B Tokerau Beach Road

Purpose:

To control/assist the management of the effects of stormwater runoff from building developments, and mitigate the impact this has on infrastructural assets.

Considerations:

It needs to be accepted that the impact is greater in densely populated areas and less in urban/rural.

The definition of soakage is the process where a permeable substance receives a liquid, in this case where storm water is disposed of into ground, into the harbour, or effective runoff slowed so as to minimize effects on the environment or infrastructure.

The infiltration factor k_{sat} assessment, assists in mitigating runoff impact.

Characteristics that determine permeability are soil structure, soil particle size, and geomorphology.

The flow rate of the soakage discharge is also dependent upon the soakage area and the hydraulic pressure forcing water into the absorbent media.

A visual inspection of the property was undertaken. The contour is best described as being mildly undulating. There are no erosion issues. While the area is mounded in nature at the building platforms it is felt that the natural slightly raised areas combined with sandy soil will make surface drainage a minor concern, the property slopes away from the building platforms to lower sloping areas, natural surface water will be directed away from this via the natural soil slope and drainage system.

Design Criteria:

Soakage devices must be 3m from dwellings.

Run off from driveways and other impervious surfaces due to the Lot size 115800m² will not require attenuation design.

All calculations if required will be via FNDC Stormwater calculation spread sheet.

Whare Whetu 115m²

Putanga 77m²

Whare Whakairo 205m²

Taupae 35m²

Whare Wananga 210

Concrete Paths 540m²

Percentage calculation $1182/115800 = 0.010\%$ no attenuation required.

Effluential DrainLayers Ltd

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Devices which discharge water via infiltration through soil provide a storm water quality benefit to the receiving environment and the insitu soil acts as a filter media for removing contaminants. This is a known beneficial factor and provides for infiltration devices to be used as storm water quality treatment.

In this case any overflow will be dealt with by a spreader from the water tank discharging directly to the sandy soil, an alternative being discharge to the existing ponds with overflow to the stream. There will be no effect on FNDC infrastructure.

Site Description

This property Okokori B is located off State Highway 10 Aurere.

The soil type is defined as Pinaki & Whananaki sand . This is classed as well drained in district soil maps, NZMS290. With a Ksat figure derived for absorption potential, of plus Ksat25.

The area of the property where the buildings are, and to be constructed has mounded areas with the majority of surface water being discharged overland, and in the case of the front of the development to road side drainage.

The Whangarei Engineering Flow charts require attenuation to be designed when the proportion of greater than 2% of the whole is reached and therefore attenuation is not normally required with this development.

The Far North District Council information was designed specifically to enable storm water design to be expedited quickly. The ARC prepared TP10 on the same basis.

ASNZS1547 is also structured in the same manner.

All of these design documents suggest that attenuation with this block development size will not be required.

The principle being used is that overflow from rainwater storage will be piped directly to controlled overflow, by a spreader and then discharged to the sandy soils. In this manner Storm water can be both absorbed by the soil media, with any excess finally being discharged to the river and the harbour. The cumulative effects from this sized development will be minor, in relation to the whole.

Any development has some adverse effects however in relation to the major area the effects are small, with stormwater having no effect on any infrustructre.

It is most unlikely given the nature of the soils, and the percentage of impervious surfaces that there will be any environmental effect with this development.

This combination of circumstance lessens the impact on the downstream environment while also enabling the maximum rainwater capture for household, workshop, and tourist use, while providing for the maximum soil absorption as proposed by TP10, again lessening the potential impact on infrastructure.

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Regional Plan:

The Northland Regional Council proposed rule C6.4.2 provides for the diversion and discharge of stormwater from outside a public stormwater network, provided that (amongst other conditions) the discharge or diversion does not cause or increase nuisance or damage to other property. In this case there are no affected neighboring properties and the initial discharge is to spreaders and peripheral drains. Therefore this proposal is in accordance with NRC Rule C6.4.2.

Should you have any queries I am only too happy to oblige.

Kindest



Eric Wagener Certifying Registered Drainlayer 05877

5

practicable range of calculations
No Attenuator reqd.

24hr

Post-development Slope %	10
CI correctdion	0.00

any area where there is a change in the permeability values

Any area where there is *no* change to the impermeability values

post - développement flow	Qt (m ³ /sec)	Qt (L/sec)
	0 000	0 000
		0.1000

Total area developed0.0500

EFFLUENTIAL DRAINLAYERS LTD

3778 MAIN NORTH ROAD

RD 4

KAITIATA, 0848

Outcome of Permeability Test in accordance with AS/NZS 1547:2000, Clause 4.1F3

Inputs

Hole Diameter cm.

Depth of Water in Test Hole cm.

Time to deplete reservoir by 500ml min.

Outputs

Permeability (K_{sat}) cm/min

m/d

Calibration Line

Fall in mm 1 unit = 100mm

1
2

1 = 1100 fall in 2min 53 secs
 2 = 1125 fall in 2min 19 secs
 Average 112.5 fall in 2min 36 secs
 = 460mils in 2.5 min
 = 432.69 mils/min
 Reduce to min per 500ml fall
 = 1.15min/500

Brown sandy soil
 600mm

common to all

Light Brown Sandy soil

0.500Mil 1 unit = 050ml

K Sat Chart

Hector Busby Aurere

E.J.Wagener 05877

Busby Kupe Waka Center	Standard	Custom	Cruise	peak load	DWAP	P/l/d
1 Oct >14nov	0	113	38			0
15 Nov > 31 Dec	540	338	75			
1 Jan > 28 Feb	810	338	150	1298 person over 45 days equals		0
1 Mar > 15 April	450	225	94	equals av 73L at 30		
16 April > 31 May	0	113	19			
	1800	1127	376			
Total design factor	40	150	30			0
Annual L	72000	169050	11280			
Total Ann L	252330					
Daily Litre = Average peak	2190					
PLD at Ksat 20	109.5 m2					
Equals 109.5m2 trench @0.5	219 Lm					
Current 128Lm						
Additional	91 Lm					
or 91m/3 trenches	30.33333					
So additional = 23x 0.5 x 30 Required						

developed scenarios for as we can't know in advance. For the busiest schedule we are looking at, for 2030/31 we have the following distribution:

	Standard	Custom	Cruise	Total
1 Oct to 14 Nov	0	113	38	150
15 Nov to 31 Dec	540	338	75	953
1 Jan to 28 Feb	810	338	150	1298
1 Mar to 15 Apr	450	225	94	769
16 Apr to 31 May	0	113	19	131
1 Jun to 30 Sep	0	0	0	0

- average group size of 20 people arriving in late afternoon, staying overnight and leaving after breakfast with four per year in 2021/22 rising to 8 in 2030/31 so max of 160 people
- **meetings and conferences:** average group size of 20 people for the day with 12 per year in 2021/22 rising to 20 in 2030/31 so max of 400 people over the year.
- **Leadership training (foreign students):** average group size of ten, spending two days and one night on the site sleeping in the Whare Wananga. Two groups per year in 2021/22 rising to four in 2030/31 so max of 40 people over the year.
- **Leadership training (local government and business people):** average group size of ten spending the day at the site using the Whare Wananga or Whare Whetū. 12 per year in 2021/22 rising to 20 in 2030/31 so max of 200 people over the year.
- **Team building:** average group size of ten assembling and departing at the site but most of time on the wake *Te Aurere*. Four per year in 2021/22 rising to eight in 2030/31
- **Navigation training courses:** average group size of ten working in Whare Whetū and sleeping in the Whare Wananga. Four per year in 2021/22 rising to 6 in 2030/31 so max of 60 people over the year
- **Virtual Reality Shows:** average group size of 15 spending approx 1.5 to 2 hours in the evening in the Whare Whetū. 18 per year with maximum of 270 people over the year;
- **Events:** up to four events per year with 150 attendees eg Matariki for a maximum of 600 people over the year;
- **Schools:** average group size 30 spending about two hours on site visiting all the major buildings. Initially averaging about 20 classes a year with future growth contingent on contracting for Learning Experiences Outside The Classroom .

In terms of timing:

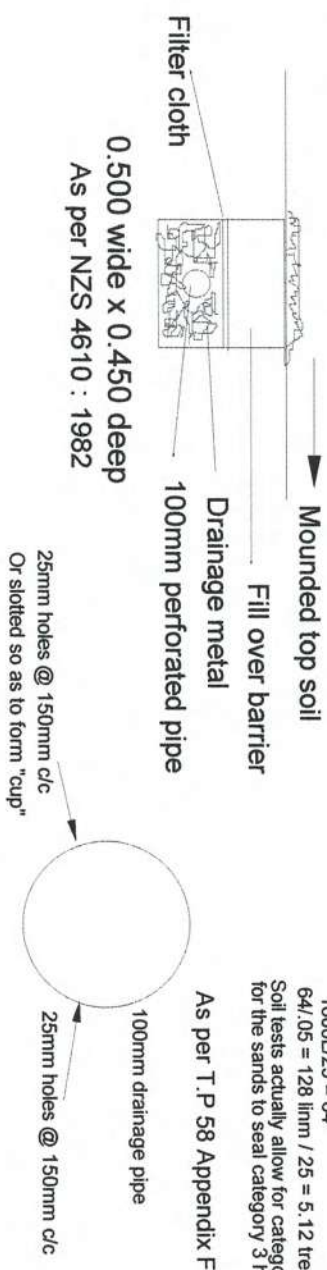
- The non-tourism activities will typically not be scheduled during January or February at the peak of the tourism season with our preference for scheduling as many as possible off-peak from 16 April through to 14 November;
- The various types of non-tourism activities will typically not be scheduled on the same day.

For the time being, at least, the Waka Centre will not be set up as a training establishment so there will be no trainees on site. There may however from time to time be volunteers working in the nursery and planting out on the block. Not sure about numbers at this stage as we have not started engaging with the community on this yet.

Hope this helps. Please do not hesitate to ask anything else you need to know.

Appendix C

Note: Pipes to be capped at open ends



Amended

Effluent Trench Details

Hector Busby Kupe Waka Centre

E.J.Wagener Certifying Registered Drainlayer 05877

Note:

Trenches should be laid level so that even loading occurs

Note: Building treated as Community hall/Marae

8 vehicles /day (planners estimate) @ 4 person = 40

Rate AS/NZS 1547 = 30L/p/d T.P58 = 40

Design uses 35L/P/D = 1400L

Use conservative 25L/m design figure

1600L/25 = 64

64 / .05 = 128 l/m / 25 = 5.12 trenches

Soil tests actually allow for category 2 but due to potential for the sands to seal category 3 has been used

Note: New development Load = Total Volume old + new

From spread sheet 30P/D @ 30L = 2190L

Use Ksat 20 = 2190/20 = 109.5m²

= 219Lm

Current = 128Lm

New Required 91Lm = 3 x 30

STRUCTURAL CALCULATIONS

PROJECT: Kupe Waka Centre - Putanga

CLIENT: Arawai Limited

SERVICE: Structural design


CODES CONSIDERED:

N.Z. Building Code		<input checked="" type="checkbox"/>
Design Loadings	AS/NZS 1170	<input checked="" type="checkbox"/>
Timber Structure Standard	NZS 3603:1993	<input checked="" type="checkbox"/>
Timber Framed Buildings (non-specific)	NZS 3604:2011	<input checked="" type="checkbox"/>
Steel Structure Standard	NZS 3404:1997	<input type="checkbox"/>
Concrete Structure Standard	NZS 3101:2006	<input type="checkbox"/>
Design of Reinforced Concrete Masonry Structures	NZS 4230:2004	<input type="checkbox"/>
Concrete Masonry Building (non-specific)	NZS 4229:1999	<input type="checkbox"/>

CONTENTS:

DESCRIPTION

1. Lateral loads	1 - 2
2. Foundation & subfloor bracing	3 - 5

 T&A STRUCTURES <small>CHARTERED PROFESSIONAL ENGINEERS</small> <small>www.tastructures.co.nz info@tastructures.co.nz</small>	PROJECT:	Project No.	146-FND-20SD TEO
	Kupe Waka Centre-Putanga	Page No.	
	DESIGN ELEMENT:	Prepared by:	
	Lateral Load	Checked by:	

ELASTIC SITE SPECTRA

$C_{(T)}$	=	$Ch_{(T)} Z R N_{(T,D)}$	p. 10 NZS 1170.5:2004
$Ch_{(T)}$	=	2.4 Class C soil, $T < 0.6s$	p. 11 NZS 1170.5:2004
Z	=	0.13 Hazard factor Kaikohe (nearest)	p. 15 NZS 1170.5:2004
APE	=	1/2500 annual probability of exceedance Impt. Level = 4	p. 14 NZS 1170.0:2002
R	=	1.8 Return period factor	p. 20 NZS 1170.5:2004
$N_{(T,D)}$	=	1.0 near-fault factor	p. 20 NZS 1170.5:2004
$C_{(T)}$	=	0.55	

HORIZONTAL DESIGN ACTION COEFFICIENTS:

$C_{d(T1)}$	=	$C_{(T)} S_p / k\mu$	p. 27 NZS 1170.5:2004
$C_{(T)}$	=	0.55	
μ	=	1.5 assigned structural ductility	
S_p	=	1.3 - 0.3 μ	p. 24 NZS 1170.5:2004
	=	0.85	
$k\mu$	=	μ for $T \geq 0.7s$	
	=	$(\mu - 1)T/0.7 + 1$ for $T < 0.7s$	
T	=	0.4 s	
$k\mu$	=	1.29	
$C_{d(T1)}$	=	0.365	

SEISMIC WEIGHT:

Roof	=	128.5 m ²	G	=	0.45 kpa	57.83 KN
			Q	=	0.25 kpa	32.13 KN
Wall	=	71.26 m	G	=	0.45 kpa	H = 3.43 m
Floor	=	101.5 m ²	G	=	0.85 kpa	86.28 KN
			Q	=	4 kpa	406.00 KN
G	=	254.09 KN				
Q	=	438.13 KN				
W_t	=	385.53 KN				

HORIZONTAL SEISMIC SHEAR (EQUIVALENT STATIC METHOD):

V	=	$C_{d(T1)} W_t$
	=	140.75 KN both ways

Date: 17/09/20

SITE WIND SPEED

$V_{sit,b} = V_R M_d (M_{z,cat} M_s M_t)$		p. 8 AS/NZS 1170.2
$V_R = 49 \text{ m/s}$	regional 3s gust wind speed	p. 13, AS/NZS 1170.2
$= 67 - 41R^{-0.1}$, $R = 2500$	Impt level = 4	p. 14, AS/NZS 1170.0
$M_d = 1$	wind directional multiplier	p. 14, AS/NZS 1170.2
$M_{z,cat} = 0.91$	site exposure multiplier	p. 18, AS/NZS 1170.2
	Cat 2	
$M_s = 1.0$	shielding multiplier	p. 21, AS/NZS 1170.2
$M_t = 1.0$	topographic multiplier	p. 21, AS/NZS 1170.2
$V_{sit,b} = 44.36 \text{ m/s}$	Site Wind Speed	
$V_{des,q} = 44.36 \text{ m/s}$	Site Design Speed	

DESIGN WIND PRESSURE

$p = (0.5 \gamma_{air}) [V_{des,\theta}]^2 C_{fig} C_{dyn}$	(N/m ²)	p. 11, AS/NZS 1170.2
$\gamma_{air} = 1.2 \text{ kg/m}^3$	density of air	p. 11, AS/NZS 1170.2
$V_{des,\theta} = 44.36 \text{ m/s}$		p. 13, AS/NZS 1170.2
$C_{fig} = C_{p,e} K_a K_c K_l K_p$	aerodynamic shape factor	p. 26, AS/NZS 1170.2
$C_{p,e} = 0.70$	external pressure coefficient, windward	p. 30, AS/NZS 1170.2
$d = 7.20 \text{ m}$		
$b = 14.10 \text{ m}$		
$d/b = 0.51$		
$C_{p,e} = 0.5$	external pressure coefficient, leeward	p. 30, AS/NZS 1170.2
$K_a = 1.00$	area reduction factor	p. 32, AS/NZS 1170.2
$K_c = 1.00$	combination factor	p. 33, AS/NZS 1170.2
$K_l = 1.00$	local pressure factor for cladding	p. 33, AS/NZS 1170.2
$K_p = 1.00$	permeable cladding reduction factor	p. 36, AS/NZS 1170.2
$C_{fig} = 0.7$	aerodynamic shape factor, windward	
$C_{fig} = 0.5$	aerodynamic shape factor, leeward	
$C_{dyn} = 1.00$	dynamic response factor	p. 11, AS/NZS 1170.2
$p = 0.83 \text{ Kpa}$	windward	
$p = 0.59 \text{ Kpa}$	leeward	

Design Data:

Date: 17/09/20

Demand:

1. Earthquake: = 140.75 KN both ways
 2. Wind: Along = 36.20 KN
 Across = 89.91 KN
 Number of piles = 50
 $V = 2.8$ KN bracing demand/pile
 Height of pile = 0.40 m height of pile
 $M^* = 1.69$ KN-m ultimate bending moment

Check post for bending:

SG8 H5

f_b	=	14.00	MPa	characteristic stress in bending	Table 15.5, TDG
f_s	=	3.80	MPa	characteristic stress in shear	Table 15.5, TDG
f_p	=	8.90	MPa	compression perpendicular to grain	Table 15.5, TDG
E	=	6.70	GPa	modulus of elasticity	Table 15.5, TDG

Strength limit state:

$$M = 1.69 \text{ KN-m} \quad V = 4.223 \text{ KN}$$

Trial Section:

Square $d = 125$ mm

Check Bending Strength (NZS3603 3.2.4):

Design Strength:

ϕM_n	=	$\phi k_1 k_8 f_b Z$	
ϕ	=	0.80	NZS 3603 2.5
k_1	=	1.00	for medium term load NZS 3603 Table 2.4
L_a	=	1200	mm spacing of lateral restraint
L_a/b	=	9.60	
d/b	=	1.00	
k_8	=	1.00	stability factor Figure 16.3, TDG, p. 168
f_b	=	14.00	MPa characteristic stress in bending
Z	=	191748	mm ³ section modulus $bd^2/6$
ϕM_n	=	2.148	KN-m

Compare with design load:

$$M^* = 1.69 \text{ KN-m} < \phi M_n = 2.148 \quad \text{OK}$$

Check shear strength (NZS 3603 3.2.3):

Design Strength:

$$\phi V_n = \phi k_1 f_s A_s$$

$$\phi k_1 k_4 k_5 = \text{same factors as above}$$

$$f_s = 3.80 \text{ MPa} \quad \text{characteristic stress in shear}$$

$$A_s = 8181 \text{ mm}^2 \quad \text{shear plane area} \quad 2/3bd$$

$$\phi V_n = 24.87 \text{ KN}$$

Compare with design load:

$$V_{1.35G}^* = 4.223 \text{ KN-m} < \phi M_n = 24.87 \text{ KN} \quad \text{OK}$$

Check for embedment:

$$H_u = 2.815 \text{ KN} \quad \text{Ultimate load}$$

$$e = 0.40 \text{ m} \quad \text{Height}$$

$$d_f = 0.45 \text{ m} \quad \text{Diameter of either post or encasement}$$

$$c_u = 40.00 \text{ kpa} \quad \text{Soil Shear strength}$$

$$e_o = 0.68 \text{ m} \quad 1.5 \times d_f$$

$$e' = 1.08 \text{ m} \quad e + e_o$$

$$D = 1.50 \text{ m} \quad \text{embedment depth, per site suitability report}$$

$$D' = 0.83 \text{ m} \quad D - e_o$$

$$2e' + D' = 1.33 \text{ m}$$

$$H_u = 38.21 \text{ KN}$$

$$> 2.82 \text{ KN} \quad \text{OK}$$

Check for lateral deflection:

$$V = 2.82 \text{ KN} \quad \text{lateral load}$$

$$H = 0.40 \text{ m} \quad \text{height}$$

$$I = 23968450$$

$$\delta_{all} = 4.00 \text{ mm} \quad 1\% \text{ of height}$$

$$\delta = 0.37 \text{ mm} \quad \text{OK}$$

Check for bearing:

$$x = 1.60 \text{ m} \quad \text{loaded dimension}$$

$$y = 1.70 \text{ m} \quad \text{loaded dimension}$$

$$G = 1.77 \text{ KN}$$

$$Q = 5.44 \text{ KN}$$

$$\text{Maximum pressure } P_u = 10.28 \text{ KN}$$

$$\text{Maximum uplift } P_u = 2.72 \text{ KN}$$

$$\text{Geotech Data } \gamma = 18.00 \text{ KN/m}^3 \quad \text{Unit weight of soil}$$

$$s_u = 40.00 \text{ kpa} \quad \text{Undrained shear strength}$$

$$V_u = V_{su} + V_{bu}$$

Base resistance:

$$V_{bu} = (9S_u + q) A_b$$

$$S_u = 40.00 \text{ kpa} \quad \text{soil shear strength}$$

$$\gamma_s = 18.00 \text{ KN/m}^3 \quad \text{soil density}$$

$$h = 1.50 \text{ m} \quad \text{depth of pile}$$

$$q = 27.00 \text{ kpa}$$

$$d = 0.45 \text{ m} \quad \text{diameter of pile encasement}$$

$$A_b = 0.16 \text{ m}^2 \quad \text{area of footing}$$

$$V_{bu} = 61.55 \text{ KN} \quad \text{total base resistance}$$

Shaft resistance:

$$V_{su} = (C_a)_{ave} CL$$

$$C_a = \alpha S_u$$

$$\alpha = 0.70 \quad \text{adhesion factor for bored pile}$$

$$C_a = 28.00 \text{ kpa}$$

$$C = 1.41 \text{ m} \quad \text{circumference of pile}$$

$$d = 1.50 \text{ m} \quad \text{depth of pile}$$

$$V_{su} = 59.38 \text{ KN} \quad \text{shaft resistance}$$

Total resistance:

$$V_u = V_{su} + V_{bu}$$

$$= 120.93 \text{ KN}$$

$$> 10.28 \text{ KN} \quad \text{OK}$$

$$\text{F.S.} = 11.76$$

Check uplift:

$$d = 1.50 \text{ m} \quad \text{depth of pile}$$

$$d = 0.45 \text{ m} \quad \text{diameter of pile encasement}$$

$$W_t = 5.61 \text{ KN} \quad \text{Weight of footing}$$

$$V_{su} = 59.38 \text{ KN} \quad \text{shaft resistance}$$

$$W_u = 66.10 \text{ KN} \quad \text{Total uplift resistance}$$

$$> 2.72 \text{ KN} \quad \text{OK}$$

THE FOOTING: 450 mm dia x 1500 mm deep IS OK



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Building Code Clause(s) **B1**

PRODUCER STATEMENT – PS1 – DESIGN

ISSUED BY: T&A Structures
(Design Firm)

TO: Arawai Limited
(Owner/Developer)

TO BE SUPPLIED TO: Far North District Council
(Building Consent Authority)

IN RESPECT OF: Proposed Kupe Waka - Putanga
(Description of Building Work)

AT: Aurere Beach Road, Lake Ohia
(Address)

Town/City: Far North **LOT** **DP** **SO**
(Address)

We have been engaged by the owner/developer referred to above to provide:

Foundation and subfloor bracing design

(Extent of Engagement)

services in respect of the requirements of Clause(s) **B1** of the Building Code for:

☐ All or ☒ Part only (as specified in the attachment to this statement), of the proposed building work.

The design carried out by us has been prepared in accordance with:

☒ Compliance Documents issued by the Ministry of Business, Innovation & Employment **B1/VM1, B1/VM4** or
(verification method/acceptable solution)

☐ Alternative solution as per the attached schedule

The proposed building work covered by this producer statement is described on the drawings titled:

Aurere Beach Rd, Lake Ohia Kupe Waka Centre - Putanga and numbered **S01 & S02**;
together with the specification, and other documents set out in the schedule attached to this statement.

On behalf of the Design Firm, and subject to:

- (i) Site verification of the following design assumptions **Good Ground Report by FNR Consulting Ltd, 05/08/2020**
(ii) All proprietary products meeting their performance specification requirements;

I believe on reasonable grounds that a) the building, if constructed in accordance with the drawings, specifications, and other documents provided or listed in the attached schedule, will comply with the relevant provisions of the Building Code and that b), the persons who have undertaken the design have the necessary competency to do so. I also recommend the following level of construction monitoring/observation:

☐ CM1 ☒ CM2 ☐ CM3 ☐ CM4 ☐ CM5 (Engineering Categories) or ☐ as per agreement with owner/developer (Architectural)

I, **Teo Pilapil** am: ☒ CPEng **1009554** # ☐ Reg Arch #
(Name of Design Professional)

I am a member of: ☒ Engineering New Zealand ☐ NZIA and hold the following qualifications: **BE Civil/Structural, CMEngNZ**

The Design Firm issuing this statement holds a current policy of Professional Indemnity Insurance no less than \$200,000*.

The Design Firm is a member of ACENZ: ☐

SIGNED BY: **Teo Pilapil** (Signature)
(Name of Design Professional)

ON BEHALF OF **T&A Structures** Date: **18 Sep 2020**
(Design Firm)

Note: This statement shall only be relied upon by the Building Consent Authority named above. Liability under this statement accrues to the Design Firm only. The total maximum amount of damages payable arising from this statement and all other statements provided to the Building Consent Authority in relation to this building work, whether in contract, tort or otherwise (including negligence), is limited to the sum of \$200,000.*

This form is to accompany **Form 2 of the Building (Forms) Regulations 2004** for the application of a Building Consent.
THIS FORM AND ITS CONDITIONS ARE COPYRIGHT TO ACENZ, ENGINEERING NEW ZEALAND AND NZIA

18 September 2020

Far North District Council
Building Consents Department

To whom it may concern

**Re: Producer Statement for NZBC Clause B2 – Durability
Proposed Kupe Waka Centre - Putanga
Aurere Beach Road, Lake Ohia**

You have requested a Producer Statement/other means of compliance for Construction Review for Clause B2 of the Building Code – Durability.

The purpose of this letter is to confirm that direct construction monitoring by **T&A Structures** in relation to Clause B2 (Durability) of the Building Code for the above project, has been limited in that material protection or treatment is typically carried out by specialist suppliers and requires specific quality assurance by the suppliers. However, we can confirm the specifically designed structural elements that were included in the design documentation prepared by the **T&A Structures** comply with the applicable verification methods:

Material	Means of Compliance	Details
Structural timber	B1/VM1	The timber has been specified in accordance with NZS3640:2004. The quality of timber treatment is dependent on the QA systems of manufacturers, suppliers and the onsite contractors and sub-contractors. Refer to the contractor's PS3 and QA records where available.

We trust this provides the information you are seeking

Yours faithfully,



Teo Pilapili, CMEngNZ, CPEng
Chartered Professional Engineer

T&A STRUCTURES



Address Kupe Waka Centre - Putanga Aurere Beach Road, Lake Ohia

No.	Item of inspection	Timeframe
-----	--------------------	-----------

(Delete any that do not apply)

Notes:

- a) The above items of inspection are the minimum required to enable T&A Structures to issue a PS4 – Producer Statement Construction Review for the specific engineering design items.
- b) The above items of inspection do not cover work constructed in accordance with NZS 3604:2011, for which inspections are to be undertaken by the Building Consent Authority.
- c) The Contractor/Builder is to provide T&A Structures at least 24 hours' notice of the requirement for an inspection. The above timeframes are indicative, the Engineer and Contractor are to agree the timing of inspection prior to work commencing on site.
- d) A copy of this inspection schedule is to be held on site during the works, and the Contractor/Builder is to provide reasonable and safe access to enable works to be inspected according to the schedule.
- e) The above schedule does not necessarily represent the actual number of inspections to be undertaken. The number of inspections will depend on the construction method, sequence of the works and whether or not unforeseen conditions or difficulties are encountered on site.



T&A STRUCTURES

CHARTERED PROFESSIONAL ENGINEERS

www.tastructures.co.nz

info@tastructures.co.nz

PROJECT:

**KUPE WAKA CENTRE - PUTANGA
FOUNDATION DESIGN**

CLIENT:

ARAWAI LIMITED

PROJECT ADDRESS:

**AURERE BEACH ROAD, LAKE OHIA
FAR NORTH**

LEGAL DESCRIPTION:

JOB NO:

146-FND-20SD

DATE:

18 SEPTEMBER 2020

REVISION:

FOR CONSENT

DRAWING


INDEX:

S01 FOUNDATION PLAN

S02 TECHNICAL SPECIFICATIONS & DETAILS



125x125 H5 POSTS ON
450Ø x 1500MM DEEP
20MPA CONCRETE

 T&A STRUCTURES CHARTERED PROFESSIONAL ENGINEERS www.tandstructures.co.nz info@tandstructures.co.nz				Project	AUREERE BEACH ROAD, LAKE OHIA KUPE WAKA CENTRE - PUTANGA FOUNDATION PLAN	Drawing Status		
						CONSENT		
	1	Final Issue	19 Sep 2023	Drawn		Project No.:	146-FID-20SD	Drawn By:
	16	Revisions		Reviewed		Scale	1:50 (A3)	Revision
				Approved				1

TECHNICAL SPECIFICATIONS
GENERAL:

- G1: THESE DRAWINGS ARE NOT TO BE SCALED.
- G2: THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURAL AND STRUCTURAL DRAWINGS.
- G3: CONTRACTOR TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
- G4: ALL DISCREPANCIES IN REGARD TO THE FOUNDATIONS SHALL BE REFERRED TO THE ARCHITECT FOR DECISIONS BEFORE PROCEEDING.
- G5: ALL PROPRIETARY PRODUCTS TO BE INSTALLED AS PER MANUFACTURERS' RECOMMENDATIONS.

CONCRETE:

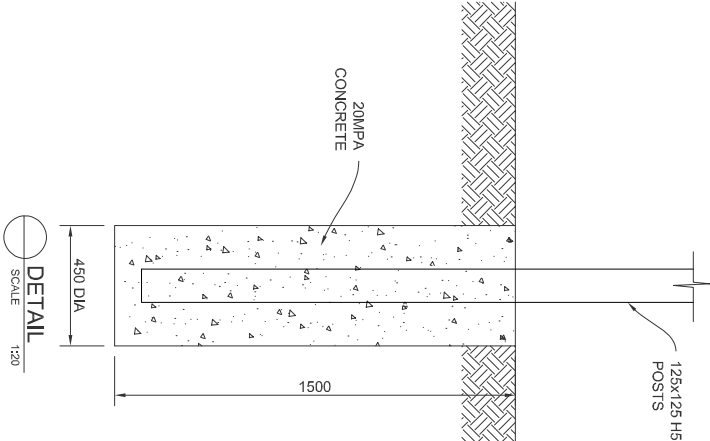
- C1: ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH NZS3109 AND NZS3101 SUBJECT TO RELEVANT SECTIONS OF THE SPECIFICATIONS.
- C2: NO CONCRETE SHALL BE PLACED UNTIL THE ENGINEER HAS HAD THE OPPORTUNITY TO OBSERVE THAT THE DRAWINGS AND SPECIFICATIONS HAVE BEEN COMPLIED WITH.
- C3: MINIMUM 28TH DAY CONCRETE COMPRESSIVE STRENGTH AS DEFINED IN NZS3109 SHALL BE 20MPA.
- C4: ALL CONCRETE SUPPLY AND PRODUCTION SHALL BE IN ACCORDANCE NZS 3104.
- C5: SIZES OF CONCRETE ELEMENTS DO NOT INCLUDE THICKNESS OF APPLIED FINISHES.

TIMBER:

- T1: ALL CONSTRUCTION SHALL BE AS PER NZS 3804:2011 TIMBER FRAMED BUILDINGS (NON-SPECIFIC) AND NZS3603 TIMBER STRUCTURE STANDARD.
- T2: ALL TIMBER GRADE SHALL BE S68 UNLESS NOTED OTHERWISE.

COMPACTED HARDFILL:

- CH1: WHERE EXCAVATION IS REQUIRED TO DEPTH GREATER THAN THAT REQUIRED DUE TO LOW BEARING CAPACITY, ORGANICS, ETC., A LEVEL BUILDING PLATFORM SHALL BE BUILT UP WITH COMPACTED HARDFILL, AP40.
- CH2: GRANULAR FILL SHALL BE COMPACTED IN ACCORDANCE WITH NZS4431:1989 WITH APPROPRIATE ON SITE QUALITY CONTROL. A MAXIMUM DRY DENSITY AT OPTIMUM WATER CONTENT OF AT LEAST 95% OF 2150 kg/m³ SHALL BE ACHIEVED IN ACCORDANCE WITH THE NZS 4402:1986, TEST 4.1.1.
- CH3: WHERE HARDFILL THICKNESS EXCEEDS 600mm, THE CONTRACTOR SHALL PROVIDE COMPACTION TEST RESULTS.



- NOTES:
1. ALL FOUNDATION ARE TO BEAR UPON GOOD, UNDISTURBED GROUND.
4. IF GOOD GROUND IS NOT ENCOUNTERED AT THE DESIRED DEPTH, THE SPACE BETWEEN GOOD GROUND AND BASE OF FOUNDATION SHALL BE FILLED WITH GAP 65 GRANULAR FILL, COMPACTED AT EVERY 300mm LAYER.
5. ALL WORKS SHALL COMPLY WITH NZS 3804:2011 AND THE BUILDING CODE OF NEW ZEALAND.

ORIGINAL SIZE mm
AS

0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200

			Surveyed
			Designed
1	Final Issue	14 Sep 2020	Drawn
1	Revised	20th	Reviewed
© COPYRIGHT - This drawing must not be copied, altered, reproduced or otherwise used in any way without the prior approval of T&A Structures.			
			Approved

Project

AURERE BEACH ROAD, LAKE OHIA
KUPE WAKA CENTRE - PUTANGA

Sheet Title

TECHNICAL SPECIFICATIONS & DETAILS

Drawing Status	
CONSENT	
Project No.: 146-FMD-20SD	Drawing No: S02
Scale: 1:20 (A3)	Revision: 1

STRUCTURAL CALCULATIONS

PROJECT: Kupe Waka Centre - Taupaepae

CLIENT: Arawai Limited

SERVICE: Structural design

CODES CONSIDERED:

N.Z. Building Code		<input checked="" type="checkbox"/>
Design Loadings	AS/NZS 1170	<input checked="" type="checkbox"/>
Timber Structure Standard	NZS 3603:1993	<input checked="" type="checkbox"/>
Timber Framed Buildings (non-specific)	NZS 3604:2011	<input checked="" type="checkbox"/>
Steel Structure Standard	NZS 3404:1997	<input type="checkbox"/>
Concrete Structure Standard	NZS 3101:2006	<input type="checkbox"/>
Design of Reinforced Concrete Masonry Structures	NZS 4230:2004	<input type="checkbox"/>
Concrete Masonry Building (non-specific)	NZS 4229:1999	<input type="checkbox"/>

CONTENTS:

DESCRIPTION

1. Lateral loads	1 - 2
2. Foundation & subfloor bracing	3 - 5

 T&A STRUCTURES <small>CHARTERED PROFESSIONAL ENGINEERS</small> <small>www.tastructures.co.nz info@tastructures.co.nz</small>	PROJECT:	Project No.	146-FND-20SD TEO
	Kupe Waka Centre - Taupaepae	Page No.	
	DESIGN ELEMENT:	Prepared by:	
	Lateral Load	Checked by:	

ELASTIC SITE SPECTRA

$C_{(T)}$	=	$Ch_{(T)} Z R N_{(T,D)}$	p. 10 NZS 1170.5:2004
$Ch_{(T)}$	=	2.4 Class C soil, $T < 0.6s$	p. 11 NZS 1170.5:2004
Z	=	0.13 Hazard factor Kaikohe (nearest)	p. 15 NZS 1170.5:2004
APE	=	1/2500 annual probability of exceedance Impt. Level = 4	p. 14 NZS 1170.0:2002
R	=	1.8 Return period factor	p. 20 NZS 1170.5:2004
$N_{(T,D)}$	=	1.0 near-fault factor	p. 20 NZS 1170.5:2004
$C_{(T)}$	=	0.55	

HORIZONTAL DESIGN ACTION COEFFICIENTS:

$C_{d(T1)}$	=	$C_{(T)} S_p / k\mu$	p. 27 NZS 1170.5:2004
$C_{(T)}$	=	0.55	
μ	=	1.5 assigned structural ductility	
S_p	=	1.3 - 0.3 μ	p. 24 NZS 1170.5:2004
	=	0.85	
$k\mu$	=	μ for $T \geq 0.7s$	
	=	$(\mu - 1)T/0.7 + 1$ for $T < 0.7s$	
T	=	0.4 s	
$k\mu$	=	1.29	
$C_{d(T1)}$	=	0.365	

SEISMIC WEIGHT:

Roof	=	45.78 m ²	G	=	0.45 kpa	20.60 KN
			Q	=	0.25 kpa	11.45 KN
Wall	=	24.80 m	G	=	0.45 kpa	H = 3.43 m
Floor	=	35.21 m ²	G	=	0.85 kpa	29.93 KN
			Q	=	4 kpa	140.84 KN
G	=	88.81 KN				
Q	=	152.29 KN				
W_t	=	134.49 KN				

HORIZONTAL SEISMIC SHEAR (EQUIVALENT STATIC METHOD):

V	=	$C_{d(T1)} W_t$
	=	49.10 KN both ways

Date: 17/09/20

SITE WIND SPEED

$V_{sit,b} = V_R M_d (M_{z,cat} M_s M_t)$		p. 8 AS/NZS 1170.2
$V_R = 49 \text{ m/s}$	regional 3s gust wind speed	p. 13, AS/NZS 1170.2
$= 67 - 41R^{-0.1}, R = 2500$	Impt level = 4	p. 14, AS/NZS 1170.0
$M_d = 1$	wind directional multiplier	p. 14, AS/NZS 1170.2
$M_{z,cat} = 0.91$	site exposure multiplier	p. 18, AS/NZS 1170.2
	Cat 2	
$M_s = 1.0$	shielding multiplier	p. 21, AS/NZS 1170.2
$M_t = 1.0$	topographic multiplier	p. 21, AS/NZS 1170.2
$V_{sit,b} = 44.36 \text{ m/s}$	Site Wind Speed	
$V_{des,q} = 44.36 \text{ m/s}$	Site Design Speed	

DESIGN WIND PRESSURE

$p = (0.5 \gamma_{air}) [V_{des,\theta}]^2 C_{fig} C_{dyn}$	(N/m ²)	p. 11, AS/NZS 1170.2
$\gamma_{air} = 1.2 \text{ kg/m}^3$	density of air	p. 11, AS/NZS 1170.2
$V_{des,\theta} = 44.36 \text{ m/s}$		p. 13, AS/NZS 1170.2
$C_{fig} = C_{p,e} K_a K_c K_l K_p$	aerodynamic shape factor	p. 26, AS/NZS 1170.2
$C_{p,e} = 0.70$	external pressure coefficient, windward	p. 30, AS/NZS 1170.2
$d = 7.20 \text{ m}$		
$b = 14.10 \text{ m}$		
$d/b = 0.51$		
$C_{p,e} = 0.5$	external pressure coefficient, leeward	p. 30, AS/NZS 1170.2
$K_a = 1.00$	area reduction factor	p. 32, AS/NZS 1170.2
$K_c = 1.00$	combination factor	p. 33, AS/NZS 1170.2
$K_l = 1.00$	local pressure factor for cladding	p. 33, AS/NZS 1170.2
$K_p = 1.00$	permeable cladding reduction factor	p. 36, AS/NZS 1170.2
$C_{fig} = 0.7$	aerodynamic shape factor, windward	
$C_{fig} = 0.5$	aerodynamic shape factor, leeward	
$C_{dyn} = 1.00$	dynamic response factor	p. 11, AS/NZS 1170.2
$p = 0.83 \text{ Kpa}$	windward	
$p = 0.59 \text{ Kpa}$	leeward	

Design Data:

Date: 17/09/20

Demand:

1. Earthquake: = 49.10 KN both ways
2. Wind: Along = 23.15 KN
Across = 45.34 KN
- Number of piles = 16
- V = 3.1 KN bracing demand/pile
- Height of pile = 0.40 m height of pile
- M* = 1.84 KN-m ultimate bending moment

Check post for bending:

SG8 H5

f_b	=	14.00	MPa	characteristic stress in bending	Table 15.5, TDG
f_s	=	3.80	MPa	characteristic stress in shear	Table 15.5, TDG
f_p	=	8.90	MPa	compression perpendicular to grain	Table 15.5, TDG
E	=	6.70	GPa	modulus of elasticity	Table 15.5, TDG

Strength limit state:

$$M = 1.84 \text{ KN-m} \quad V = 4.603 \text{ KN}$$

Trial Section:

Square $d = 125 \text{ mm}$

Check Bending Strength (NZS3603 3.2.4):

Design Strength:

$$\phi M_n = \phi k_1 k_8 f_b Z$$

$\phi = 0.80$ NZS 3603 2.5

$k_1 = 1.00$ for medium term load NZS 3603 Table 2.4

$L_a = 1200 \text{ mm}$ spacing of lateral restraint

$L_a/b = 9.60$

$d/b = 1.00$

$k_8 = 1.00$ stability factor Figure 16.3, TDG, p. 168

$f_b = 14.00 \text{ MPa}$ characteristic stress in bending

$Z = 191748 \text{ mm}^3$ section modulus $bd^2/6$

$\phi M_n = 2.148 \text{ KN-m}$

Compare with design load:

$$M^* = 1.84 \text{ KN-m} < \phi M_n = 2.148 \quad \text{OK}$$

Check shear strength (NZS 3603 3.2.3):

Design Strength:

$$\phi V_n = \phi k_1 f_s A_s$$

$$\phi k_1 k_4 k_5 = \text{same factors as above}$$

$$f_s = 3.80 \text{ MPa} \quad \text{characteristic stress in shear}$$

$$A_s = 8181 \text{ mm}^2 \quad \text{shear plane area} \quad 2/3bd$$

$$\phi V_n = 24.87 \text{ KN}$$

Compare with design load:

$$V_{1.35G}^* = 4.603 \text{ KN-m} < \phi M_n = 24.87 \text{ KN} \quad \text{OK}$$

Check for embedment:

$$H_u = 3.069 \text{ KN} \quad \text{Ultimate load}$$

$$e = 0.40 \text{ m} \quad \text{Height}$$

$$d_f = 0.45 \text{ m} \quad \text{Diameter of either post or encasement}$$

$$c_u = 40.00 \text{ kpa} \quad \text{Soil Shear strength}$$

$$e_o = 0.68 \text{ m} \quad 1.5 \times d_f$$

$$e' = 1.08 \text{ m} \quad e + e_o$$

$$D = 1.20 \text{ m} \quad \text{embedment depth, per site suitability report}$$

$$D' = 0.53 \text{ m} \quad D - e_o$$

$$2e' + D' = 1.63 \text{ m}$$

$$H_u = 13.40 \text{ KN}$$

$$> 3.07 \text{ KN} \quad \text{OK}$$

Check for lateral deflection:

$$V = 3.07 \text{ KN} \quad \text{lateral load}$$

$$H = 0.40 \text{ m} \quad \text{height}$$

$$I = 23968450$$

$$\delta_{all} = 4.00 \text{ mm} \quad 1\% \text{ of height}$$

$$\delta = 0.41 \text{ mm} \quad \text{OK}$$

Check for bearing:

$$x = 2.00 \text{ m} \quad \text{loaded dimension}$$

$$y = 1.50 \text{ m} \quad \text{loaded dimension}$$

$$G = 1.95 \text{ KN}$$

$$Q = 6.00 \text{ KN}$$

$$\text{Maximum pressure } P_u = 11.34 \text{ KN}$$

$$\text{Maximum uplift } P_u = 3.00 \text{ KN}$$

$$\text{Geotech Data } \gamma = 18.00 \text{ KN/m}^3 \quad \text{Unit weight of soil}$$

$$s_u = 40.00 \text{ kpa} \quad \text{Undrained shear strength}$$

$$V_u = V_{su} + V_{bu}$$

Base resistance:

$$V_{bu} = (9S_u + q) A_b$$

$$S_u = 40.00 \text{ kpa} \quad \text{soil shear strength}$$

$$\gamma_s = 18.00 \text{ KN/m}^3 \quad \text{soil density}$$

$$h = 1.20 \text{ m} \quad \text{depth of pile}$$

$$q = 21.60 \text{ kpa}$$

$$d = 0.45 \text{ m} \quad \text{diameter of pile encasement}$$

$$A_b = 0.16 \text{ m}^2 \quad \text{area of footing}$$

$$V_{bu} = 60.69 \text{ KN} \quad \text{total base resistance}$$

Shaft resistance:

$$V_{su} = (C_a)_{ave} CL$$

$$C_a = \alpha S_u$$

$$\alpha = 0.70 \quad \text{adhesion factor for bored pile}$$

$$C_a = 28.00 \text{ kpa}$$

$$C = 1.41 \text{ m} \quad \text{circumference of pile}$$

$$d = 1.20 \text{ m} \quad \text{depth of pile}$$

$$V_{su} = 47.50 \text{ KN} \quad \text{shaft resistance}$$

Total resistance:

$$V_u = V_{su} + V_{bu}$$

$$= 108.19 \text{ KN}$$

$$> 11.34 \text{ KN} \quad \text{OK}$$

$$\text{F.S.} = 9.541$$

Check uplift:

$$d = 1.20 \text{ m} \quad \text{depth of pile}$$

$$d = 0.45 \text{ m} \quad \text{diameter of pile encasement}$$

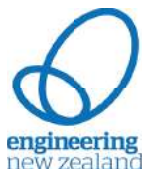
$$W_t = 4.49 \text{ KN} \quad \text{Weight of footing}$$

$$V_{su} = 47.50 \text{ KN} \quad \text{shaft resistance}$$

$$W_u = 52.88 \text{ KN} \quad \text{Total uplift resistance}$$

$$> 3.00 \text{ KN} \quad \text{OK}$$

THE FOOTING: 450 mm dia x 1200 mm deep IS OK



Te Kāhui
Whaihanga
New Zealand
Institute of
Architects



Building Code Clause(s) **B1**

PRODUCER STATEMENT – PS1 – DESIGN

ISSUED BY: T&A Structures
(Design Firm)

TO: Arawai Limited
(Owner/Developer)

TO BE SUPPLIED TO: Far North District Council
(Building Consent Authority)

IN RESPECT OF: Proposed Kupe Waka - Taupaepae
(Description of Building Work)

AT: 4554 State Highway 10, Taipa
(Address)

Town/City: Far North
(Address) **LOT** **DP** **SO**

We have been engaged by the owner/developer referred to above to provide:

Foundation and subfloor bracing design

(Extent of Engagement)

services in respect of the requirements of Clause(s) **B1** of the Building Code for:

☐ All or ☒ Part only (as specified in the attachment to this statement), of the proposed building work.

The design carried out by us has been prepared in accordance with:

☒ Compliance Documents issued by the Ministry of Business, Innovation & Employment **B1/VM1, B1/VM4** or
(verification method/acceptable solution)

☐ Alternative solution as per the attached schedule

The proposed building work covered by this producer statement is described on the drawings titled:

4554 State Highway 10, Taipa Kupe Waka Centre - Taupaepae and numbered **T01 & T02**;
together with the specification, and other documents set out in the schedule attached to this statement.

On behalf of the Design Firm, and subject to:

- (i) Site verification of the following design assumptions **Good Ground Report by FNR Consulting Ltd, 05/08/2020**
- (ii) All proprietary products meeting their performance specification requirements;

I believe on reasonable grounds that a) the building, if constructed in accordance with the drawings, specifications, and other documents provided or listed in the attached schedule, will comply with the relevant provisions of the Building Code and that b), the persons who have undertaken the design have the necessary competency to do so. I also recommend the following level of construction monitoring/observation:

☐ CM1 ☒ CM2 ☐ CM3 ☐ CM4 ☐ CM5 (Engineering Categories) or ☐ as per agreement with owner/developer (Architectural)

I, **Teo Pilapil** am: ☒ CPEng **1009554** # ☐ Reg Arch #
(Name of Design Professional)

I am a member of: ☒ Engineering New Zealand ☐ NZIA and hold the following qualifications: **BE Civil/Structural, CMEngNZ**

The Design Firm issuing this statement holds a current policy of Professional Indemnity Insurance no less than \$200,000*.

The Design Firm is a member of ACENZ: ☐

SIGNED BY: Teo Pilapil (Signature)
(Name of Design Professional)

ON BEHALF OF: T&A Structures
(Design Firm) Date: **18 Sep 2020**

Note: This statement shall only be relied upon by the Building Consent Authority named above. Liability under this statement accrues to the Design Firm only. The total maximum amount of damages payable arising from this statement and all other statements provided to the Building Consent Authority in relation to this building work, whether in contract, tort or otherwise (including negligence), is limited to the sum of \$200,000.*

This form is to accompany **Form 2 of the Building (Forms) Regulations 2004** for the application of a Building Consent.
THIS FORM AND ITS CONDITIONS ARE COPYRIGHT TO ACENZ, ENGINEERING NEW ZEALAND AND NZIA

18 September 2020

Far North District Council
Building Consents Department

To whom it may concern

**Re: Producer Statement for NZBC Clause B2 – Durability
Proposed Kupe Waka Centre - Tuapaepae
4554 State Highway 10, Taipa**

You have requested a Producer Statement/other means of compliance for Construction Review for Clause B2 of the Building Code – Durability.

The purpose of this letter is to confirm that direct construction monitoring by **T&A Structures** in relation to Clause B2 (Durability) of the Building Code for the above project, has been limited in that material protection or treatment is typically carried out by specialist suppliers and requires specific quality assurance by the suppliers. However, we can confirm the specifically designed structural elements that were included in the design documentation prepared by the **T&A Structures** comply with the applicable verification methods:

Material	Means of Compliance	Details
Structural timber	B1/VM1	The timber has been specified in accordance with NZS3640:2004. The quality of timber treatment is dependent on the QA systems of manufacturers, suppliers and the onsite contractors and sub-contractors. Refer to the contractor's PS3 and QA records where available.

We trust this provides the information you are seeking

Yours faithfully,



Teo Pilapili, CMEngNZ, CPEng
Chartered Professional Engineer

T&A STRUCTURES



Address Kupe Waka Centre - Taupaepae, 4554 State Highway 10, Taipa

No.	Item of inspection	Timeframe
-----	--------------------	-----------

(Delete any that do not apply)

Notes:

- a) The above items of inspection are the minimum required to enable T&A Structures to issue a PS4 – Producer Statement Construction Review for the specific engineering design items.
- b) The above items of inspection do not cover work constructed in accordance with NZS 3604:2011, for which inspections are to be undertaken by the Building Consent Authority.
- c) The Contractor/Builder is to provide T&A Structures at least 24 hours' notice of the requirement for an inspection. The above timeframes are indicative, the Engineer and Contractor are to agree the timing of inspection prior to work commencing on site.
- d) A copy of this inspection schedule is to be held on site during the works, and the Contractor/Builder is to provide reasonable and safe access to enable works to be inspected according to the schedule.
- e) The above schedule does not necessarily represent the actual number of inspections to be undertaken. The number of inspections will depend on the construction method, sequence of the works and whether or not unforeseen conditions or difficulties are encountered on site.



T&A STRUCTURES

CHARTERED PROFESSIONAL ENGINEERS

www.tastructures.co.nz

info@tastructures.co.nz

PROJECT:

**KUPE WAKA CENTRE - TAUPAEPAE
FOUNDATION DESIGN**

CLIENT:

ARAWAI LIMITED

PROJECT ADDRESS:

**4554 STATE HIGHWAY 10, TAIPA
FAR NORTH**

LEGAL DESCRIPTION:

JOB NO:

146-FND-20SD

DATE:

18 SEPTEMBER 2020

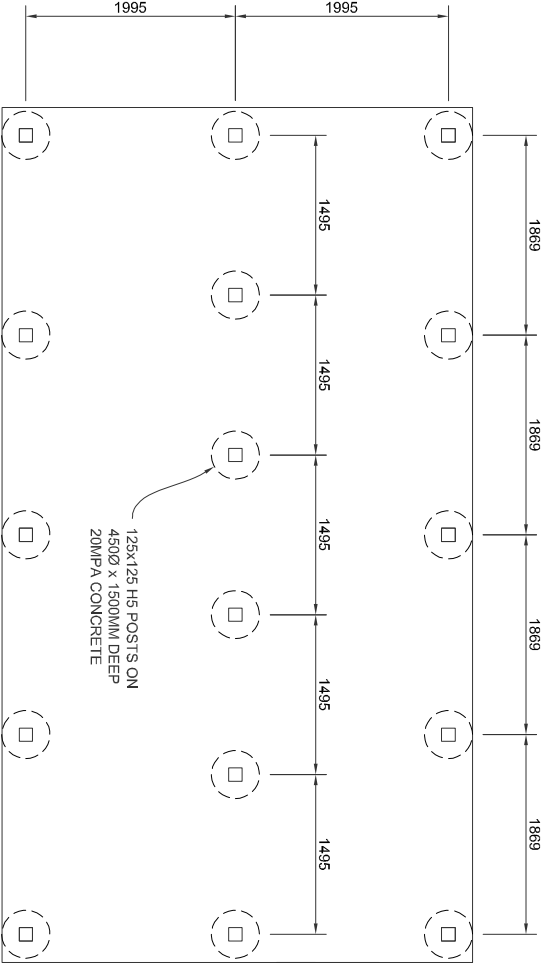
REVISION:

FOR CONSENT

DRAWING

INDEX:

T01 FOUNDATION PLAN
T02 TECHNICAL SPECIFICATIONS & DETAILS



NOTE:
1. PER GOOD GROUND REPORT BY FNR, GOOD GROUND WAS NOT ARCHIEVED UNTIL 1200MM BGL. HENCE, ALL PILES TO EXTEND AT LEAST 1200MM BGL. ALL PILES WILL THEREFORE BE CONSIDERED AS ANCHOR PILES FOR BRACING PURPOSES.
2. USE STANDARD 6KN FIXING FOR PILE/BEARER CONNECTION.

ORIGINAL SIZE mm

AS

0103050100200

T&A STRUCTURES

CHARTERED PROFESSIONAL ENGINEERS

www.tandstructures.co.nz

18 Sep 2020

Drawn

18 Sep 2020

Reviewed

18 Sep 2020

Approved

Project

4554 STATE HIGHWAY 10, TAIPA
KUPE WAKA CENTRE - TAUPAEPAE

Sheet Title

FOUNDATION PLAN

Drawing Status

CONSENT

Project No.:

146-FND-20SD

Drawing

T01

Scale

1:50 (A3)

Revision

1

TECHNICAL SPECIFICATIONS
GENERAL:

- G1. THESE DRAWINGS ARE NOT TO BE SCALED.
- G2. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURAL AND STRUCTURAL DRAWINGS.
- G3. CONTRACTOR TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
- G4. ALL DISCREPANCIES IN REGARD TO THE FOUNDATIONS SHALL BE REFERRED TO THE ARCHITECT FOR DECISIONS BEFORE PROCEEDING.
- G5. ALL PROPRIETARY PRODUCTS TO BE INSTALLED AS PER MANUFACTURERS' RECOMMENDATIONS.

CONCRETE:

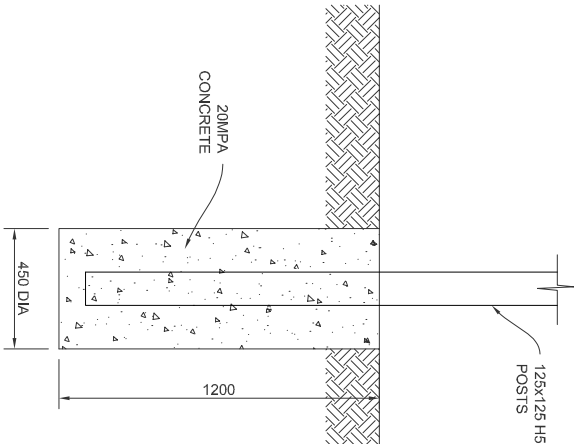
- C1. ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH NZS3109 AND NZS3101 SUBJECT TO RELEVANT SECTIONS OF THE SPECIFICATIONS.
- C2. NO CONCRETE SHALL BE PLACED UNTIL THE ENGINEER HAS HAD THE OPPORTUNITY TO OBSERVE THAT THE DRAWINGS AND SPECIFICATIONS HAVE BEEN COMPLIED WITH.
- C3. MINIMUM 28TH DAY CONCRETE COMPRESSIVE STRENGTH AS DEFINED IN NZS3109 SHALL BE 20MPA.
- C4. ALL CONCRETE SUPPLY AND PRODUCTION SHALL BE IN ACCORDANCE NZS 3104.
- C5. SIZES OF CONCRETE ELEMENTS DO NOT INCLUDE THICKNESS OF APPLIED FINISHES.

TIMBER:

- T1. ALL CONSTRUCTION SHALL BE AS PER NZS 3804:2011 TIMBER FRAMED BUILDINGS (NON-SPECIFIC) AND NZS3603 TIMBER STRUCTURE STANDARD.
- T2. ALL TIMBER GRADE SHALL BE SGR UNLESS NOTED OTHERWISE.

COMPACTED HARDFILL:

- CH1: WHERE EXCAVATION IS REQUIRED TO DEPTH GREATER THAN THAT REQUIRED DUE TO LOW BEARING CAPACITY, ORGANICS, ETC., A LEVEL BUILDING PLATFORM SHALL BE BUILT UP WITH COMPACTED HARDFILL, AP40.
- CH2: GRANULAR FILL SHALL BE COMPACTED IN ACCORDANCE WITH NZS4431:1989 WITH APPROPRIATE ON SITE QUALITY CONTROL. A MAXIMUM DRY DENSITY AT OPTIMUM WATER CONTENT OF AT LEAST 95% OF 2190 kg/m³ SHALL BE ACHIEVED IN ACCORDANCE WITH THE NZS 4402:1986, TEST 4.1.1.
- CH3: WHERE HARDFILL THICKNESS EXCEEDS 600mm, THE CONTRACTOR SHALL PROVIDE COMPACTION TEST RESULTS.



- NOTES:
1. ALL FOUNDATION ARE TO BEAR UPON GOOD, UNDISTURBED GROUND.
4. IF GOOD GROUND IS NOT ENCOUNTERED AT THE DESIRED DEPTH, THE SPACE BETWEEN GOOD GROUND AND BASE OF FOUNDATION SHALL BE FILLED WITH GAP 65 GRANULAR FILL, COMPACTED AT EVERY 300mm LAYER.
5. ALL WORKS SHALL COMPLY WITH NZS 3804:2011 AND THE BUILDING CODE OF NEW ZEALAND.

DETAIL
SCALE 1:20

ORIGINAL SIZE mm AS

0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200

			Surveyed
			Designed
1	Final Issue	14 Sep 2020	Drawn
1	Revisions	20th	Reviewed
© COPYRIGHT - This drawing must not be copied, altered, reproduced or otherwise used in any way without the prior written permission of T&A Structures.			Approved

Drawing Status	
CONSENT	
Project No.: 146-FMD-20SD	Drawing No: T02
Scale: 1:20 (A3)	Revision: 1

STRUCTURAL CALCULATIONS

PROJECT: Kupe Waka Centre - Whare Whetu

CLIENT: Arawai Limited

SERVICE: Structural design

CODES CONSIDERED:

N.Z. Building Code		<input checked="" type="checkbox"/>
Design Loadings	AS/NZS 1170	<input checked="" type="checkbox"/>
Timber Structure Standard	NZS 3603:1993	<input checked="" type="checkbox"/>
Timber Framed Buildings (non-specific)	NZS 3604:2011	<input checked="" type="checkbox"/>
Steel Structure Standard	NZS 3404:1997	<input type="checkbox"/>
Concrete Structure Standard	NZS 3101:2006	<input type="checkbox"/>
Design of Reinforced Concrete Masonry Structures	NZS 4230:2004	<input type="checkbox"/>
Concrete Masonry Building (non-specific)	NZS 4229:1999	<input type="checkbox"/>

CONTENTS:

DESCRIPTION

1. Lateral loads	1 - 2
2. Foundation & subfloor bracing	3 - 5

 T&A STRUCTURES <small>CHARTERED PROFESSIONAL ENGINEERS</small> <small>www.tastructures.co.nz info@tastructures.co.nz</small>	PROJECT:	Project No.	146-FND-20SD TEO
	Kupe Waka Centre-Whare Whetu	Page No.	
	DESIGN ELEMENT:	Prepared by:	
	Lateral Load	Checked by:	

ELASTIC SITE SPECTRA

$C_{(T)}$	=	$Ch_{(T)} Z R N_{(T,D)}$	p. 10 NZS 1170.5:2004
$Ch_{(T)}$	=	2.4 Class C soil, $T < 0.6s$	p. 11 NZS 1170.5:2004
Z	=	0.13 Hazard factor Kaikohe (nearest)	p. 15 NZS 1170.5:2004
APE	=	1/2500 annual probability of exceedance Impt. Level = 4	p. 14 NZS 1170.0:2002
R	=	1.8 Return period factor	p. 20 NZS 1170.5:2004
$N_{(T,D)}$	=	1.0 near-fault factor	p. 20 NZS 1170.5:2004
$C_{(T)}$	=	0.55	

HORIZONTAL DESIGN ACTION COEFFICIENTS:

$C_{d(T1)}$	=	$C_{(T)} S_p / k\mu$	p. 27 NZS 1170.5:2004
$C_{(T)}$	=	0.55	
μ	=	1.5 assigned structural ductility	
S_p	=	1.3 - 0.3 μ	p. 24 NZS 1170.5:2004
	=	0.85	
$k\mu$	=	μ for $T \geq 0.7s$	
	=	$(\mu - 1)T/0.7 + 1$ for $T < 0.7s$	
T	=	0.4 s	
$k\mu$	=	1.29	
$C_{d(T1)}$	=	0.365	

SEISMIC WEIGHT:

Roof	=	142.88 m ²	G	=	0.45 kpa	64.30 KN
			Q	=	0.25 kpa	35.72 KN
Wall	=	65.60 m	G	=	0.45 kpa H = 2.6 m	76.75 KN
Floor	=	132.5 m ²	G	=	0.85 kpa	112.63 KN
			Q	=	4 kpa	530.00 KN
G	=	253.67 KN				
Q	=	565.72 KN				
W_t	=	423.39 KN				

HORIZONTAL SEISMIC SHEAR (EQUIVALENT STATIC METHOD):

V	=	$C_{d(T1)} W_t$
	=	154.58 KN both ways

Date: 17/09/20

SITE WIND SPEED

$V_{sit,b} = V_R M_d (M_{z,cat} M_s M_t)$		p. 8 AS/NZS 1170.2
$V_R = 49 \text{ m/s}$	regional 3s gust wind speed	p. 13, AS/NZS 1170.2
$= 67 - 41R^{-0.1}$, $R = 2500$	Impt level = 4	p. 14, AS/NZS 1170.0
$M_d = 1$	wind directional multiplier	p. 14, AS/NZS 1170.2
$M_{z,cat} = 0.91$	site exposure multiplier	p. 18, AS/NZS 1170.2
	Cat 2	
$M_s = 1.0$	shielding multiplier	p. 21, AS/NZS 1170.2
$M_t = 1.0$	topographic multiplier	p. 21, AS/NZS 1170.2
$V_{sit,b} = 44.36 \text{ m/s}$	Site Wind Speed	
$V_{des,q} = 44.36 \text{ m/s}$	Site Design Speed	

DESIGN WIND PRESSURE

$p = (0.5 \gamma_{air}) [V_{des,\theta}]^2 C_{fig} C_{dyn}$	(N/m ²)	p. 11, AS/NZS 1170.2
$\gamma_{air} = 1.2 \text{ kg/m}^3$	density of air	p. 11, AS/NZS 1170.2
$V_{des,\theta} = 44.36 \text{ m/s}$		p. 13, AS/NZS 1170.2
$C_{fig} = C_{p,e} K_a K_c K_l K_p$	aerodynamic shape factor	p. 26, AS/NZS 1170.2
$C_{p,e} = 0.70$	external pressure coefficient, windward	p. 30, AS/NZS 1170.2
$d = 7.20 \text{ m}$		
$b = 18.40 \text{ m}$		
$d/b = 0.39$		
$C_{p,e} = 0.5$	external pressure coefficient, leeward	p. 30, AS/NZS 1170.2
$K_a = 1.00$	area reduction factor	p. 32, AS/NZS 1170.2
$K_c = 1.00$	combination factor	p. 33, AS/NZS 1170.2
$K_l = 1.00$	local pressure factor for cladding	p. 33, AS/NZS 1170.2
$K_p = 1.00$	permeable cladding reduction factor	p. 36, AS/NZS 1170.2
$C_{fig} = 0.7$	aerodynamic shape factor, windward	
$C_{fig} = 0.5$	aerodynamic shape factor, leeward	
$C_{dyn} = 1.00$	dynamic response factor	p. 11, AS/NZS 1170.2
$p = 0.83 \text{ Kpa}$	windward	
$p = 0.59 \text{ Kpa}$	leeward	

Design Data:

Date: 17/09/20

Demand:

1. Earthquake: = 154.58 KN both ways
 2. Wind: Along = 41.77 KN
 Across = 114.78 KN
 Number of piles = 56
 $V = 2.8$ KN bracing demand/pile
 Height of pile = 0.40 m height of pile
 $M^* = 1.66$ KN-m ultimate bending moment

Check post for bending:

SG8 H5

f_b	=	14.00	MPa	characteristic stress in bending	Table 15.5, TDG
f_s	=	3.80	MPa	characteristic stress in shear	Table 15.5, TDG
f_p	=	8.90	MPa	compression perpendicular to grain	Table 15.5, TDG
E	=	6.70	GPa	modulus of elasticity	Table 15.5, TDG

Strength limit state:

$$M = 1.66 \text{ KN-m} \quad V = 4.141 \text{ KN}$$

Trial Section:

Square $d = 125$ mm

Check Bending Strength (NZS3603 3.2.4):

Design Strength:

ϕM_n	=	$\phi k_1 k_8 f_b Z$	
ϕ	=	0.80	NZS 3603 2.5
k_1	=	1.00	for medium term load NZS 3603 Table 2.4
L_a	=	1200	mm spacing of lateral restraint
L_a/b	=	9.60	
d/b	=	1.00	
k_8	=	1.00	stability factor Figure 16.3, TDG, p. 168
f_b	=	14.00	MPa characteristic stress in bending
Z	=	191748	mm ³ section modulus $bd^2/6$
ϕM_n	=	2.148	KN-m

Compare with design load:

$$M^* = 1.66 \text{ KN-m} < \phi M_n = 2.148 \quad \text{OK}$$

Check shear strength (NZS 3603 3.2.3):

Design Strength:

$$\phi V_n = \phi k_1 f_s A_s$$

$$\phi k_1 k_4 k_5 = \text{same factors as above}$$

$$f_s = 3.80 \text{ MPa} \quad \text{characteristic stress in shear}$$

$$A_s = 8181 \text{ mm}^2 \quad \text{shear plane area} \quad 2/3bd$$

$$\phi V_n = 24.87 \text{ KN}$$

Compare with design load:

$$V_{1.35G}^* = 4.141 \text{ KN-m} < \phi M_n = 24.87 \text{ KN} \quad \text{OK}$$

Check for embedment:

$$H_u = 2.760 \text{ KN} \quad \text{Ultimate load}$$

$$e = 0.40 \text{ m} \quad \text{Height}$$

$$d_f = 0.45 \text{ m} \quad \text{Diameter of either post or encasement}$$

$$c_u = 40.00 \text{ kpa} \quad \text{Soil Shear strength}$$

$$e_o = 0.68 \text{ m} \quad 1.5 \times d_f$$

$$e' = 1.08 \text{ m} \quad e + e_o$$

$$D = 1.50 \text{ m} \quad \text{embedment depth, per site suitability report}$$

$$D' = 0.83 \text{ m} \quad D - e_o$$

$$2e' + D' = 1.33 \text{ m}$$

$$H_u = 38.21 \text{ KN}$$

$$> 2.76 \text{ KN} \quad \text{OK}$$

Check for lateral deflection:

$$V = 2.76 \text{ KN} \quad \text{lateral load}$$

$$H = 0.40 \text{ m} \quad \text{height}$$

$$I = 23968450$$

$$\delta_{all} = 4.00 \text{ mm} \quad 1\% \text{ of height}$$

$$\delta = 0.37 \text{ mm} \quad \text{OK}$$

Check for bearing:

$$x = 1.60 \text{ m} \quad \text{loaded dimension}$$

$$y = 1.70 \text{ m} \quad \text{loaded dimension}$$

$$G = 1.77 \text{ KN}$$

$$Q = 5.44 \text{ KN}$$

$$\text{Maximum pressure } P_u = 10.28 \text{ KN}$$

$$\text{Maximum uplift } P_u = 2.72 \text{ KN}$$

$$\text{Geotech Data } \gamma = 18.00 \text{ KN/m}^3 \quad \text{Unit weight of soil}$$

$s_u = 40.00$ kpa Undrained shear strength

$$V_u = V_{su} + V_{bu}$$

Base resistance:

$$V_{bu} = (9S_u + q) A_b$$

$S_u = 40.00$ kpa soil shear strength

$\gamma_s = 18.00$ KN/m³ soil density

$h = 1.50$ m depth of pile

$q = 27.00$ kpa

$d = 0.45$ m diameter of pile encasement

$A_b = 0.16$ m² area of footing

$V_{bu} = 61.55$ KN total base resistance

Shaft resistance:

$$V_{su} = (C_a)_{ave} CL$$

$$C_a = \alpha S_u$$

$\alpha = 0.70$ adhesion factor for bored pile

$C_a = 28.00$ kpa

$C = 1.41$ m circumference of pile

$d = 1.50$ m depth of pile

$V_{su} = 59.38$ KN shaft resistance

Total resistance:

$$V_u = V_{su} + V_{bu}$$

$$= 120.93 \text{ KN}$$

$$> 10.28 \text{ KN OK}$$

$$F.S. = 11.76$$

Check uplift:

$d = 1.50$ m depth of pile

$d = 0.45$ m diameter of pile encasement

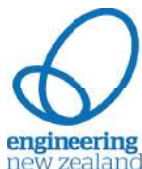
$W_t = 5.61$ KN Weight of footing

$V_{su} = 59.38$ KN shaft resistance

$W_u = 66.10$ KN Total uplift resistance

$$> 2.72 \text{ KN OK}$$

THE FOOTING: 450 mm dia x 1500 mm deep IS OK



Te Kāhui
Whaihanga
New Zealand
Institute of
Architects



Building Code Clause(s) **B1**

PRODUCER STATEMENT – PS1 – DESIGN

ISSUED BY: T&A Structures
(Design Firm)

TO: Arawai Limited
(Owner/Developer)

TO BE SUPPLIED TO: Far North District Council
(Building Consent Authority)

IN RESPECT OF: Proposed Kupe Waka - Whare Whetu
(Description of Building Work)

AT: 4554 State Highway 10, Taipa
(Address)

Town/City: Far North **LOT** **DP** **SO**
(Address)

We have been engaged by the owner/developer referred to above to provide:

Foundation and subfloor bracing design

(Extent of Engagement)

services in respect of the requirements of Clause(s) **B1** of the Building Code for:

☐ All or ☒ Part only (as specified in the attachment to this statement), of the proposed building work.

The design carried out by us has been prepared in accordance with:

☒ Compliance Documents issued by the Ministry of Business, Innovation & Employment **B1/VM1, B1/VM4** or
(verification method/acceptable solution)

☐ Alternative solution as per the attached schedule

The proposed building work covered by this producer statement is described on the drawings titled:

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together with the specification, and other documents set out in the schedule attached to this statement.

On behalf of the Design Firm, and subject to:

- (i) Site verification of the following design assumptions **Good Ground Report by FNR Consulting Ltd, 05/08/2020**
- (ii) All proprietary products meeting their performance specification requirements;

I believe on reasonable grounds that a) the building, if constructed in accordance with the drawings, specifications, and other documents provided or listed in the attached schedule, will comply with the relevant provisions of the Building Code and that b), the persons who have undertaken the design have the necessary competency to do so. I also recommend the following level of construction monitoring/observation:

☐ CM1 ☒ CM2 ☐ CM3 ☐ CM4 ☐ CM5 (Engineering Categories) or ☐ as per agreement with owner/developer (Architectural)

I, **Teo Pilapil** am: ☒ CPEng **1009554** # ☐ Reg Arch #
(Name of Design Professional)

I am a member of: ☒ Engineering New Zealand ☐ NZIA and hold the following qualifications: **BE Civil/Structural, CMEngNZ**

The Design Firm issuing this statement holds a current policy of Professional Indemnity Insurance no less than \$200,000*.

The Design Firm is a member of ACENZ: ☐

SIGNED BY: **Teo Pilapil** (Signature)
(Name of Design Professional)

ON BEHALF OF **T&A Structures** Date: **18 Sep 2020**
(Design Firm)

Note: This statement shall only be relied upon by the Building Consent Authority named above. Liability under this statement accrues to the Design Firm only. The total maximum amount of damages payable arising from this statement and all other statements provided to the Building Consent Authority in relation to this building work, whether in contract, tort or otherwise (including negligence), is limited to the sum of \$200,000.*

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18 September 2020

Far North District Council
Building Consents Department

To whom it may concern

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Proposed Kupe Waka Centre – Whare Whetu
4554 State Highway 10, Taipa**

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We trust this provides the information you are seeking

Yours faithfully,



Teo Pilapil, CMEngNZ, CPEng
Chartered Professional Engineer

T&A STRUCTURES



Address Kupe Waka Centre - Whare Whetu, 4554 State Highway 10, Taipa

No.	Item of inspection	Timeframe
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(Delete any that do not apply)

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T&A STRUCTURES
CHARTERED PROFESSIONAL ENGINEERS
www.taststructures.co.nz info@taststructures.co.nz

PROJECT:

**KUPE WAKA CENTRE - WHARE WHETU
FOUNDATION DESIGN**

CLIENT:

ARAWAI LIMITED

PROJECT ADDRESS:

**4554 STATE HIGHWAY 10, TAIPA
FAR NORTH**

LEGAL DESCRIPTION:

JOB NO:

146-FND-20SD

DATE:

18 SEPTEMBER 2020

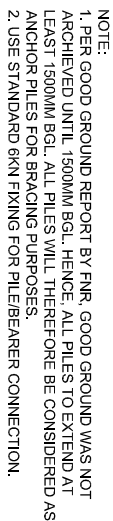
REVISION:

FOR CONSENT

DRAWING

INDEX:

W01 FOUNDATION PLAN
W02 TECHNICAL SPECIFICATIONS & DETAILS



			
T&A STRUCTURES CHARTERED PROFESSIONAL ENGINEERS www.tandstructures.co.nz info@tandstructures.co.nz			
		Stamp	
		Designed	
1	First Issue	Drawn	
N/A	Revisions	Date	
<input checked="" type="checkbox"/> CDP/1981/17 - This drawing must not be copied, altered, reproduced or distributed or its contents without the written permission of T&A Structures.		Reviewed	
		Approved	
Project			
4554 STATE HIGHWAY 10, TAIPA KUPE WAKA CENTRE - WHARE WHETU		Sheet Title	
FOUNDATION PLAN		Drawing Status CONSENT	
Project No.: 146-FND-201SD		Drawing W01	
Scale 1:500 (A13)		Revision 1	

TECHNICAL SPECIFICATIONS
GENERAL:

- G1. THESE DRAWINGS ARE NOT TO BE SCALED.
- G2. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURAL AND STRUCTURAL DRAWINGS.
- G3. CONTRACTOR TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
- G4. ALL DISCREPANCIES IN REGARD TO THE FOUNDATIONS SHALL BE REFERRED TO THE ARCHITECT FOR DECISIONS BEFORE PROCEEDING.
- G5. ALL PROPRIETARY PRODUCTS TO BE INSTALLED AS PER MANUFACTURERS' RECOMMENDATIONS.

CONCRETE:

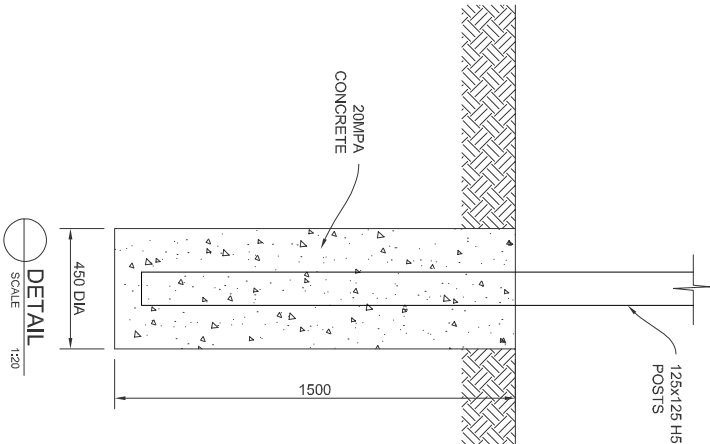
- C1. ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH NZS3109 AND NZS3101 SUBJECT TO RELEVANT SECTIONS OF THE SPECIFICATIONS.
- C2. NO CONCRETE SHALL BE PLACED UNTIL THE ENGINEER HAS HAD THE OPPORTUNITY TO OBSERVE THAT THE DRAWINGS AND SPECIFICATIONS HAVE BEEN COMPLIED WITH.
- C3. MINIMUM 28TH DAY CONCRETE COMPRESSIVE STRENGTH AS DEFINED IN NZS3109 SHALL BE 20MPA.
- C4. ALL CONCRETE SUPPLY AND PRODUCTION SHALL BE IN ACCORDANCE NZS 3104.
- C5. SIZES OF CONCRETE ELEMENTS DO NOT INCLUDE THICKNESS OF APPLIED FINISHES.

TIMBER:

- T1. ALL CONSTRUCTION SHALL BE AS PER NZS 3804:2011 TIMBER FRAMED BUILDINGS (NON-SPECIFIC) AND NZS3603 TIMBER STRUCTURE STANDARD.
- T2. ALL TIMBER GRADE SHALL BE S88 UNLESS NOTED OTHERWISE.

COMPACTED HARDFILL:

- CH1: WHERE EXCAVATION IS REQUIRED TO DEPTH GREATER THAN THAT REQUIRED DUE TO LOW BEARING CAPACITY, ORGANICS, ETC., A LEVEL BUILDING PLATFORM SHALL BE BUILT UP WITH COMPACTED HARDFILL, AP40.
- CH2: GRANULAR FILL SHALL BE COMPACTED IN ACCORDANCE WITH NZS4431:1989 WITH APPROPRIATE ON SITE QUALITY CONTROL. A MAXIMUM DRY DENSITY AT OPTIMUM WATER CONTENT OF AT LEAST 95% OF 2150 kg/m³ SHALL BE ACHIEVED IN ACCORDANCE WITH THE NZS 4402:1986, TEST 4.1.1.
- CH3: WHERE HARDFILL THICKNESS EXCEEDS 600mm, THE CONTRACTOR SHALL PROVIDE COMPACTION TEST RESULTS.



- NOTES:
1. ALL FOUNDATION ARE TO BEAR UPON GOOD, UNDISTURBED GROUND.
4. IF GOOD GROUND IS NOT ENCOUNTERED AT THE DESIRED DEPTH, THE SPACE BETWEEN GOOD GROUND AND BASE OF FOUNDATION SHALL BE FILLED WITH GAP 65 GRANULAR FILL, COMPACTED AT EVERY 300mm LAYER.
5. ALL WORKS SHALL COMPLY WITH NZS 3804:2011 AND THE BUILDING CODE OF NEW ZEALAND.

ORIGINAL SIZE mm
AS

0 10 30 50 100 200

		Surveyed	
		Designed	
1	Final Issue		
1	Revised	14 Sep 2020	Drawn
	Check		Reviewed
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		Approved	

Project

4554 STATE HIGHWAY 10, TAIPA
KUPE WAKA CENTRE - WHARE WHETU

Sheet Title

TECHNICAL SPECIFICATIONS & DETAILS

Drawing Status	
Project No.:	146-FMD-20SD
Scale	1:20 (A3)
Revision	1
Consent	W02

*Hon John Carter
Memorial Avenue
Private Bag 752
KAIKOHE 0440*



Telephone 0-9-401 5210
Fax 0-9-401 0115
Mobile 027 445 5754
Email john.carter@fndc.govt.nz

Office of the Mayor

11 May 2015

Hekenukumai Busby
Te Tai Tokerau Tarai Waka Inc
PO Box 51
MANGONUI 0442

Tēnā koe Hek

RE: Tarai Waka Whare Wānanga at Aurere

Following on from our earlier conversation, I would like to take this opportunity to support the ongoing development at Aurere.

There are specific objectives of the Whare Wānanga that resonate with Council especially those that provide a focus for restoring youth pride, as well as enhancing bi-culturalism within our District. There are also the wider opportunities that relate to Māori development opportunities and aspirations which Council is keen to support.

Obviously as a regulatory authority, Council has a role to play within the development of Stage 2, which will be managed appropriately. However I would like to reiterate that Council supports the wider opportunities and aspirations that enables Māori development.

I hope this support will suffice, however if you require further information please do not hesitate to contact myself on 09 401 5200 or free-phone 0800 920 029.

Yours sincerely

.....
Hon John Carter QSO
Mayor

17 December 2020

Tohu Consulting Limited
39A Commerce Street
Kaitia 0410

Attn: Nina Pivac

Dear Nina,

As the owners of properties adjacent to the Okokori B Block, including those listed below, we provide written approval in support of the completion of the next stages of development of the Sir Hek Busby Kupe Waka Centre. Please note that written approval is given on the condition that the proposed development will not give rise to any adverse reverse sensitivity effects nor hinder our ability to continue to use our land for production and residential purposes.

Affected properties:

- Lots 2, 6, 7, 8, 9, 10, 11 DP 164422
- Lot 5 DP 145849

Regards,

A handwritten signature in black ink, appearing to be 'Larry and Fiona Matthews', written over a horizontal line.

Larry and Fiona Matthews
M: 021 106 9316



NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

PART A – To be completed by Applicant

Applicant/s Name:

Arawai Limited

Address of proposed activity:

Accessed via 4554 State Highway 10, Aurere

Legal description:

Okokori B Block (including Te Awapoko Waka Wananga Reserve)

Description of the proposal (including why you need resource consent):

To complete the next stages of development of the Sir Hek Busby Kupe Waka Centre which involves relocating 3 new buildings to the site (Taupaepae, Whare Whetu, Putanga) and access/parking upgrades. The proposal breaches rules in relation to visual amenity, building height, buildings within an outstanding landscape, and traffic intensity.

Details of the application are given in the attached documents & plans (list what documents & plans have been provided to the party being asked to provide written approval):

1. Sir Hek Busby Kupe Waka Centre Development Plan Summary
2. Site plan, elevation plans, floor plans, and carparking plans
3. TP58 reports prepared by Effluent Drainlayers
4. _____
5. _____
6. _____

Notes to Applicant:

1. Written approval must be obtained from all registered owners and occupiers.
2. The **original copy** of this signed form and **signed plans and accompanying documents** must be supplied to the Far North District Council.
3. The amount and type of information provided to the party from whom you seek written approval should be sufficient to give them a full understanding of your proposal, its effects and why resource consent is needed.

PART B – To be completed by Parties giving approval

Notes to the party giving written approval:

1. If the owner and the occupier of your property are different people then separate written approvals are required from each.
2. You should only sign in the place provided on this form and accompanying plans and documents if you **fully understand** the proposal and if you **support** or have **no opposition** to the proposal. Council will not accept conditional approvals. If you have conditions on your approval, these should be discussed and resolved with the applicant directly.
3. Please note that when you give your written approval to an application, council cannot take into consideration any actual or potential effects of the proposed activity on you unless you formally withdraw your written approval **before** a decision has been made as to whether the application is to be notified or not. After that time you can no longer withdraw your written approval.
4. Please sign and date all associated plans and documentation as referenced overleaf and return with this form.
5. If you have any concerns about giving your written approval or need help understanding this process, please feel free to contact the duty planner on 0800 920 029 or (09) 401 5200.

Full name/s of party giving approval:

Larry & Fiona Matthews

Address of affected property including legal description

See attached cover letter

Contact Phone Number/s and email address

Daytime:


email:

I am/we are the OWNER(S) / OCCUPIER(S) of the property (circle which is applicable)

*Please note: in most instances the approval of **all** the legal owners and the occupiers of the affected property will be necessary.*

1. I/We have been provided with the details concerning the application submitted to Council and understand the proposal and aspects of non-compliance with the Operative District Plan.
2. I/We have signed each page of the plans and documentation in respect of this proposal (these need to accompany this form).
3. I/We understand and accept that once I/we give my/our approval the Consent Authority (Council) cannot take account of any actual or potential effect of the activity and/or proposal upon me/us when considering the application and the fact that any such effect may occur shall not be relevant grounds upon which the Consent Authority may refuse to grant the application.
4. I/We understand that at any time before the notification decision is made on the application, I/we may give notice in writing to Council that this approval is withdrawn.

Signature



Date

18/12/2020

Signature



Date

18/12/2020

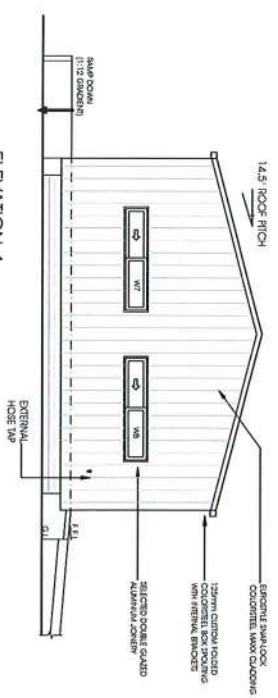
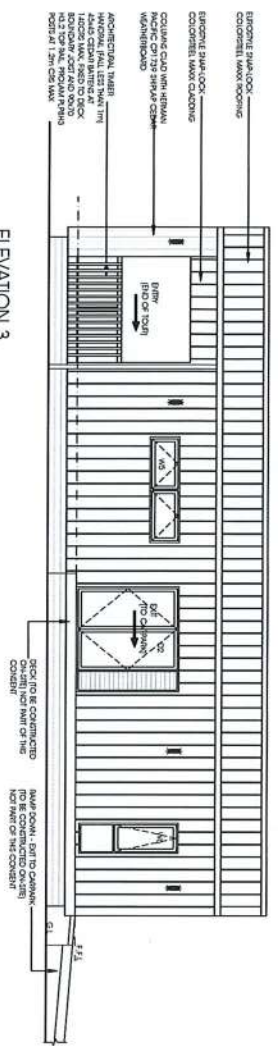
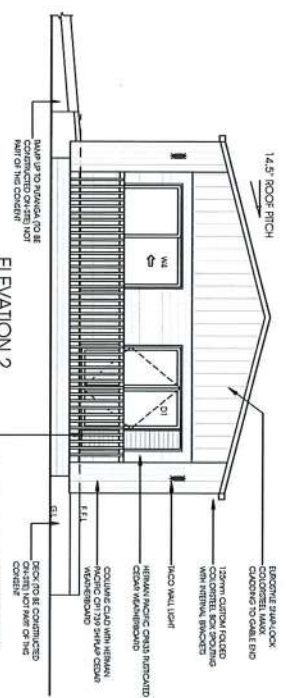
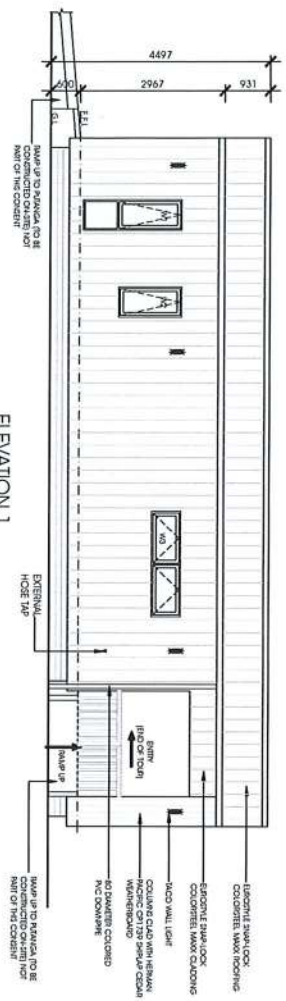
Signature

Date

Signature

Date

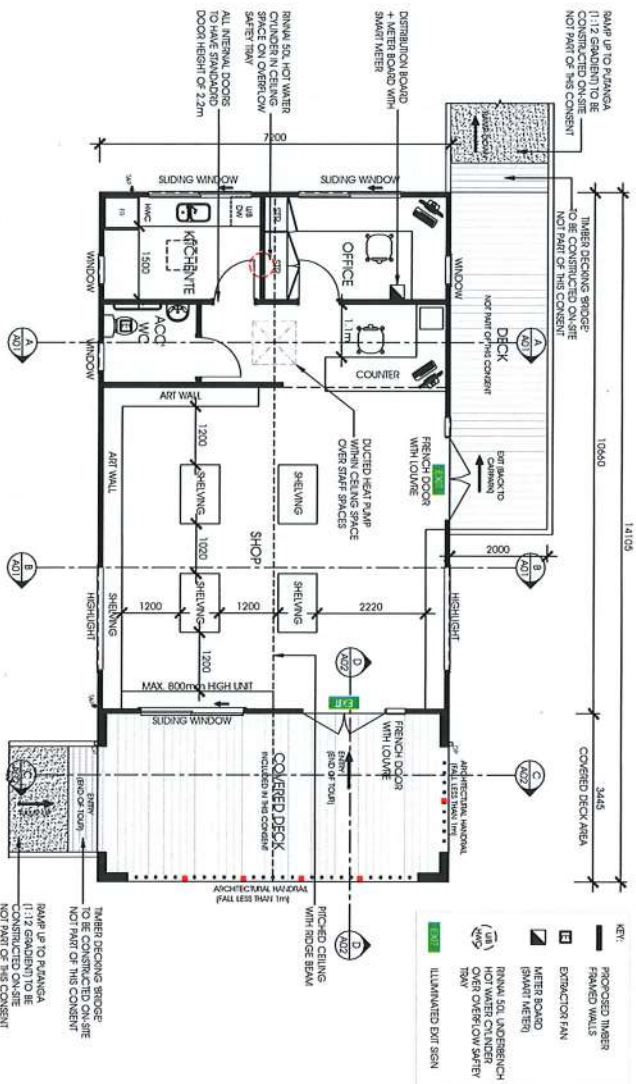
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18/12/20

elevate	ELEVATE ARCHITECTURAL TRANSPORTABLES 221 HANNON ROAD, CAMBRIDGE Ph: 07 827 0433 Mob: 021 1999406	Client: Kupe Waka Center	Site: Aureere Beach Road, Lake Ohia	Drawing: Putanga - Elevations	Sheet: L02
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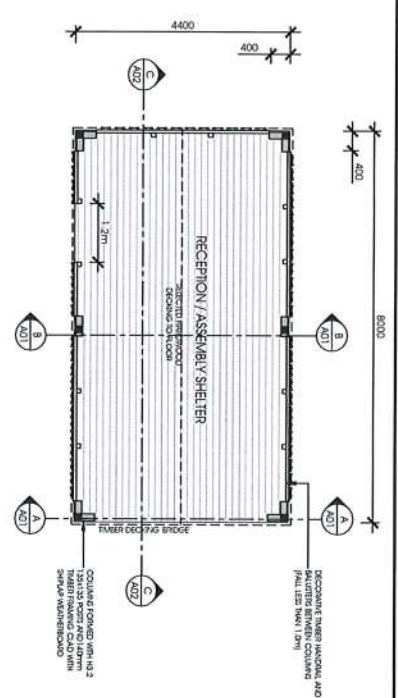
REV	DATE	REVISION
D2	06/09/20	ISSUED FOR PRICING
D1	03/09/20	ISSUED TO ENGINEER FOR PSI
REV	DATE	REVISION
Drawn By:	CW	
Checked By:	LT	
Scale:	1:100 @ A3	
Date:	14-04-2020	



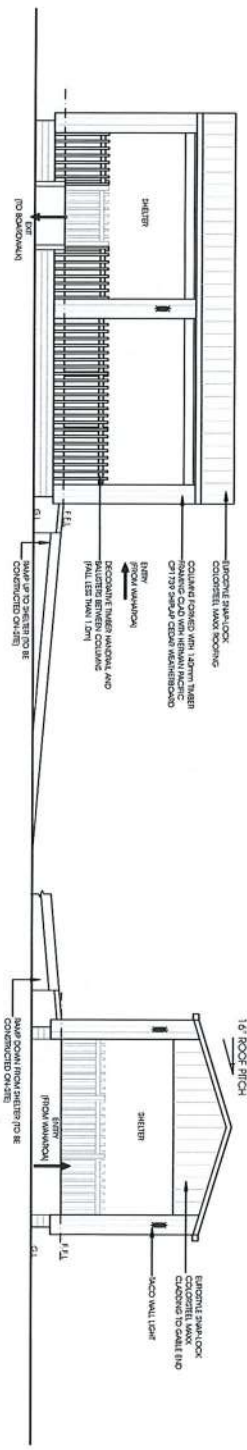
PUTANGA - FLOOR PLAN
FLOOR AREA: 77m²
COVERED DECK AREA: 24m²

18/12/20.

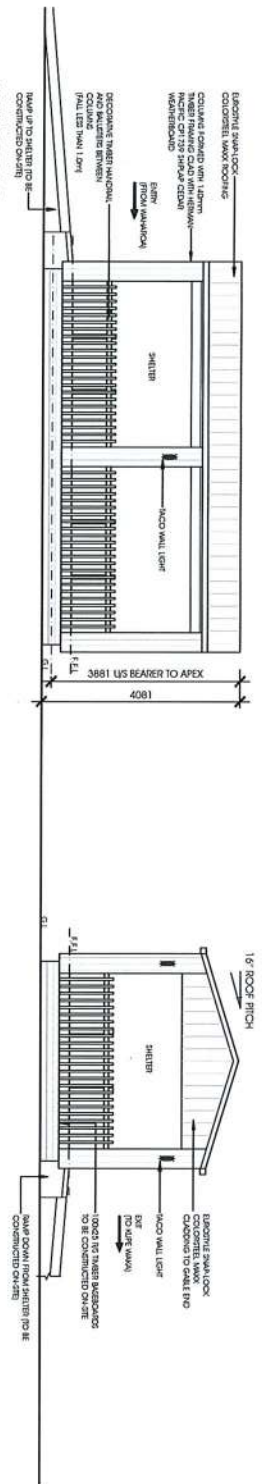
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TAUPAEPAE - FLOOR PLAN
SCALE: 1:100
FLOOR AREA 35m²



ELEVATION 1
TAUPAEPAE
SCALE: 1:100



ELEVATION 2
TAUPAEPAE
SCALE: 1:100

ELEVATION 3
TAUPAEPAE
SCALE: 1:100

ELEVATION 4
TAUPAEPAE
SCALE: 1:100

elevate

ELEVATE ARCHITECTURAL TRANSPORTABLES
221 HANNON ROAD, CAMBRIDGE
Ph: 07 827 0433 Mob: 021 359406

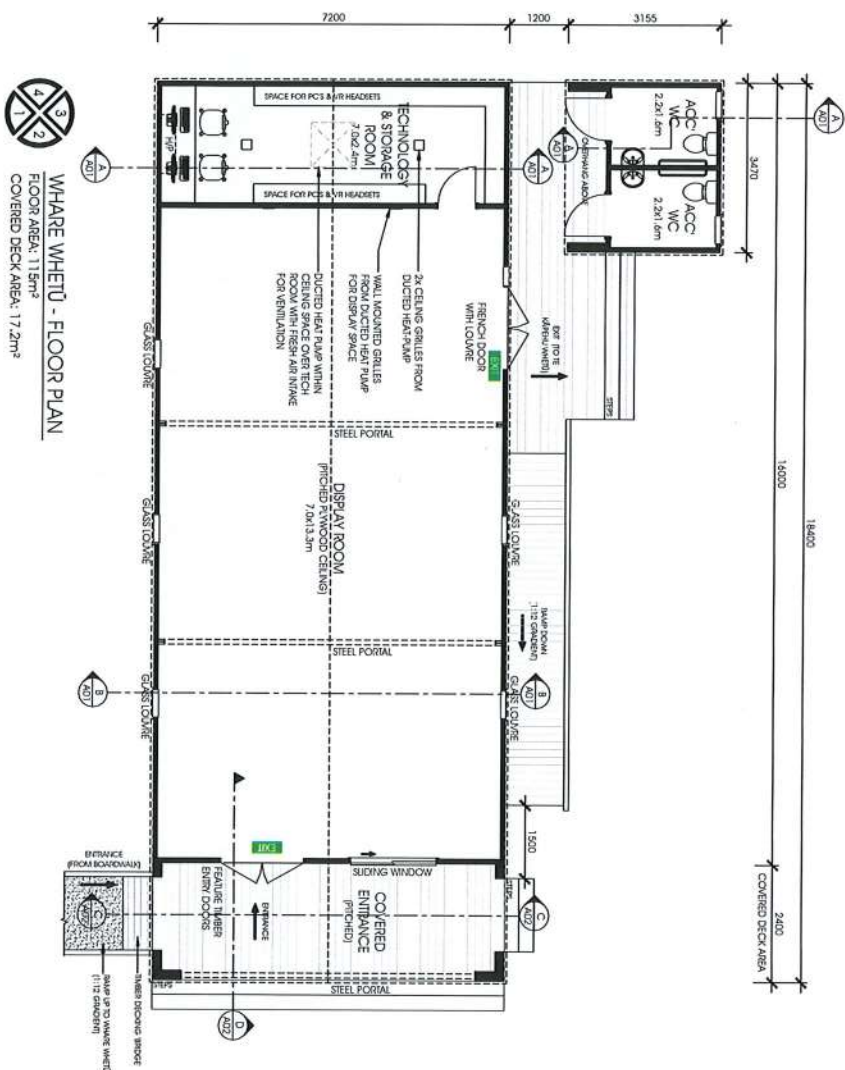
Client: Kupe Waka Center

Site: Aunere Beach Road, Lake Ohia

Drawing: Taupaepae -
Floor Plan & Elevations

REV	DATE	REVISION
REV1	05/08/20	ISSUED FOR PRICING
REV2	20/07/20	ISSUED TO ENGINEER FOR COMMENT
D2	06/05/20	CHANGES FROM CLIENT COMMENTS
D1	14/04/20	ISSUED TO CLIENT FOR COMMENT
REV	DATE	REVISION
Drawn By:	CW, PV	
Checked By:	LT	
Scale:	1:100 @ A3	
Date:	14-04-2020	

Sheet: L01



WHARE WHETU - FLOOR PLAN
FLOOR AREA: 115m²
COVERED DECK AREA: 17.2m²

18/12/20
J. M. D. -

elevate

ELEVATE ARCHITECTURAL TRANSPORTABLES
221 HANNON ROAD, CAMBRIDGE
Ph: 07 827 0433 Mob: 021 399406

Client:

Kupe Waka Center

Site:

4554 State Highway 10, Taipa

Drawing:

Whare Whetu - Floor Plan

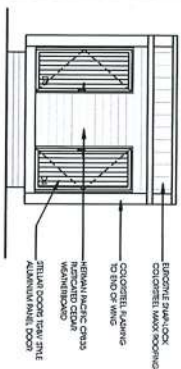
D5	06/08/20	ISSUED FOR PRICING
D4	06/07/20	ISSUED FOR FIRE DESIGN PRICE
D3	26/05/20	CHANGES AS PER EMAIL DISCUSSIONS
D2	05/05/20	CHANGES FROM CLIENT COMMENTS
D1	14/04/20	ISSUED TO CLIENT FOR COMMENT
REV	DATE	REASON

Sheet:

101

[illegible]

ELEVATION 4
WHARE WHETU
SCALE: 1:100



15/12/20

D5	06/08/20	ISSUED FOR PRICING
D4	06/07/20	ISSUED FOR FIRE DESIGN PRICE
D3	29/05/20	CHANGES AS PER EMAIL DISCUSSIONS
D2	06/05/20	CHANGES FROM CLIENT COMMENTS
D1	14/04/20	ISSUED TO CLIENT FOR COMMENT
REV	DATE	REVISION

Sheet:

Where Whetu - Elevations

102

A topographic map of a mountainous region, likely a national park or forest. The map features contour lines indicating elevation. A proposed route is marked with a thick brown line, starting from a point labeled 'Entry' and winding through the terrain. Several yellow rectangular markers are placed along this route, with labels such as 'Yellow', 'Yellow', 'Yellow', and 'Yellow'. A red building is visible on the left side of the map. A north arrow is located in the bottom right corner.

[illegible][illegible]

WHARE WANANGA, WHARE WHAKAHO AND DOMESTIC BUILDINGS FROM DESIGNTRIBE PLAN A-010

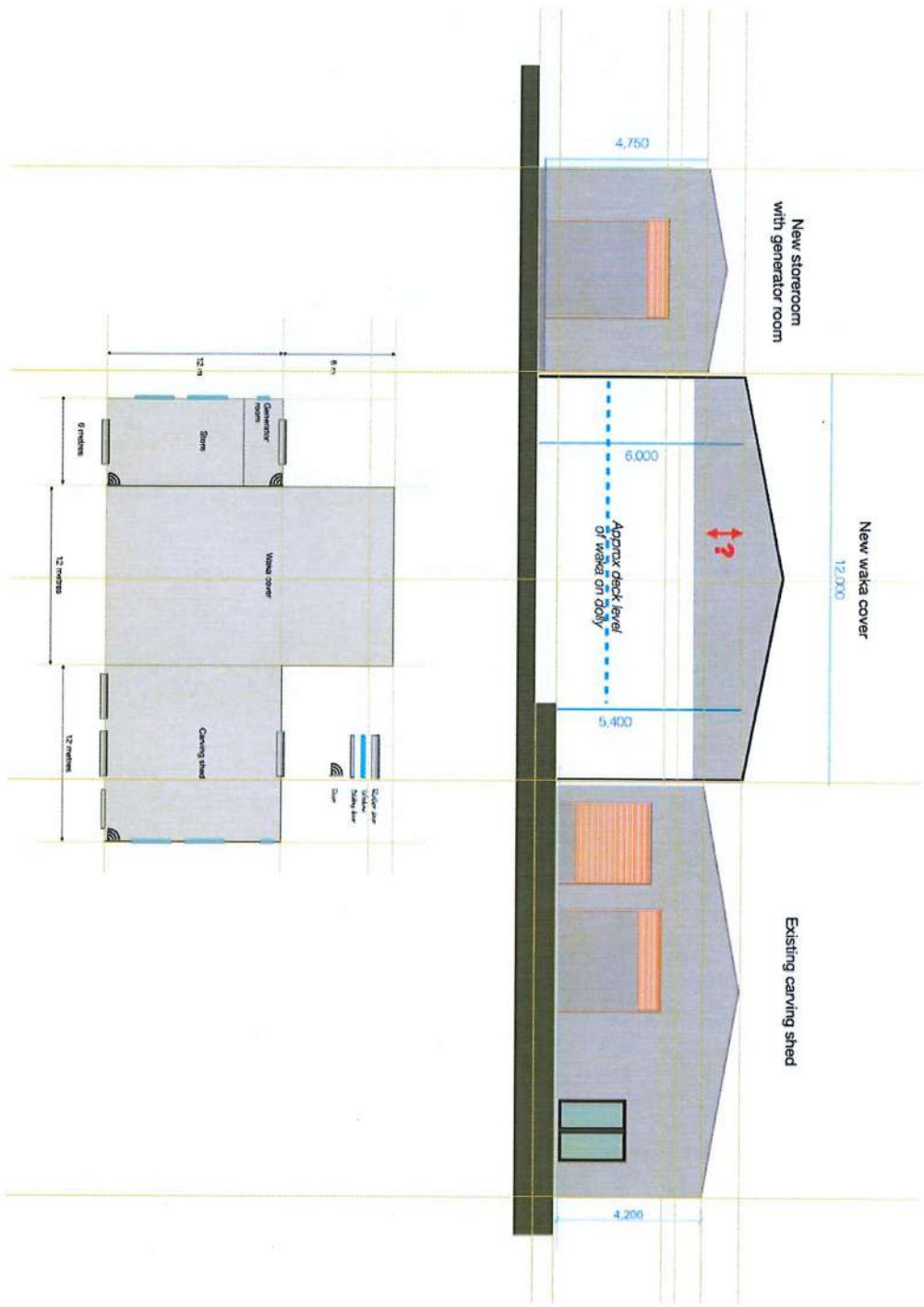
[illegible]SURVEY SERVICES
LAND SURVEYING

12 BRADEN AVENUE
TALLAHASSEE, FL 32304
NORTH SHORE CITY
PHONE: 904-489-5770
FAX: 904-489-5770
EMAIL: info@nshc.com

TALAPINA, OLGA	FAX: 09-443 5770
NORTH SHORE CITY	EMAIL: nsh@nshdunedin.co.nz
TITLE	

LAND DISTRICT: North Auckland
LOCAL AUTHORITY: Far North
District Council

CLAY	Te Tai Tokerau Tarai Waka		
SCALE:	1:500 (A1)	PROJECT	RLH
DATE	REVISION	DRAWING No.	
OCTOBER 2011	0	090-03	



[Signature]
18/12/20



Finish

here

PROPOSED 4.0m WIDE CONCRETE ACCESS WAY
BEGIN AT APPROX CH 1590m. 150mm THICK 25 MPa
REINFORCED CONCRETE ON 100mm MINIMUM
COMPACTED DEPTH OF GAP40 BASECOURSE.

Extend to here

PROPOSED UNSEALED PARKING AREA. PAVEMENT TO
CONSIST OF 100mm MINIMUM COMPACTED DEPTH OF
GAP40 BASECOURSE ON 200mm MINIMUM COMPACTED
DEPTH OF GAP25 SUBBASECOURSE. REFER TO TYPICAL
DETAIL ON SHEET E32 CENTRAL ISLAND TO BE PLANTED
AT THE DISCRETION OF ARAWAI LIMITED

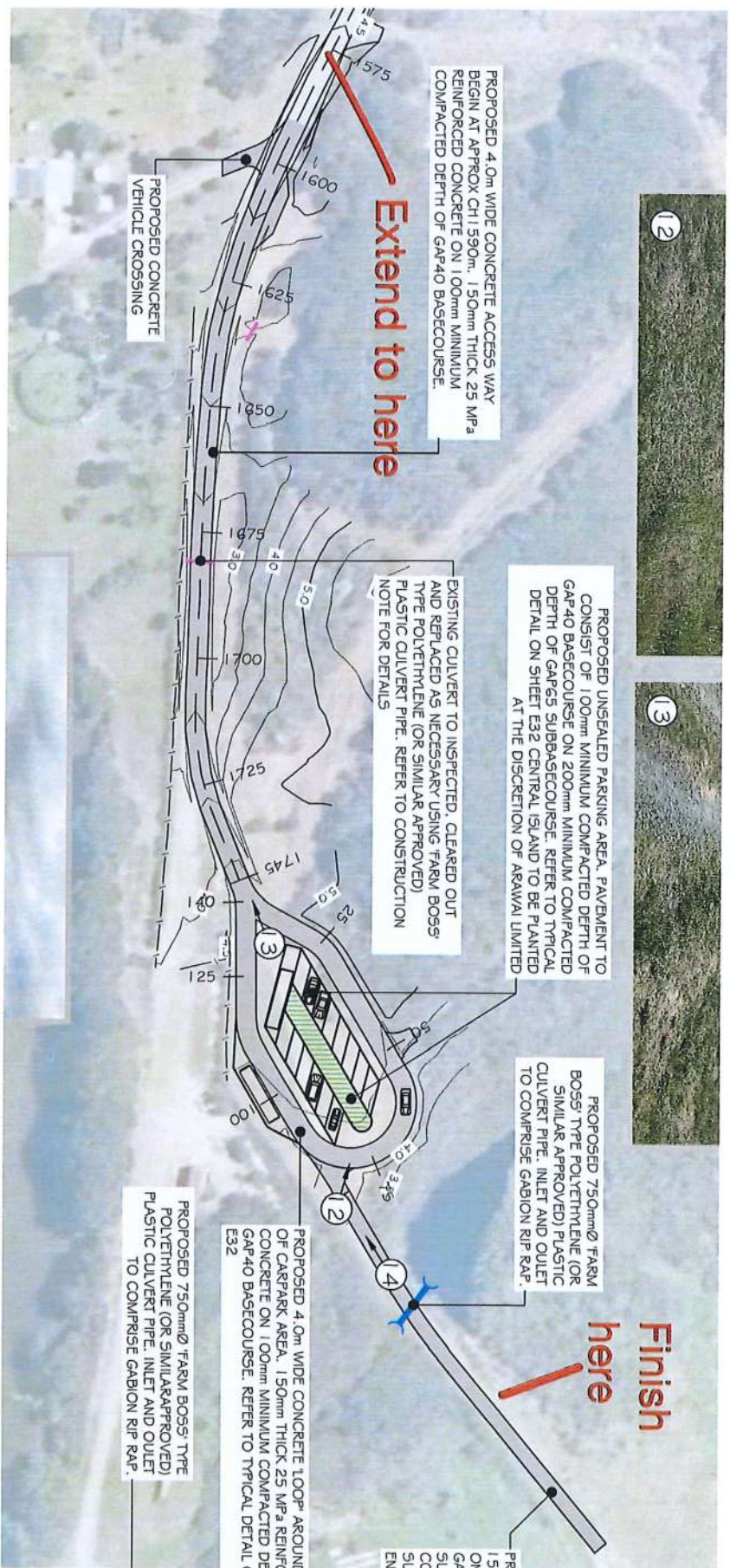
EXISTING CULVERT TO INSPECTED, CLEARED OUT
AND REPLACED AS NECESSARY USING FARM BOSS
TYPE POLYETHYLENE (OR SIMILAR APPROVED)
PLASTIC CULVERT PIPE. REFER TO CONSTRUCTION
NOTE FOR DETAILS

PROPOSED 750mmØ FARM
BOSS TYPE POLYETHYLENE (OR
SIMILAR APPROVED) PLASTIC
CULVERT PIPE. INLET AND OUTLET
TO COMPRISE GABION RIP RAP.

PROPOSED 4.0m WIDE CONCRETE 100m² AROUND
OF CARPARK AREA. 150mm THICK 25 MPa REINF
CONCRETE ON 100mm MINIMUM COMPACTED DE
GAP40 BASECOURSE. REFER TO TYPICAL DETAIL
E32

PROPOSED 750mmØ FARM BOSS TYPE
POLYETHYLENE (OR SIMILAR APPROVED)
PLASTIC CULVERT PIPE. INLET AND OUTLET
TO COMPRISE GABION RIP RAP.

PROPOSED CONCRETE
VEHICLE CROSSING



18/12/20
Michael

Nina Pivac

From: Doug Te Wake <dtewake@doc.govt.nz>
Sent: Wednesday, 24 February 2021 2:02 pm
To: Nina Pivac
Subject: FW: Attn: Kaitaia Office - Re: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Kia ora Nina

Latest available dates.....Do these fit into your calendar plz

Doug Te Wake

Department of Conservation | Te Papa Atawhai
Senior Ranger, Community
Kaitiaki Matua, Āo Hāpori

DDI: +64 9 408 6194

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From: Maddy Jopling <mjopling@doc.govt.nz>
Sent: Wednesday, 24 February 2021 1:30 pm
To: Doug Te Wake <dtewake@doc.govt.nz>
Subject: RE: Attn: Kaitaia Office - Re: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Ok Doug will put provisionally in for both dates to save in diary until they confirm with you.

Cheers
Maddy

From: Doug Te Wake <dtewake@doc.govt.nz>
Sent: Tuesday, 23 February 2021 8:34 am
To: Maddy Jopling <mjopling@doc.govt.nz>
Subject: RE: Attn: Kaitaia Office - Re: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Morena Maddy

Im good for the 3rd or 5thI will check in with the Consultanat

From: Maddy Jopling <mjopling@doc.govt.nz>
Sent: Monday, 22 February 2021 2:49 pm
To: Doug Te Wake <dtewake@doc.govt.nz>
Subject: RE: Attn: Kaitaia Office - Re: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Hi Doug,

I can do Wednesday, Thursday or Friday (3rd, 4th or 5th) at the moment.

From: Doug Te Wake <dtewake@doc.govt.nz>
Sent: Friday, 19 February 2021 1:39 pm
To: Maddy Jopling <mjopling@doc.govt.nz>
Subject: RE: Attn: Kaitaia Office - Re: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Nope this is our norm.....we've explored nxt week so we move on to following week and book it in stone.....you first available day plz Maddy and let's see if we can lock it in

Sent from Workspace ONE Boxer

On 19/02/2021 1:35 pm, Maddy Jopling <mjopling@doc.govt.nz> wrote:
Rats! Sorry Doug Tuesday is when I am in Whangarei and Thursday might be hard (but not impossible) to work a plan. Is it possible for the following week, or does it have to be next week?

Sent from [Mail](#) for Windows 10

From: [Doug Te Wake](#)
Sent: Friday, 19 February 2021 1:30 pm
To: [Maddy Jopling](#)
Subject: RE: Attn: Kaitaia Office - Re: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Ummmmm a couple of hrs ago it was Wednesday only that did not suit....

How do these new days suit Maddy.....Monday/AM is good, Tuesday/Pm is OK Thursday is a no goer for me.....

From: Nina Pivac <nina@tohuconsulting.nz>
Sent: Friday, 19 February 2021 1:04 pm
To: Doug Te Wake <dtewake@doc.govt.nz>
Subject: Re: Attn: Kaitaia Office - Re: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

So sorry Doug I just had another commitment come up on Friday next week so am unavailable that whole day. I can do Monday, Tuesday or Thursday??

Ngā Mihi,
Nina Pivac
Tohu Consulting
M: 021 061 4725

From: Doug Te Wake <dtewake@doc.govt.nz>
Sent: Friday, February 19, 2021 12:56:44 PM

To: Nina Pivac <nina@tohuconsulting.nz>

Subject: RE: Attn: Kaitaia Office - Re: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Kia ora Nina

Friday 26th Feb; 100pm on site 3.00pm does this time suit...??

Doug Te Wake

Department of Conservation | Te Papa Atawhai
Senior Ranger, Community
Kaitiaki Matua, Āo Hāpori

DDI: +64 9 408 6194

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From: Nina Pivac <nina@tohuconsulting.nz>

Sent: Friday, 19 February 2021 9:14 am

To: Doug Te Wake <dtewake@doc.govt.nz>

Subject: RE: Attn: Kaitaia Office - Re: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Thanks for the chat this morning Doug, appreciate your thoughts and comments. Look forward to hearing from you soon.

--

Ngā Mihi,

Nina Pivac | BAppSc | PGDip Planning | Assoc NZPI | Director

M: 021 061 4725

E: nina@tohuconsulting.nz

W: <http://tohuconsulting.nz/>

39A Commerce Street, Kaitaia 0410 (meeting by appointment only)



From: Doug Te Wake <dtewake@doc.govt.nz>

Sent: Friday, 19 February 2021 8:25 am

To: Nina Pivac <nina@tohuconsulting.nz>

Subject: RE: Attn: Kaitaia Office - Re: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Morena Nina

Again I apologise my day disappeared on me yesterday. What time are you available for a call today plz

Doug

From: Nina Pivac <nina@tohuconsulting.nz>

Sent: 18 February 2021 09:01

To: Doug Te Wake <dtewake@doc.govt.nz>

Subject: RE: Attn: Kaitaia Office - Re: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Morena Doug,

Thanks for getting in touch, I am free anytime from 12pm to 4pm 😊

--

Ngā Mihi,

Nina Pivac | BAppSc | PGDip Planning | Assoc NZPI | Director

M: 021 061 4725

E: nina@tohuconsulting.nz

W: <http://tohuconsulting.nz/>

39A Commerce Street, Kaitaia 0410 (meeting by appointment only)



From: Doug Te Wake <dtewake@doc.govt.nz>

Sent: Thursday, 18 February 2021 8:37 am

To: Nina Pivac <nina@tohuconsulting.nz>

Subject: RE: Attn: Kaitaia Office - Re: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Morena Nina

Apologies for not responding sooner I will give you a call later on today to catch up. I am tied in meetings this morning

Doug Te Wake

Department of Conservation | Te Papa Atawhai

Senior Ranger, Community

Kaitiaki Matua, Āo Hāpori

DDI: +64 9 408 6194

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From: Nina Pivac <nina@tohuconsulting.nz>

Sent: Tuesday, 16 February 2021 4:07 pm

To: Kaitaia <kaitaia@doc.govt.nz>

Cc: Doug Te Wake <dtewake@doc.govt.nz>

Subject: RE: Attn: Kaitaia Office - Re: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Great thanks Lorien, appreciate it 😊

--

Ngā Mihi,

Nina Pivac | BAppSc | PGDip Planning | Assoc NZPI | Director

M: 021 061 4725

E: nina@tohuconsulting.nz

W: <http://tohuconsulting.nz/>

39A Commerce Street, Kaitaia 0410 (meeting by appointment only)



From: Kaitaia <kaitaia@doc.govt.nz>

Sent: Tuesday, 16 February 2021 4:03 pm

To: Nina Pivac <nina@tohuconsulting.nz>

Cc: Doug Te Wake <dtewake@doc.govt.nz>

Subject: RE: Attn: Kaitaia Office - Re: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Kia ora Nina,

I'm sorry I have not seen this before in the Kaitaia email box. I noticed you had cc'd in Doug Te Wake to the original email which is good, I have also done so in this email. I do recall Doug was on extended leave back in November so it may have been overlooked.

I will ask for Doug to make contact as soon as he's able.

All the best.

Ngā mihi

Lorien Meyers

Business Support Officer - *Āpiha Ūmanga Āwhina*
Department of Conservation — *Te Papa Atawhai*

Kaitaia Office

25 Matthews Avenue | PO Box 569, Kaitaia 0441
T: +64 9 408 6014

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From: Nina Pivac <nina@tohuconsulting.nz>

Sent: Tuesday, 16 February 2021 3:40 p.m.

To: Kaitaia <kaitaia@doc.govt.nz>

Subject: FW: Attn: Kaitaia Office - Re: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Kia ora,

Please see request for comments below. I have not yet received a response or confirmation of receipt of this email. Can you please follow this up for me or direct me to someone who could help?

--

Ngā Mihi,

Nina Pivac | BAppSc | PGDip Planning | Assoc NZPI | Director

M: 021 061 4725

E: nina@tohuconsulting.nz

W: <http://tohuconsulting.nz/>

39A Commerce Street, Kaitaia 0410 (meeting by appointment only)



From: Nina Pivac

Sent: Thursday, 26 November 2020 11:11 am

To: rma@doc.govt.nz

Cc: Doug Te Wake <dtewake@doc.govt.nz>

Subject: Attn: Kaitaia Office - Re: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Kia ora,

I write to you as the planner engaged by Arawai Limited to prepare the resource consent application for the next stages of development of the Sir Hek Busby Kupe Waka Centre, located on the Okokori B Block at Aurere, Taipa.

This stage of development includes the relocation of three newly constructed buildings to the site and access upgrades to NZTA standards. The proposed buildings will be used as follows:

- Taupaepae – a shelter where visitors will gather before being welcomed into the Kupe Waka Centre;
- Whare Whetu – a building used for virtual reality experiences and as a meeting room;
- Putanga – a building used for retail and as an office.

I am hoping to obtain written approval from DOC in support of this application, as administers of conservation land located adjacent to the subject site. The map below shows the location of the operational area of the Kupe Waka Centre.



I have attached the following:

- DOC RMA Form which contains further detail of the proposal
- Summary of the Kupe Waka Centre Development Plan
- Site and building plans
- TP58 report prepared by Eric Wagener (Effluent Drainlayers)

Please let me know if there is anything else you require.

--

Ngā Mihi,

Nina Pivac | BAppSc | PGDip Planning | Assoc NZPI | Director

M: 021 061 4725

E: nina@tohuconsulting.nz

W: <http://tohuconsulting.nz/>

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Nina Pivac

From: Ross Baker <RBaker@heritage.org.nz>
Sent: Wednesday, 27 January 2021 11:40 am
To: Nina Pivac
Cc: Shelley Graham
Subject: RE: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Kia ora Nina,

Thank you for your email.

The recommended approach is acceptable in terms of the proposed methodology and output.

Nga mihi

Ross Baker
Planner

Heritage New Zealand Pouhere Taonga | PO Box 836, Kerikeri 0245 |
PH: (64 9) 407 0470 | MOB: 027 351 9843 | Email: rbaker@heritage.org.nz
Visit www.heritage.org.nz and learn more about New Zealand's heritage places

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From: Nina Pivac <nina@tohuconsulting.nz>
Sent: Monday, 18 January 2021 1:48 pm
To: Ross Baker <RBaker@heritage.org.nz>
Cc: Shelley Graham <SGraham@heritage.org.nz>
Subject: RE: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Kia ora Ross,

Happy new year! I hope you managed a good break.

As recommended, we have been seeking quotes for an archaeological assessment to be undertaken in support of the Sir Hek Busby Kupe Waka Centre on the Okokori B Block.

I have attached one of the tenders we have received from Archaeology Solutions Limited. Can you please review the attached and advise whether the recommended approach would be acceptable by Heritage NZ in terms of the proposed methodology and output?

--

Ngā Mihi,

Nina Pivac | BAppSc | PGDip Planning | Assoc NZPI | Director

M: 021 061 4725

E: nina@tohuconsulting.nz

W: <http://tohuconsulting.nz/>

39A Commerce Street, Kaitaia 0410 (meeting by appointment only)



From: Ross Baker <RBaker@heritage.org.nz>

Sent: Tuesday, 22 December 2020 4:35 pm

To: Nina Pivac <nina@tohuconsulting.nz>

Cc: Shelley Graham <SGraham@heritage.org.nz>

Subject: FW: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Kia ora Nina,

Thank you for taking the time to overlay the recorded archaeological sites onto the aerial imagery. The archaeological sites were recorded many years ago and as such their actual locations are subject to a reasonable amount of variance, sometimes upwards of 200 metres from the actual site of the archaeology. We are also uncertain as to whether an archaeologist has previously undertaken a site inspection of the land where the development is proposed to be constructed.

The proximity of the proposed development to the coast and the known archaeological sites leads Heritage New Zealand to the conclusion that there is a reasonable likelihood of archaeology being discovered. It is for these reasons that we still recommend that an archaeological site assessment be undertaken.

Please do contact me if you require any further clarification.

Nga mihi

Ross Baker
Planner

Heritage New Zealand Pouhere Taonga | PO Box 836, Kerikeri 0245 |
PH: (64 9) 407 0470 | MOB: 027 351 9843 | Email: rbaker@heritage.org.nz
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From: Nina Pivac <nina@tohuconsulting.nz>
Sent: Wednesday, 16 December 2020 11:39 am
To: Ross Baker <RBaker@heritage.org.nz>
Cc: Shelley Graham <SGraham@heritage.org.nz>
Subject: RE: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Kia ora Ross,

Thanks for this info, we appreciate your assistance with this. I have discussed with the client and we make the following comments in relation to your recommendation for an archaeological assessment to be undertaken.

The site records and map for O04/932 are a little difficult to work with. However, we have done our best to superimpose it on Google Earth - which has its own distortions, so it is a bit like the blind leading the blind 😊. That said we are pretty confident that this is about as good a fit as is possible. The property boundaries are from LINZ (who supplied a kml file), so their relative position is as accurate as is possible.

We attach two images, a wide shot and a more focussed one. The latter shows that one of the sites in 04/932 ("a") is on Okokori B. The other two ("b" and "c") are on Okokori A.

We have measured that it is 190 metres from the nearest point of the Whare Whetū will go to the nearest point on the dashed line drawn around the three sites. It is now part of the paddock used for grazing.

We also note that the way the 45 or so archaeological sites as shown on your map are aligned along the front dune. Based on this pattern, we consider that there is lower probability of finding further archaeological sites in the operational area of the Kupe Waka Centre but we can certainly be prepared with the Accidental Discovery Protocol.

Based on the above, we respectfully request that Heritage NZ reconsider the recommendation for an archaeological assessment to be undertaken, and rather impose a condition or advice note requiring the Accidental Discovery Protocol to be implemented. Please could you advise whether you consider this appropriate.

Happy to discuss further if you wish.

--

Ngā Mihi,

Nina Pivac | BAppSc | PGDip Planning | Assoc NZPI | Director

M: 021 061 4725

E: nina@tohuconsulting.nz

W: <http://tohuconsulting.nz/>

39A Commerce Street, Kaitia 0410 (meeting by appointment only)



From: Ross Baker <RBaker@heritage.org.nz>
Sent: Monday, 14 December 2020 2:10 pm
To: Nina Pivac <nina@tohuconsulting.nz>
Cc: Shelley Graham <SGraham@heritage.org.nz>
Subject: RE: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Kia ora Nina,

Please find attached the 004/932 site records from the New Zealand Archaeological Association database.

Nga mihi

Ross Baker
Planner

Heritage New Zealand Pouhere Taonga | PO Box 836, Kerikeri 0245 |
PH: (64 9) 407 0470 | MOB: 027 351 9843 | Email: rbaker@heritage.org.nz
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From: Nina Pivac <nina@tohuconsulting.nz>
Sent: Monday, 14 December 2020 10:45 am
To: Ross Baker <RBaker@heritage.org.nz>
Cc: Shelley Graham <SGraham@heritage.org.nz>
Subject: RE: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Kia ora Ross,

Thanks for your comments!

Do you have more information on archaeological site Q004/932 by any chance?

--

Ngā Mihi,

Nina Pivac | BAppSc | PGDip Planning | Assoc NZPI | Director

M: 021 061 4725

E: nina@tohuconsulting.nz

W: <http://tohuconsulting.nz/>

39A Commerce Street, Kaitia 0410 (meeting by appointment only)



From: Ross Baker <RBaker@heritage.org.nz>

Sent: Monday, 14 December 2020 9:34 am

To: Nina Pivac <nina@tohuconsulting.nz>

Cc: Shelley Graham <SGraham@heritage.org.nz>

Subject: FW: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Kia ora Nina,

Please accept my apology for the late response.

Thank you for contacting Heritage New Zealand Pouhere Taonga seeking our response to the proposal for the next development stage of the Sir Hek Busby Kupe Waka Centre at 4554 State Highway 10, Aurere (Record of Title NA 46C/958).

We note that there is one recorded archaeological site – QO04/932 within the property and close to where the proposed development is to occur. Given the site's proximity to the coast and freshwater supply it is potential that there are unrecorded archaeological sites in the area proposed for the development. It is further noted that the proposal, as you have outlined, will involve earthworks for foundations. Accordingly, Heritage New Zealand Pouhere Taonga recommends that a consultant archaeologist undertakes a site assessment of that portion of the property that will be subject to the proposed next stage development as outlined within your email below. Please forward a copy of the archaeologists report to this office for review prior to any earthworks being undertaken.

I have attached a schedule of consultant archaeologists that may be of assistance.

Below is a background summary of Heritage New Zealand and the Heritage New Zealand Pouhere Taonga Act 2014 that you should be aware of:

1. Heritage New Zealand Pouhere Taonga (formerly New Zealand Historic Places Trust) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage. Heritage New Zealand is New Zealand's lead agency for heritage protection.
2. Heritage New Zealand is an affected party for places identified as historic heritage.
3. Historic heritage is a matter of national importance under Section 6(f) of the Resource Management Act 1991 (the RMA). The definition of historic heritage under Part 2 of the RMA includes archaeology. Under section

104(1) of the RMA, a territorial authority must consider Part 2 matters (which includes section 6(f)) when making a decision on an application. Therefore, effects on archaeological sites must be taken into account by council when assessing a consent application.

4. Section 2 of the HNZPTA defines an archaeological site as:

- a) any place in New Zealand, including any building or structure (or part of a building or structure), that—
 - (i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
 - (ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand;

5. The Heritage New Zealand Pouhere Taonga Act 2014 provides protection for all archaeological sites, whether recorded or not. It is unlawful to modify or destroy an archaeological site without the prior authority of Heritage New Zealand. By careful project design, it is frequently possible to avoid any such modification. However, where avoidance of an archaeological site is not possible, an Archaeological Authority will be required. An Authority is also required if there is reasonable cause to suspect that an archaeological site may be modified or destroyed. All applications for Archaeological Authorities must be made to Heritage New Zealand.

Please contact me if you have any questions regarding this matter.

Nga mihi

Ross Baker
Planner

Heritage New Zealand Pouhere Taonga | PO Box 836, Kerikeri 0245 |
PH: (64 9) 407 0470 | MOB: 027 351 9843 | Email: rbaker@heritage.org.nz
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From: Nina Pivac <nina@tohuconsulting.nz>
Sent: Thursday, 26 November 2020 3:38 pm
To: Ross Baker <RBaker@heritage.org.nz>
Subject: Sir Hek Busby Kupe Waka Centre - Okokori B Block - Aurere, Taipa

Kia ora Ross,

I am writing as the planning agent engaged by Arawai Limited to prepare the resource consent application for the next development stage of the Sir Hek Busby Kupe Waka Centre. The site is accessed via 4554 SH10, Aurere and is legally described as Okokori B Block. I have attached a map showing the location of the subject site and a further explanation of the proposal in the hope of obtaining an updated written approval from Heritage NZ in support of this application.



You may be aware that this site has been subject to a number of previous resource consents with the most recent being RC 2130047 which enabled the construction of the Whare Wananga. Thanks to PGF funding, Arawai Limited are able to progress to the next stage of development which includes the relocation of three newly constructed buildings to the site and access upgrades to NZTA standards. The proposed buildings will be used as follows:

- Taupaepae – a shelter where visitors will gather before being welcomed into the Kupe Waka Centre;
- Whare Whetu – a building used for virtual reality experiences and as a meeting room;
- Putanga – a building used for retail and as an office.

Overall, the Kupe Waka Centre will be used for educational and cultural tourism purposes. Activities on site would include waka building/carving workshops, and exclusive cultural tours with groups of no more than 12 people per tour. There may be the odd large event held on site (max 100 people), such as the Matariki, which will typically occur no more than four times per year. I have attached a summary of the development plan for your information which provides a brief of the long-term vision for the site, and the TP58 report prepared by Eric Wagener (Effluent Drainlayers) for your information.

Essentially, resource consent will be required for this stage of development for the same reasons as those addressed in RC 2130047, which approved the construction of the Whare Wananga. It is understood that Heritage NZ provided written approval in support of RC 2130047 subject to the Accidental Discovery Protocol being included as an advice note.

You may note that the site has been identified as a Site of Cultural Significance (MS05-38) under the Far North District Plan. I also note that the NZAA maps show a number of archaeological sites located in proximity to, but outside of, the Okokori B Block.

Please note that no excavation is required for this stage of development, other than that for building foundations. Comments have also been sought from Ngati Tara (through Parapara Marae Committee) being the relevant hapu group.

I have attached a development plan summary, site and building plans, and the decision for RC 2130047 for your information. Please could you advise whether Heritage NZ have any concerns with the current proposal.

Happy to discuss further if you wish, feel free to give me a call on 021 061 4725.

--

Ngā Mihi,

Nina Pivac | BAppSc | PGDip Planning | Assoc NZPI | Director

M: 021 061 4725

E: nina@tohuconsulting.nz

W: <http://tohuconsulting.nz/>

39A Commerce Street, Kaitaia 0410 (meeting by appointment only)



Nina Pivac

From: Matt de Boer <mattdb@nrc.govt.nz>
Sent: Tuesday, 15 December 2020 11:44 am
To: Nina Pivac
Subject: Re: Kupe Waka Centre - Aurere Beach, Taipa (Okokori B Block) - Query re Coastal Hazards Mapping
Attachments: Okokori B Block.pdf

Kia ora Nina

Sorry about that - my mistake.

Attached is another map. Please note the data is still in draft format and you will note some irregularities in the waterways due to errors in our digital elevation model - these are yet to be fixed up.

Cheers, Matt

Ngā mihi

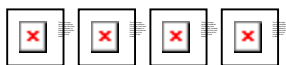
Matthew de Boer
Natural Hazards Advisor
Northland Regional Council » Te Kaunihera ā rohe o Te Taitokerau

DDI 09 470 1280

M 027 309 4965



P 0800 002 004 » **W** www.nrc.govt.nz



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From: Nina Pivac <nina@tohuconsulting.nz>
Sent: Friday, 11 December 2020 11:31 AM
To: Matt de Boer <mattdb@nrc.govt.nz>
Subject: RE: Kupe Waka Centre - Aurere Beach, Taipa (Okokori B Block) - Query re Coastal Hazards Mapping

Kia ora Matt,

I just realised that you sent me a map of the Okokori A Block, however, the subject site is the Okokori B Block which is the adjoining property to the west. Can you send me the correct map and any comments in relation to the Okokori B Block please?

--

Ngā Mihi,

Nina Pivac | BAppSc | PGDip Planning | Assoc NZPI | Director

M: 021 061 4725

E: nina@tohuconsulting.nz

W: <http://tohuconsulting.nz/>

39A Commerce Street, Kaitaia 0410 (meeting by appointment only)



From: Matt de Boer <mattdb@nrc.govt.nz>

Sent: Friday, 11 December 2020 8:08 am

To: Nina Pivac <nina@tohuconsulting.nz>

Subject: Re: Kupe Waka Centre - Aurere Beach, Taipa (Okokori B Block) - Query re Coastal Hazards Mapping

Kia ora Nina

I must apologise for the delay in getting back to you - I have been on paternity leave for the month of November and am just getting through my emails.

NRC have recently engaged Tonkin and Taylor to update our coastal flood hazard zones using new LiDAR information and updated sea level rise projections. This is information we currently hold in draft form but has not been released publicly yet - this planned for early 2021. This means that the information is indicative only.

Our existing mapping did not extend across this location but the new mapping shows that the site you indicate in your email is indeed within the new projected coastal flood hazard zones CFHZ1 and CFHZ2.

The definitions for these hazard zones are:

CFHZ1 - exposed to a one-in-50year coastal storm event with 0.6m sea level rise (equivalent to 2080 according to MfE guidance)

CFHZ2 - exposed to a one-in-100year coastal storm event with 1.2m sea level rise (equivalent to 2130 according to MfE guidance)

In addition, our analysis shows that the site will be subject to permanent tidal inundation by 2130 with 1.2m of sea level rise (i.e. at mean high water springs).

The attached map shows the extent of the projections for the site.

Hopefully this information is useful for you. The project sounds really interesting and hopefully you can develop designs that work around the hazards.

Regards, Matt

Ngā mihi

Matthew de Boer

Natural Hazards Advisor

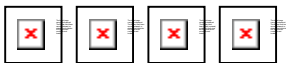
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From: Nina Pivac <nina@tohuconsulting.nz>

Sent: Monday, 2 November 2020 11:21 PM

To: Matt de Boer <mattdb@nrc.govt.nz>

Subject: Kupe Waka Centre - Aurere Beach, Taipa (Okokori B Block) - Query re Coastal Hazards Mapping

Hi Matt,

My client is wanting to add three additional buildings to the site legally described as Okokori B Block (Aurere, Taipa) to be used as part of the Sir Hek Busby Kupe Waka Centre. I have attached a preliminary site plan, and a screenshot of Far North Maps showing the operational area and current CH1 and CH2 layers.



I understand that Far North Maps are out of date and that NRC are currently undertaking new mapping across the coastline. Can you please advise of any current or future planned modelling or coastal information of the area, relative to the property? Ultimately, I am wanting to confirm whether the existing and proposed buildings are located within any coastal hazard areas under the new modelling. Any help would be much appreciated!

Ngā Mihi,

Nina Pivac | BAppSc | PGDip Planning | Assoc NZPI | Director

M: 021 061 4725

E: nina@tohuconsulting.nz

W: <http://tohuconsulting.nz/>

39A Commerce Street, Kaitaia 0410 (meeting by appointment only)



Nina Pivac

From: Peter Phillips <peter@arawai.co.nz>
Sent: Thursday, 17 December 2020 10:31 am
To: Nina Pivac
Subject: Fwd: SH10 at Kupe waka centre

Kia Ora

Message from Tim - is this enough???

Pete

----- Forwarded message -----

From: **Tim Elliott** <Tim.Elliott@nzta.govt.nz>
Date: Thu, 17 Dec 2020 at 10:23
Subject: Re: SH10 at Kupe waka centre
To: Peter Phillips <peter@arawai.co.nz>

Hi Peter

I hope your are well and looking forward to the up and coming holidays.

More than happy to for you to include my name and contact details in your application and explain that you have sought and secured early Waka Kotahi support for this project and that we have agreed in principle to the access way improvements that are proposed.

You can add this email as well, let me know if this is enough or if you need more.

Stay Safe

Regards

Tim

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From: Peter Phillips <peter@arawai.co.nz>
Sent: Thursday, December 17, 2020 10:08:34 AM
To: Tim Elliott <Tim.Elliott@nzta.govt.nz>
Subject: SH10 at Kupe waka centre

Kia Ora Tim

We are about to lodge our resource consent application with FNDC. I wonder if its would be possible to get a short note from you stating that we have consulted you on the design or the entrance and the upgrade to the state highway and that a design has been agreed.

We were hoping that Neil would have completed the design by now but the closure of SH1 and the extra traffic on SH10 means that we can't get a TTMP so we can get the surveyors on site! You will know a lot better than we do when this might be possible!

Just a quick email would suffice at this stage I am sure

Thanks

Trust you will have a good break

Ngā mihi

Peter

Dr Peter Phillips MNZPI
Managing Director, Arawai Ltd
P.O.Box 51
Mangonui 0442
Aotearoa-New Zealand
Mob: 021 906 737

Registered Charity No. 34114

www.arawai.co.nz

--

Ngā mihi

Peter

Dr Peter Phillips MNZPI
Managing Director, Arawai Ltd
P.O.Box 51
Mangonui 0442
Aotearoa-New Zealand
Mob: 021 906 737

Registered Charity No. 34114

www.arawai.co.nz

Application Number: APP.043025.01.01

Application Type: Non-notified New

Applicant Name: Arawai Limited

Note: *In this decision document, “application”, “activity” and “consent” refer to all activities that are part of the consent application.*

REASONS FOR THE DECISION

This consent is granted pursuant to Section 104D of the Resource Management Act 1991 (the Act). In reaching this decision, the council has considered the matters outlined in Part 2 and Section 104 of the Act. It has been determined that:

- (1) The adverse effects of the proposed activity on the environment will be no more than minor.
- (2) The proposed activity is consistent with the relevant statutory planning documents and regulations.
- (3) The granting of this resource consent achieves the purposes of the Act.

Summary of Activity

The application is for resource consent for earthworks and associated diversion and discharge of stormwater required for the rehabilitation of a 1.8 kilometre (km) long private accessway, the construction of a new carpark and the upgrade of an existing drainage culvert at 4554 State Highway 10 at Aurere. The proposed upgrades form part of the development of the Kupe Waka Centre on the Property.

The proposal involves 1,250 cubic metres (m³) of cut and 1,100 m³ fill earthworks required for safety upgrades to the existing internal access road and the construction of a new parking area. The portion of the accessway to be rehabilitated extends east through typically flat to gently rolling terrain from State Highway 10 towards the coast. The proposed car park is to be located at the eastern extent of the accessway and will provide for parking and manoeuvrability of tour buses and coaches at the Kupe Waka Centre. The site of the proposed carpark is currently a relatively level, irregular shaped grassed paddock. The proposed carpark will be approximately 1,300 square metres (m²) in area and is located at the eastern extent of the unsealed accessway, northwest of the Kupe Waka Centre. Two culverts east of the car park require upgrading to adequately manage stormwater. One culvert provides a link to two stormwater ponds on the property, a second culvert is an outlet to the estuary.

The Lake Ohia Wetland complex encompasses approximately 80% of Okokiri Block B. The wetland area is comprised of freshwater wetlands on interdune flats ponded between a belt of consolidated foredunes. The site contains outstanding habitat which forms a continuous ecological sequence from the Eastern shoreline of Rangaunu Harbour through to Tokerau Beach (Saltmarsh – Dune fields – shrubland – gum land – swamp dune fields). This is the only remaining example of such a sequence in Northland.

The long-term development plan of the Centre includes the establishment of a nursery area to support a programme of recovery and restoration of the native flora of the area. This will initially include reinstating the two ponds within the site and the adjoining operational area. New Plantings will be established in and around the ponds, on berms around the car park. The ponds were initially artificially constructed in the 1980's. Upper Pond 1 and Lower Pond 1 are located within 100 metres of the Ohia Wetland Complex but not within the boundaries of the wetland itself. Pond 2 is located within the boundary of the significant wetland.

The activity requires consent as it involves earthworks and vegetation clearance within a significant natural wetland (Lake Ohia Wetland) for the purpose of maintaining roading infrastructure, and earthworks within 10 metres of a significant natural wetland for the purpose of constructing a carpark. Vegetation clearance is required to improve the sight lines for vehicles travelling east on SH10 and for those turning into the site when coming from Taipa.

The application also seeks resource consent for a discharge to land from an existing wastewater treatment disposal system that is to service the Kupe Waka Centre on a property at 4554 State Highway 10, Aurere. The onsite system has been previously authorised by Far North District Council Consent RMALUC 2310047. While the proposed development will not result in an increased capacity, the effluent disposal field will be increased to accommodate the new buildings on site.

Up to 2,190 litres per day of wastewater will be primary treated and discharged to land via standard trenches. The system has been designed to accommodate a flow of 73 litres per person per day during peak visiting periods where on average, 30 persons will be visiting the site per day. A reserve area of 100 percent of the disposal area has been allowed for. The number of people visiting the centre varies throughout the year, with some visitors staying overnight and some visiting the centre for a few hours. A condition has been included in consent to ensure discharge to land is not exceeding the 2,190 litres per day authorised by this consent.

The onsite system requires consent as the volume of wastewater to be discharged exceeds the 2 cubic metres per day limit required for the activity to be considered permitted under the Proposed Regional Plan for Northland (PRP).

Regional Plan Rule(s) Affected

The private accessway which requires rehabilitative works is located within a significant natural wetland. The disturbance, deposition of material and vegetation clearance within the bed of a significant wetland is deemed a non-complying activity in accordance with Rule C.2.2.5 of the Proposed Regional Plan for Northland (PRP).

The earthworks required for the construction of the car park and rehabilitation of the access road is deemed to be a discretionary activity in accordance with Rule C.8.3.4 of the PRP and the diversion and discharge of stormwater during works is also deemed a discretionary activity under the same rule.

The revegetation of the northern pond is deemed to be a permitted activity in accordance with Rule C.2.2.1 of the PRP and Rule 30.01.01 of the Regional Water and Soil Plan for Northland (RWSP).

The discharge to land is deemed a discretionary activity in accordance with Section C.6.1.5 of the PRP.

National Environmental Standard Rules

The revegetation of the pond within the natural wetland will be carried out in accordance with the conditions set out in Regulation 38 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES), the restoration is therefore deemed to be a permitted activity in accordance with Regulation 38 of the NES.

The internal accessway was established prior to September 2020, it is considered that the accessway meets the RMA definition of 'Infrastructure' and 'other infrastructure' as defined in the NES. The earthworks and associated diversion and discharge of stormwater required to maintain the internal accessway covers an area larger than 500 m² and is therefore deemed a restricted discretionary activity in accordance with Regulation 47 of the NES.

Vegetation clearance for the purpose of maintaining infrastructure is deemed to be a permitted activity in accordance with Regulation 46 of the NES.

The earthworks and associated diversion and discharge of stormwater required to construct the proposed carpark will be undertaken within 10 meters of, but not within, a natural wetland. The activity is therefore deemed to be non-complying in accordance with Regulation 54 of the NES.

Actual and Potential Effects (Section 104(1)(a) of the Act)

The adverse effects on the environment of this activity have been determined to be no more than minor for the following reasons:

The wetland adjacent to the site provides an important habitat for rare ferns, mosses and orchids. The surrounding swamps and shrubland contain threatened fish and bird species. The long-term development plan of the Kupe Waka Centre includes the establishment of a nursery area to support a programme of recovery and restoration of the native flora of the area. This will initially include reinstating the two ponds within the site and the adjoining operational area. New plantings will be established in and around the ponds, on berms around the car park. The plantings will be supervised and informed by an ecological assessment undertaken by Kevin Matthews of the Bushlands Trust.

Windy and dry weather conditions have the potential to create dust nuisance beyond the property boundary. Wetting bare areas during works when required and stabilising bare areas with grass seed and concrete following works will minimise the risk of wind erosion and nuisance.

All areas subject to earthworks will be required to be stabilised by covering with aggregate, grassing, or mulching as soon as practicable following completion of works to mitigate the potential for mobilisation of sediment from the site during high intensity rainfall events.

The proposed earthworks shall not alter the hydrology of the Lake Ohia wetland complex. Silt fencing and clean water cut off drains will be installed at the site to control run-off related sediment. These erosion sediment control measures are considered to be appropriate for the site and will be required to be established in accordance with the principles and practices contained within the Auckland Council Document entitled "2016/005; Erosion Sediment Control Guide for Land Disturbing Activities in the Auckland Region" (GD05).

A site assessment carried out by Northern Archaeology Solutions concluded that no archaeological features were recorded at the site, nor were any new features identified during the site survey. An Accidental Discovery Protocol is required to be implemented as a condition of consent in the event of discovery of archaeology or koiwi.

Discharge to Land

Site investigation encountered Category 3 soils (Good drainage). An areal loading rate to the disposal area of 20mm per day has been adopted. This rate is appropriate for the soil category found at the site and is in accordance with the AS/NZS 1547:2000 standard for wastewater design.

The use of standard trenches will evenly disperse the treated wastewater over the disposal area. The subsurface discharge will minimise any surface runoff contaminants from the disposal area and planting of the disposal area will further minimise the risk of runoff contaminants.

Regular maintenance of the system is necessary for the ongoing effective treatment and discharge of wastewater. The consent requires that the system is maintained by a suitably qualified and experienced person, and that the record on maintenance undertaken is kept and supplied to the council on request.

The existing wastewater disposal system was consented by FNDC RC 2130047. The proposed development will not result in an increased in maximum capacity, the size of effluent disposal field has been increased to accommodate the new buildings on site. The existing wastewater system is operating adequately, and the minor addition will not result in the risk of contamination to the Lake Ohia Wetland or Awapoko Estuary.

Cultural Effects

It is recognised that the Te Awapoko Waka Wananga Reserve on which the Sir Hek Busby Kupe Waka Centre is located, is a culturally significant site, being the base from which the late Sir Hekenukumai Ngāiwi Puhipi Busby led the revival of waka building and traditional wayfinding in Aotearoa for over three decades. The application has been circulated to tāngata whenua who have registered with council as having an interest in resource consent applications within the area of the activity. No response has been received by council from tāngata whenua.

Relevant Statutory Provisions (Section 104(1)(b) of the Act)

The council has determined that the granting of this resource consent is consistent with the objectives and policies of the National Policy Statement Freshwater Management 2020, New Zealand Coastal Policy Statement 2010, Chapters 3 and 4 of the Regional Policy Statement for Northland, Chapters 7, 8 and 12 of the RWSP and Sections D.1, D.2, D.4 and F of the PRP.

The proposed activity contravenes Section 15 of the Act, and therefore the council has also had regard to the matters outlined in Section 105 of the Act. The council is satisfied that the activity will not give rise to the effects outlined in Section 107 of the Act after reasonable mixing.

Section 104D of the Act

Because of the non-complying classification for this activity, the provisions of Section 104D of the Act apply to this application. This means that council cannot grant the application unless either the adverse effects on the environment of the activity are no more than minor, or the activity will not be contrary to the objectives and policies of the relevant regional plans. As discussed in the previous two sections, this activity meets both these tests, and the council may grant consent subject to the matters in Section 104B of the Act.

Duration of the Consent

No duration of consent was requested by the applicant. Given the works required at the site will likely be completed within the next few construction seasons, a period of five years has been determined to be appropriate for the activities relating to site development and access upgrades. The land discharge will require ongoing consent, a period of ten years has been determined to be appropriate given the circumstances of the proposal. Maximum terms of consent have been granted for diversion and discharge of stormwater required under the NES.

In determining duration, regard has also been had to Section 37.5 of the RWSP and Policy D.2.14 of the PRP.

I confirm that these are the true and correct reasons for the decision to grant resource consent application number APP.043025.01.01:

**Name and Signature of
Authorised Person:**


Paul Maxwell
Coastal and Works Consents Manager

Date: 20 September 2021