

My name is Alec Jack – my father Ned, and my grandfather Tod have farmed Ngawhitu Limited since 1949. Ngawhitu, the Jack family farm, is situated in the southwest corner of the Pouerua Heritage Precinct. Just so you're aware, parts of our farm have had multiple layers of council control imposed upon us - including Outstanding Natural Feature, Outstanding Landscape Feature, Significant Natural Area & Site of Cultural Significance to Maori – I hope your considerations today will be focussed on the presence or absence of heritage.

As the *revised proposed overlay area* currently stands, 160ha of our effective grazing area is within the Pouerua Heritage Precinct – that's 400 acres of pasture. That doesn't include a further 80ha in native bush which is also within the overlay – a total of approximately 600 acres.

In the late 1980's and 90's, Mt. Pouerua (a prominent volcano & pa site) was studied by archaeologists. Then, in response to an application by Ngapuhi, the mountain was designated "traditional site" status. Then, under Heritage NZ's vision, the area of protection was expanded out from the maunga itself, to include a wide area of lava flow country – whether those areas contained archaeological evidence or not.

The Heritage NZ vision has now snowballed further - seeking the inclusion of a wide area surrounding the precinct, so as to bring a number of historic buildings into the proposed Pouerua Heritage Area. Although a subtle change in description (from "Heritage Precinct" to "Heritage Area") it incorporates a *radical* departure from what tangata whenua envisaged when they requested that the maunga be listed as a Traditional Site.

At the heart of this matter there are 2 important considerations:

1. What do we seek to protect at this site?
2. Where should the boundaries of that protection lie?

So first of all - what do we seek to protect?

Is it the historic 19th century homes, stables, woolsheds & church? These buildings already have their own, individual, appropriate levels of protection. These buildings represent the early days of colonialism – a time that wasn't all "tea, scones and croquet on the lawn" for the average Maori person in the 1800s.

The currently *operative* Pouerua Heritage Precinct protects the unique pre-European Maori heritage of the area. I'm sure Bill Edwards from Heritage NZ will expound the unique virtues of the area at tomorrow's hearing – that the Precinct is not just nationally significant, but significant in comparison to sites across the south Pacific.

It is a source of great pride to all of us in our community, but for tangata whenua, that pride in the tangible site extends deeper into the intangible taonga at the root of their being, their history, their genealogy, their whakapapa. Tangata whenua are the modern day, living embodiment of the heritage that this site seeks to honour, and to protect.

While the other 8 Heritage Areas you are hearing about are "Euro-centric", the Pouerua Heritage Precinct is uniquely, proudly and purely "Maori-centric", and pre-European Maori-centric, to be precise.

The presence of comparatively "modern day" buildings & infrastructure within the Precinct are coincidental and inconsequential. They do not contribute to the mana of the site – they are irrelevant. **The overlay area should not be expanded to embrace them.** Unlike the other 8 precincts,

the Pouerua precinct is not about our colonial past – it has always been about pre-European Maoridom.

I have greatly appreciated the help I have received from Alicia-Kate & Melissa Pearson in recent weeks - but sadly, for most people in my community, the most memorable part of the PDP process has been the lack of effort from FNDC staff to engage with affected parties. That's despite Page 249 of the Section 32 Plan.Heritage report stating: "A stakeholder engagement plan should be put in place, rather than relying on notification of the plan."

I mention this because two days ago, I was astounded to hear Pita Tipene, one of the most connected leaders in Maoridom today, tell me that they have still not yet been consulted regarding the proposed changes to the Precinct. That's despite him standing at our public meeting at the Pakaraka Hall in 2021 and declaring that tangata whenua do not want colonialism incorporated into the Precinct. Other local tangata whenua leaders like Wiremu Keretene and George Packer (of the Lake Owhareiti Trust) also stood and echoed that rejection of the Heritage NZ vision shared by Bill Edwards.

I'm sure if asked, Bill will confirm this - as he had the decency to attend our community meeting – unlike the council staff who did not. Only Councillor John Vujcich accepted our invitation.

Bill Edwards and the team at Heritage NZ's Kerikeri office are good people, but they have "mis-read the room" in their enthusiasm to impose their vision: to blend colonial heritage with pre-European Maori heritage. This Precinct must retain its unique & sole focus on pre-European Maori heritage.

The 2nd important consideration is the boundary of the Pouerua Heritage Precinct

How far from the Mt. Pouerua pa site should the overlay extend? It's an important consideration because it represents red tape & additional expense for the affected landowners – and especially for those seeking to continue generating income & employment from their land.

Pastoral farming is under pressure to reduce methane production by switching land use into long term carbon sequestration (in the form of native bush), short term sequestration (in the form of exotic plantations) or horticulture. The strength of our primary industries over time has been centred on our readiness and ability, to evolve and adapt, to the opportunities & threats we face.

The soils within the Precinct are deep and free draining. Water storage projects are nearby, and have come knocking – hoping to unleash the economic prosperity & employment opportunity that horticulture brings to our community. Current zoning eliminates that opportunity – or at the very least, adds uncertainty, expense, time delays, and the risk of corruption ("we'll support this for you if you do this for us")

It is therefore important that those areas *devoid* of heritage, be *excluded* from the heritage area.

The Plan.Heritage report stated that their report had been primarily a desk top exercise, recommending on page 248 that "More detailed ground truthing needed to improve mapping and policies".

Our farm has been ground truthed by respected archaeologists. In 1992, we permitted Aidan Challis & Tony Walton to survey our land on their assurance that their findings would not impact our ability to farm our land. How naïve we were!

They pointed out to us the areas completely devoid of heritage and mapped those areas in their 1993 report which everyone now has access to (thank you Melissa & Alicia-Kate). They also stated

the criteria for those areas which should be included, or excluded, for registration as an archaeological site:

“... areas on the Pouerua lava field seen to be devoid of archaeological evidence are not recommended for registration ...”

“Areas off the lava field where there are no archaeological remains are also not recommended for registration.”

Any confusion created by the faded green highlighted areas such as 77D, 78D and the airstrip are specifically mentioned for clarity in text of the report – including the “excluded areas” section. All the green and faded green areas represent areas either devoid of archaeology (such as on our farm) or where archaeology no longer exists due to earthworks & cultivation – such as on the other properties outside the operative Pouerua Heritage Precinct belonging to Kerry Ludbrook, Wayne Pepper, Malcolm Collier, Maurice Williamson, and Howie Edwards. The same principles apply along State Highway 1 at Sam & Fiona Chapman-Smith’s farm.

This ground truthing work by Challis & Walton demonstrates that even the *operative* Pouerua Heritage Precinct covers more area than respected archaeologists recommended. The *proposed* Pouerua Heritage Area represents a massive over-reach.

I am concerned that planning timelines & procedures make a further revision of the proposed boundary of the Pouerua Heritage Area unlikely.

The best compromise is to cancel all changes to the *operative* Pouerua Heritage Precinct and leave it as it was. https://www.fndc.govt.nz/__data/assets/pdf_file/0026/8666/HP1-Pouerua.PDF

Sadly, it will mean that some areas devoid of archaeology will remain in the Precinct, but at least we won’t see more landowners unjustly dragged into the expense & restrictions of doing business within a Heritage Area - and tangata whenua won’t have the mana of their unique, purely pre-European Maori site sullied by an insensitive celebration of colonialism – there are 8 other Heritage Areas in the Far North to celebrate colonialism, but not at Pouerua (see page 251).

If a further revision of the *proposed* Pouerua Heritage Area is possible, my dream scenario would be that it considers the following:

1. Have the outer boundary no broader than the existing *operative* Pouerua Heritage Precinct
2. Within that outer boundary, those areas recommended by Challis & Walton to be excluded, should be excluded – though I concede this might bring additional ground truthing expense which probably wouldn’t justify the gains.
3. The entire length of the Ludbrook Road **roadway reserve** should be excluded, plus 10m of private land on the inside of each corner to provide for future works to improve traffic visibility along our busy, single laned, gravel road – and to provide for future works to construct a community funded roadside walking & cycling track, for the many people who are currently at risk while walking, jogging and riding on the road every day. Perhaps this could be achieved by a statement of exemption rather than mapping? FNDC approved the Lakeland subdivision with insufficient consideration to how busy the road would become.
4. The Lake Owhareiti overflow path on Kerry Ludbrook’s property should be excluded to provide for uncomplicated future engineering work to control the outflow from the lake. FNDC approved the Lakeland subdivision ignoring our concerns of uncontrolled flooding over the access road – which is now a risk to residents’ access, and has effectively raised the maximum level of Lake Owhareiti, flooding our land. The site has already suffered severe

erosion and remedial earthworks (by NRC). It is also off the rocky lava flow area and has been cultivated many times, destroying any archaeological evidence if there ever was any.

I want to make mention of the **dry stone wall fences** in the area – I hear they are another one of my mate Bill Edwards’ pet projects. My grandfather, and his family, friends & employees built the rock wall around 70ha of native bush on our farm, along with attractive dry wall boundary fencing.

When we featured on Country Calendar (episode 1, 2014) my father was interviewed about their construction & cost. My point is this: a blanket assumption that all dry stone walls in the area have historical heritage value is incorrect. Any additional protections of individual sections of dry stone walls require consultation, engagement with *actual* stakeholders and ground truthing.

Land values – I gave my expert witnesses Sam & Fiona Chapman-Smith this space but would like to confirm my feelings on the matter of how the “red flag” of Heritage zoning impacts farmers’ financial and mental wellbeing. The emotion they expressed was how we felt when all these new zones/areas were imposed on us in the 1990s – but I was naïve and didn’t know how to challenge it.

Residential & lifestyle land users living in Rural Production zones often embrace zoning like the Heritage Area because it curtails development around them and facilitates their NIMBYism (the “Not in my back yard” approach to land-use or land-use change). These people generally move into a rural production area thanks to subdivision of Rural Production land into small lots. They are drawn to the rural vistas, and the relatively unspoilt surrounds compared to their previously urban environments. However, once they’ve purchased their little slice of heaven they then want to be the last ones in, and push back against:

- further subdivisions (the very activity which facilitated their opportunity to live there)
- various legitimate agricultural/horticultural activities (eg weed spraying, cat trapping), or
- changes in land use – as commercial farmers evolve to more profitable land-uses

They lobby the PDP process in favour of Heritage Areas, expecting their neighbours to take the financial hit that a red flag like Heritage Area zones has on land values. If lifestyle land users want restrictive zoning on the rural production land around them, they should buy the land on the open market (as we have) lobby to have Heritage Area zoning applied to their land (through PDPs or covenants) then sell the land back to us on the open market – it would be a short sharp lesson on the cost they ask of farmers, to protect their idyllic places of residence.

Yes, a Heritage Area may be attractive to some residential / lifestyle land users but it comes at a cost to our productive sector – to farmers’ ability to adapt, evolve and ultimately move toward more profitable land use. In the Pouerua area, with the deep soils and water storage schemes, that direction of travel is into horticulture – strawberries, kiwifruit, avocados etc. These are higher value industries which reduce methane emissions, boost land values, boost rates paid to FNDC, and boosts employment opportunities in our area which suffers high unemployment, and many poor socio-economic outcomes – especially for unemployed tangata whenua.

Although I have never sold land and don’t have any intention of selling land, land values are important to my economic viability & wellbeing because they directly affect our credit rating at the bank, which affects the interest costs we pay annually – a significant cost on a \$4,000,000 loan. Real financial costs are imposed on us (without **rates relief**) to satisfy district landscape “protection”.

Please be wary of the root motivation behind neighbours nominating neighbouring land to become a Heritage Area (eg. Te Waimate?). The proliferation of zoning rules is curtailing the economic prosperity of the Far North, and the socio-economic status & wellbeing of tangata whenua.

Simplification of the rules, better expressed in layman's terms rather than council planner jargon.

I am heartened by the commissioners' and Melissa's recognition of the need to make rules easier to interpret. For too long we have been "treated like mushrooms" (kept in the dark and fed BS) by those who seek to curtail the opportunities we had prior to the imposition of new zones & rules.

We want to know clearly what activities we can & cannot engage in, and we also need that to be clear to the other stakeholders we engage with when considering our landuse options – other stakeholders like duty planners, iwi representatives, our neighbours, Heritage NZ, etc.

When considering earthworks, please also consider that some farmers on Ludbrook Road are 100% within the Heritage Area, they don't have areas or alternative soil types outside the Heritage area to bury dead cattle, or install agricultural infrastructure like cattleyards, livestock loading & unloading facilities, facilities for staff & visitors, etc.

Please also consider that there are vast areas between scheduled archaeological sites within the Heritage Area – perhaps a 20m exclusion zone around individual sites could be adopted, thereby freeing up the surrounding areas for better land use - while highlighting and honouring those specific sites. We farmers are fascinated by, and proud of, our heritage sites - but resentment toward them grows when unreasonable blanket regulations accompany them.

REFERENCES:

1 [section-32-historical-heritage-heritage-areas-appendix-2.pdf](#)

Plan.Heritage FAR NORTH DISTRICT PLAN REVIEW HISTORIC HERITAGE STAGE TWO RAPID ASSESSMENT REPORTS PREPARED FOR FAR NORTH DISTRICT COUNCIL FINAL JUNE 2020

Pg 248 "METHODS FOR FURTHER ASSESSMENT The evaluations in this report are based on high-level research and a single site visit, so further assessment is required. In particular, there has been no stakeholder engagement to date."

Pg 249 "A stakeholder engagement plan should be put in place, rather than relying on notification of the plan."

Page 251 – "with the exception of Pouerua, all heritage areas formally controlled in the FNDC are 'Eurocentric' and focused on the management of effects on colonial built heritage" i.e. Pouerua is the only non Euro-centric Heritage Area (that is the heart of its mana)

Re consultation with "stakeholders" see Page 11 – no landowners, no tangata whenua (I don't consider FNDC planning staff & Bill Edwards to represent "stakeholders" in the outcomes of the PDP process)

2 Archaeological Report, Pouerua Pa, Northland, MARCH 1993

Please note that this entire report by archaeologist Dr Aidan Challis is in the Submitter Materials. It contains lots of maps though unfortunately a lot of the green colour shaded has faded or not scanned well – most are clarified in the body of text discussing the various areas with or without archaeological evidence.

3 Attached photo of Lake Owhareiti overflow area north of the Lakelands subdivision access road - with my clumsy blue line to show where the precinct boundary should meet the cultivated land.

4 https://www.fndc.govt.nz/_data/assets/pdf_file/0026/8666/HP1-Pouerua.PDF