

# Cultural Impact Assessment

PUKENGĀTU PĀ, 52 ROTOKĀWAWU RD, WAIPAPAKAURI, NORTHLAND 0486



**Mana Atua** is a delegation by the Gods; Proof of their delegation is through victory in conquest and or continued support in occupation.

**Mana Tupuna** the Mana to lands, harbours, rivers, beaches, forests, fisheries, is inherited through the ancestors, from one generation to another (whakapapa) and direct descent from waka.

**Mana Whenua** is based on occupation of the rohe under the principle of "Ahi Kaa" keeping the home fires burning. Proof of claims is attested to by: known histories, relationships and movements, papakāinga, marae, pā sites, gardens and burial site.

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**Section 3: Te Iwi O Ngāi Takoto Environmental Plan (2017)**



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# 1. Purpose of the Report

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This Cultural Impact Assessment (CIA) has been prepared to critically assess the existing cultural and environmental disruptions, alongside the potential impacts arising from the proposed subdivision — and any future associated developments — at Pukengātu Pā, located at 52 Rotokāwau Road, Waipapakauri.

The assessment specifically examines the extent to which these activities have impacted, or may impact, the cultural values, historical associations, natural resources, interests, and rights of Ngāi Takoto as Mana Whenua represented by Te Rūnanga o Ngāi Takoto, the mandated iwi authority within the Ngāi Takoto rohe.

This assessment considers the current legislative framework, significance of the land, previous land activities, cultural history, and natural resources through a Te Ao Māori lens relevant to te iwi o Ngāitakoto and provides detailed information and recommendations for mitigation and decision making where necessary.

For the purposes of this Cultural Impact Assessment (CIA), Te Rūnanga o Ngāi Takoto (TRONT) is to be recognised as the Iwi Authority for Ngāi Takoto Iwi under Section 35A of the Resource Management Act (RMA). The 'Te Iwi o Ngāi Takoto Environmental Plan 2017 (NTEP)' applies to all relevant sections of the RMA and must be taken into account as a relevant planning document for an Iwi Authority, as outlined in the RMA.

The CIA objectives from Te Rūnanga O Ngāi Takoto include:

- To re-establish recognition and acknowledgment of Ngāi Takoto and their history on and around Pukengātu Pā (52 Rotokāwau Rd, Waipapakauri);
- Provide opportunity for Ngāi Takoto to exercise their role as Kaitiaki within their rōhe where Pukengātu Pā is situated;
- To promote the ability of Ngāi Takoto as Mana Whenua to ensure the protection and preservation of their culture, interests, resources, significant sites (Wāhi Tāpu) and tāonga within their rōhe.
- To work with neighboring landowners and relevant authorities in a manner that recognises and provides for Mana Whenua interests and values that enable positive environmental, cultural, social and economic outcomes.

## **Use disclaimer:**

This report should not be considered as consultation. It is a presentation of information to facilitate an engagement process prior to future consultation meetings and/or discussions. All information captured represents Mana Whenua but does not limit individual Iwi member or Marae to voice their views or opinions.



# 1.1 Subdivision Overview

## Applicant:

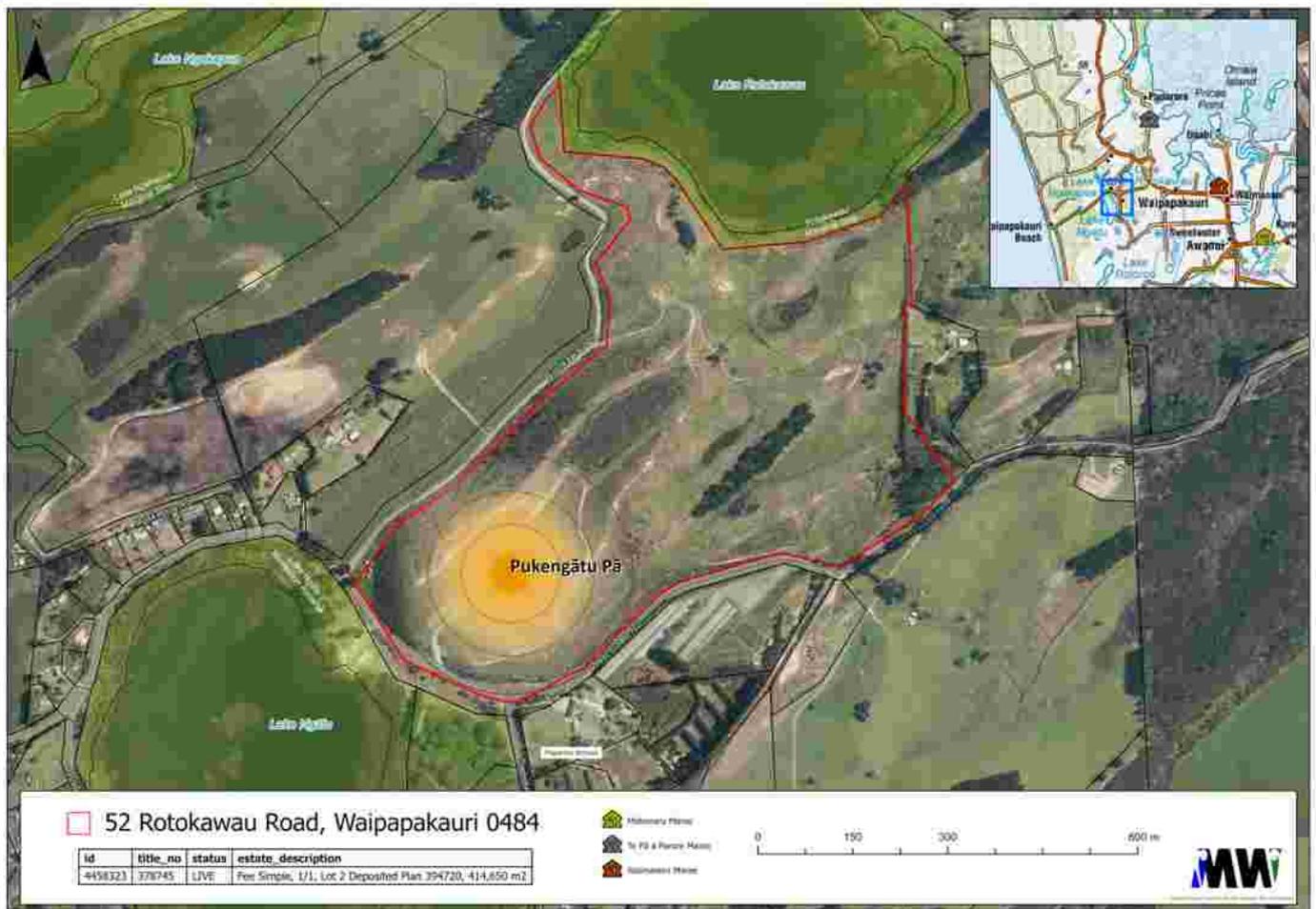
Leah and Sean Frieling

## Project Location:

Pukengātu Pā, 52 Rotokāwau Rd, Waipapakauri, Northland 0486.  
Lot 2 DP 394720 - 41.4650 ha

## Description:

Located within the Ngāi Takoto rōhe, 5.4km north of Awanui, Pukengātu Pā serves as the highest point within the immediate area. The property currently has 3 dwellings (building consented) on top of the Pā and comprises multiple wetlands, exotic/weed brush with majority in pasture. The property is in close proximity to Ngāi Takoto owned or co-managed significant lakes; Ngatū (named after Pukengatū Pā), Ngakapua and Rotokāwau with Ngāi Takoto Marae close by (Waimanoni Marae 4.4km west, Pā a Parore Marae 3.4km north west and Mahimaru Marae 6.7km west).



## 1.1 Subdivision Overview

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### **Mana Whenua:**

Te Rūnanga o Ngāitako is the mandated iwi organisation that represents matters pertaining to land (whenua), water (wai) and space above and below the rōhe of the Ngāi Takoto Iwi.

### **Key Representatives:**

Kaio Hooper of Moana Whenua Trust Ltd acting on behalf of Te Rūnanga o Ngāitakoto and te iwi o Ngāitakoto. Craig Wells, being the CEO of Te Rūnanga o Ngāitakoto.

### **Other affected parties:**

The Department of Conservation did not provide support, instead questioned lack of required documentation within previous applications. Please see correspondence within 'Appendix.'

Pukengātu Pā is in the process of being registered as a significant site due to its cultural significance and activity dating back to pre 1900s. Heritage New Zealand Pouhere Taonga have been contacted and have scheduled a site visit for late April 2025.

### **Subdivision Consent History:**

- Subdivision application 2010771 approved 2nd December 2003;
- Section 125 extension application 2080364 approved 24th June 2008;
- Section 127 change conditions application 2060638 approved 28th August 2008;
- Subdivision application 2200032 - Incomplete 19<sup>th</sup> July 2019;
- All above resource consents have either lapsed, been rejected or withdrawn;
- Any new subdivision proposals will be subject to this CIA with further consultation required.

## 1.2 Iwi/ Mana Whenua Involvement

### Past Consultation Claims:

While the Resource Management Act (RMA) 1991 does not impose a legal obligation on applicants to consult with mana whenua, it does require decision-makers to consider the relationship of Māori with their ancestral lands, wāhi tapu, and taonga. In this instance, none of the previous resource consents demonstrate evidence of consultation with Ngāi Takoto iwi. As mana whenua, they should have been consulted to appropriately assess potential cultural effects and to understand the significance of Pukengātu Pā.

Furthermore, no consultation has occurred between Mana Whenua and the current property owners in relation to the prior subdivision of Pukengātu Pā — contrary to what was stated in the documentation, specifically bullet point 3 (below) of the 2019 Planning Assessment Report prepared by Northland Planning & Development (Planner, Felicity Foy, nee King).

There are other instances and documentation that falsely claim that myself, in my previous role as a Biodiversity Ranger for Department of Conservation, provided consultation and 'approval' for this prior subdivision, something I have only captured as part of researching for this CIA. This is not only misleading and unethical but illegal under section 92 of the RMA and although this prior application is now canceled/ withdrawn, it clearly outlines the lengths and behaviour that the developers will take to 'manipulate' information and processes at the detriment of historical, cultural and ecological values, further emphasising the reason this assessment is required and that clear consultation follows the appropriate framework set out in the NTEP Engagement Policy (Sec 3.4).

#### 28.0 Conclusions:

- The proposed subdivision is suitable in the context of the site and surrounding environment. It is considered that the proposal not represent an over intensity of development relative to the character of the area. The development will result in no more than minor adverse effects on the environment but is considered to have minor effects on the surrounding property owners, Ngai Takoto, and DoC.
- No significant adverse effects are anticipated to arise from the activity. Overall, it is considered that the proposal will result in no more than minor effects on the environment.
- Initial consultation and a site visit have been undertaken by Ngai Takoto representatives and the Kaitia DoC office representatives.
- The activity may have minor effects on the exercise of rights of a protected customary rights group. The subject site is located adjacent to a Statutory Acknowledgement Area (Lake Rotokawau).
- The relevant provisions within Sections 104, 104B, and Part 2 of the Act have been addressed as part of this application. The overall conclusion from the assessment of the statutory considerations is that the proposal is considered to be consistent with the sustainable management purpose of the Resource Management Act 1991.
- As a Discretionary Activity, the application has been assessed under the matters specified under Section 104, and 104B of the Resource Management Act 1991. It is considered that that the proposal results in no more than minor effects on the environment, and that the activity is not contrary to the relevant objectives and policies of the Operative District Plan.

#### Report Prepared and approved by:



Felicity Foy  
Consultant Planner  
Director | MNZPI BRM MRP(hons)



## 2. Cultural & Historical Context

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Pukengātu Pā holds cultural significance to the iwi of Ngāitakoto because it was once a Māori settlement which provided access to food sources (Lake Rotokāwau, Lake Ngakapua and Te Oneroa ā Tōhē), access to kuta (Lake Ngātu) to create clothing and mats and most importantly, **Pukengātu Pā was where deceased bodies (tūpāpaku) lay after being washed in Lake Ngātu before burial.**

The deceased bodies were of Ngāitakoto tūpuna and also the tūpāpaku of relatives such as Te Aupōuri after the Battle of Whiti at Te Rangi Āniwaniwa as they made their way north through Ngāpae to bury their deceased in Tawhitirahi (Te Kao).

**Lake Ngātu was not a food source, but was used to bathe the tūpāpaku and then Pukengātu Pā was used to rest these tūpāpaku before burial.**

Pukengātu Pā and Lake Ngātu share a name for a reason. It has directional reference, as in “Ngāpae ki tae, Ngāpae ki uta” (Hon. Shane Jones of Ngāitakoto and Te Aupōuri iwi), which references ‘Ngāpae’ to ‘Lake Ngātu’, however, Lake Ngātu more specifically shares the name with Pukengātu Pā because of their relationship when it came to bathing deceased bodies. Pukengātu Pā was the resting place for the deceased after being bathed in Lake Ngātu and food was never collected from Lake Ngātu because of the tapu associated with this activity within Lake Ngātu.

Lake Rotokāwau Settlement was occupied by the Henare whānau of Ngāitakoto (as descendents of Hauri, Hetaraka, Ruta Puai and Rawiri Awarau) long before Crown granted this large parcel of “surplus land” to returned servicemen and deemed the remainder as ‘Crown land’ to be used for recreational hunting (Gazette 7<sup>th</sup> Aug 1902).

### SCHEDULE.

AREAS WHEREIN IMPORTED AND NATIVE GAME SHALL NOT BE KILLED.

ALL that area situated in Blocks VI, VII, IX, and X, Maungataniwha Survey District, and described in the *New Zealand Gazette* No. 62, of 7th August, 1902.

All that area situated in Blocks II and III, Rangaunu Survey District, and known as Lake Rotokawau, and the area within a line parallel to and five chains from the edge of the said lake.

The Council's reserve at Lake Ngatuu.

And all lands notified or set apart as sanctuaries or reserves for the preservation of imported or native game.

As witness the hand of His Excellency the Governor, this thirtieth day of March, one thousand nine hundred and seventeen.

G. W. RUSSELL,  
Minister of Internal Affairs.



## 2. Cultural Significance & Historical Context (continued..)

1018

GRP/5536  
5687  
5794

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4th March 40.

**MEMORANDUM** for



Mr. F.S. Beachman,  
Field Inspector,  
KAITIAI.

re Sections 19 to 21 and 51 to 54 Block VIII, Opoe S.D.

With reference to your report of the 5th December, I have to inform you that the Land Board has now decided to recommend the offering of the following areas as winter run offa -

1. Section 53 (formerly Area "B") 41a. 1r.00p.
2. Secs. 21 & 54 (formerly area "C") 43a. 3r. 09p.
3. Secs. 19, 20 and 51 (formerly area "D") 62a. 0r. 34p.

The Board is withholding area "A" which is now described as Section 52 and which comprises 43a. 1r. 10p. This is being done as it was not considered advisable to offer the area while the gum-diggers are squatting on the property.

From your report I note that Henare is still living on Section 21 notwithstanding the forfeiture of same. As indicated in my communication of the 13th December I asked this man to vacate the property. If in the locality in the near future, would you please make sure that he has left as we do not want any complications if the section is to be offered for selection shortly.

There has been a lot of correspondence in the past about gum-diggers squatting on this block, but from Mr. Young's reports of the 20th April and the 19th June of last year, I presume that this is now confined to Area "A" (now Section 52). I should be pleased to have your assurance on this point.

  
  
Commissioner of Crown Lands.

ACGQ A1550 10137 170b, Archives New Zealand, Auckland

## 2. Cultural Significance & Historical Context (continued..)

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Hauri Henare then became a tenant on his own tupuna whenua, eventually being asked to leave the land that he had known for generations before Crown had confiscated it. Crown asked him to pay a licence to occupy fee which he could not upkeep. After all, he worked this land alongside his many kaumātua and kūia for many generations before European Settlers introduced an unfamiliar colonial system.

From this point onward, parcels of land, that were once Māori owned, were fragmented into privately owned land then on-sold.

Lake Rotokāwau Settlement was alienated by Crown in the 1837 & 1839 (Otaki transactions) deeming Ngāitakoto land as “Surplus” land. Crown granted parts of this land to returned servicemen, missionaries and their families with the rest converted into unoccupied Crown Reserve land.

### 2.1 The ‘Ngāitakoto Deed of Settlement (2015)’ clearly details historical Crown breaches relating to the Ngāitakoto rōhē as follows:

- (3.2) The Crown acknowledges that in approving Pre-Treaty of Waitangi land transactions totaling 32,000 acres, issuing grants to settlers for these lands and retaining approximately 15,000 acres of “surplus land” from the Warau Matako, Kaitaia (Kerekere), Otararau, Waiokai, Awanui, and Te Make (Okioire) transactions in the Ngāitakoto rōhē, it breached Te Tiriti o Waitangi/Treaty of Waitangi and its principles by:
  - 3.2.1 failing to consider the customary rights and interests of Ngāitakoto; and
  - 3.2.2 failing to assess the impact of the alienation of those lands on Ngāitakoto.
- (3.3) The Crown acknowledges that it was in further breach of the Treaty of Waitangi and its principles when it failed to preserve occupation and use rights agreed in the pre-Treaty deeds for Awanui (Otaki), Te Make (Okioire), and Ohotu lands and by taking decades to settle title or assert its own claim to these lands. This resulted in Ngāitakoto losing vital kāinga and cultivation areas.
- (3.4) The Crown acknowledges that:
  - 3.4.1 it pressured Māori in 1844 to cede land at Ruatōrara (East Beach) to compensate a ‘European Settler for the goods Maori had removed from his schooner when it grounded at Ahipara;
  - 3.4.2 it failed to investigate the customary interests in the ceded land; and
  - 3.4.3 this process for determining reparation was prejudicial to Ngāitakoto who lost land they had interests in and this was in breach of Te Tiriti o Waitangi/Treaty of Waitangi and its principles.g prosperity together, were, in many instances, left languishing.

## 2.1 Cultural Significance & Historical Context (continued..)

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### (3.5) The Crown acknowledges that:

- 3.5.1 it failed to carry out an adequate inquiry into the nature and extent of NgaiTakoto customary rights in lands in the Muriwhenua South, Wharemaru and other pre-1865 purchases; and
- 3.5.2 its failure to protect NgaiTakoto rights and interests to their full extent prejudiced the iwi and breached Te Tiriti o Waitangi/Treaty of Waitangi and its principles.

### (3.6) The Crown acknowledges that:

- 3.6.1 by 1859 NgaiTakoto were virtually landless in their core area of occupation, having lost their interests in approximately 155,000 acres;
- 3.6.2 when the Houhora Peninsula was alienated in 1867 to private parties NgaiTakoto lost further occupation areas and sites of high cultural significance;
- 3.6.3 the loss of their lands severely undermined the tribal structures of NgaiTakoto and was detrimental to their future wellbeing and strength as an iwi; and
- 3.6.4 the Crown's failure to ensure that NgaiTakoto retained sufficient land for their present and future needs was a breach of Te Tiriti o Waitangi/Treaty of Waitangi and its principles.

### The Crown acknowledges:

- 3.7.1 the significance of Te Oneroa-a-Tohe to NgaiTakoto as a taonga which is vital to their spiritual and material well-being; and
- 3.7.2 that it has failed to respect, provide for, and protect the special relationship with Ngāi Takoto to Te Oneroa-a-Tohe.

***The Crown acknowledges its failure to actively protect Ngāi Takoto hindered their ability to participate in economic development and marginalised the iwi. The Crown further acknowledges that the cumulative effect of its actions and omissions left generations of NgaiTakoto a legacy of impoverishment, spiritually, psychologically, and economically. This has had an enduring and ongoing impact on the iwi.***

## 2.2 Crown Apology

The Crown apologises to Ngāi Takoto, to their ancestors and to their descendants for failing to achieve the relationship sought by Ngāi Takoto, as treaty partner, and for the consequences to Ngāi Takoto of that failure. The Crown acknowledges the impact of land loss, and with that the suffering and hardships that befell generations of Ngāi Takoto members.



## 2.2 Cultural & Historical Context (continued..)

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The Crown in this regard, unreservedly apologises to Ngāi Takoto. The Crown's failures of the past left Ngāi Takoto virtually landless by 1859. Its actions caused significant damage to the social and economic development of Ngāi Takoto and severely undermined the wellbeing of the iwi with consequences that continue to be felt today.

- (3.12) The Crown recognises that the process of healing begins with this agreement between the Crown and Ngāi Takoto. The Crown looks forward to building an enduring relationship of mutual trust and cooperation with Ngāi Takoto that is based on a mutual respect and on Te Tiriti o Waitangi/the Treaty of Waitangi, and to achieving that relationship and partnership sought by Ngāi Takoto in 1840.

### PUBLIC DELIVERY OF APOLOGY

- (3.13) The Minister for Treaty of Waitangi Negotiations will deliver the following Crown apology at a time and place agreed with the governance entity:
- Tena koutou nga whanau, nga marae, o te iwi o Ngāi Takoto, tena koutou katoa,
- **I am reminded as I stand here on behalf of the Crown as to the significance of this place known to you all as Te Rangianiwaniwa. The historical significance of events that occurred here on this land in the past can also perhaps be a modern sign of relevance to our gathering here today.**
- **The symbol of Te Rangianiwaniwa (the double rainbow) appeared after a significant event within Ngāi Takoto's history and whilst the double rainbows may not be present at this event, the "light of illumination", or light of understanding that is associated with illumination, is without doubt, present among us, and like the events of old, it allows us to pause, to take stock, and to reflect on the past and present events that ultimately cause us both, Ngāi Takoto and the Crown representatives, to be here, on this land, this day.**
- A substantial period of time has elapsed since the Muriwhenua claim was first submitted to the Waitangi Tribunal, and over the last few years we have achieved together, with the Ngāi Takoto negotiations team, an outcome that seeks to address the historical grievances of Ngāi Takoto, somewhat less of a physical battle, but a symbolic event and process for both sides, none the less.
- In the process of negotiations came illumination, in the light of illumination came understanding, and in this understanding came movement and movement brought with it the ability to heal old scars on both sides, and look towards new horizons.

## 2.2 Cultural & Historical Context (continued..)

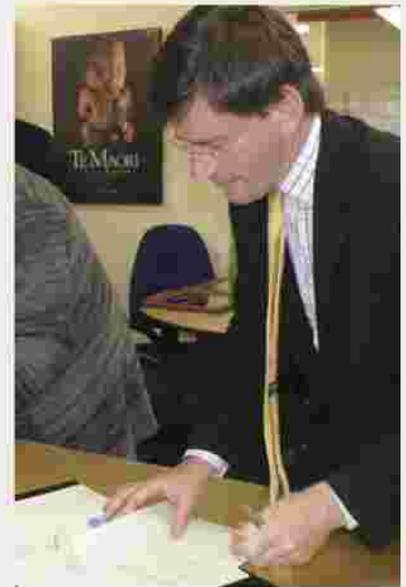
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- Horizons that bring the ability of both parties to move forward together with a better understanding of where it is we have come from and to where we are able to go. That is the present, and the future. That is a path we are both destined to continue to tread.
- Moving forward also requires us to accept that the crossings of our historical paths could have been better, the good intentions of that time perhaps weren't good enough; the absence of cultural understandings created, in many instances, misunderstandings; the actions of one group, led to reactions by another; and ultimately the partnerships and relationship elements that are essential to achieving prosperity together, were, in many instances, left languishing.
- It's my role as the Minister for Treaty of Waitangi Negotiations to acknowledge that languishing, and to find ways forward for both sides. Ways forward together that rebuild those languishing relationships and partnerships thus allowing us to tread the path towards a more prosperous future, together.
- In the settlement with NgaiTakoto we have attempted to achieve this both economically and culturally, and it is envisaged that this will be strengthened, as I have mentioned, through us working closely together.
- As the representative for the Crown I acknowledge that historically things could, and should, have been done better, hence my being here today.
- In my role as the Minister for Treaty of Waitangi Negotiations, and on behalf of the Crown, I convey the Crown's apology to NgaiTakoto, to their ancestors and to their descendants for our failings to achieve that relationship sought by our Treaty partners and for the consequences to NgaiTakoto of that failure. We acknowledge the impact of land loss, and with that the suffering and hardships that befell generations of NgaiTakoto members. The Crown unreservedly apologises to NgaiTakoto for that.
- I am aware that the Crown's failures of the past left NgaiTakoto virtually landless 1859, its actions caused significant damage to the social and economic development of NgaiTakoto and severely undermined the wellbeing of the iwi with consequences to continue to be felt today. The Crown in this regard, again apologises to NgaiTakoto for those events.
- The Crown recognises it has not always fulfilled its obligations to NgaiTakoto under the Treaty of Waitangi that was signed here in Kaitaia by NgaiTakoto rangatira and Crown representatives in 1840.

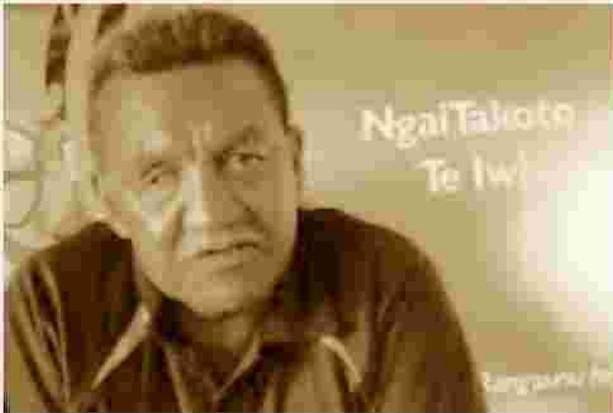
## 2.2 Cultural & Historical Context (continued..)

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- However, I believe that the process of healing begins today (as back then with the appearance of the double rainbow) with this deed of settlement signed between us: the Crown and NgaiTakoto. And the Crown looks forward to building an enduring relationship of mutual trust and cooperation with NgaiTakoto that is based on a mutual respect for each other, the Treaty of Waitangi, and to achieving that relationship and partnership sought by our representatives in 1840.
- Once again I acknowledge our purpose of being here at this historical event and what the future may bring to us all. Thank you all. No reira, tena koutou, tena koutou, tena koutou katoa.



## 2.3 Kaumātua Kōrero



*Ngāitakoto/Te Aupōuri*

### **Mangu Awarau**

"Lake Ngātu derives its name from Pukengātu Pā. After the battle at Te Rangi Aniwaniwa, Te Aupōuri retreated towards the beach, stopping at the lake on the way to wash the bodies of the dead that were killed during the battle. The wounded were also washed in Lake Ngātu. At the time, Lake Ngātu took the name of the pā. Other lakes of Ngāitakoto were a food resource and only kuta was collected in Lake Ngātu." - (Ngāitakoto Sites of Significance Report 2010)



*Ngāitakoto/Te Aupōuri*

### **Rangitane Marsden**

"We didn't collect our kai from Lake Ngātu because this is where we bathed and washed bodies. There's a certain tapu when you mix food with hygiene or bodies so we kept that separate and collected our kai like eels from Lake Ngakapua or Lake Rotokāwau - that's why we kick up a fuss when sewerage is spilled into the moana because we collect kai there. So we never collected kai from Lake Ngātu and Lake Ngātu got its name from Pukengātu Pā." - (Ngāitakoto Sites of Significance Report 2010)



*Ngāitakoto/Te Aupōuri*

### **Rev. Māori Marsden**

"Ngāti Kahu were given the green light to go into Te Aupōuri by Wheeru, a chief at that time when his son, Whiti attacked the group as they left Te Aupōuri. Whiti asked Wheeru for his support when Waitohe decided to seek utu but Wheeru refused because of what Whiti had done. Whiti died there. Whiti, Wheeru & all of those chiefs were also of Ngāitakoto descent." (Ngāitakoto Sites of Significance Report 2010)



*Ngāitakoto/Te Aupōuri*

### **Whiti Awarau**

"Our tupuna Whiti was taken back to his father and interned at Wharemaru pā after the battle. He can sometimes be seen doing the wero ontop, usually at dusk. There is a wero that is unique to Te Aupōuri because of this. Anyone who tries to develop this Pukengātu Pā needs to comply with RMA legislation and learn the history before doing so because it is a tapu area and we are all aware of this, always have been aware of this." - (Whiti Awarau - 3<sup>rd</sup> April 2025)

## 2.4 Reverend Māori Marsden

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*Ngāitakoto/Te Aupōuri/Ngāti Kahu*

### **Rev. Māori Marsden**

Reverend Māori Marsden was born on the 10<sup>th</sup> of August 1924 in the small settlement of Awanui near Kaitaia. His father was Hoani Matenga Te Paerata, a local Anglican Minister and member of all the most northern most iwi of Muriwhenua. His particular *karangatanga*, however, were Te Patukōraha of Karepōnia and Ngāitakoto of Awanui proper. Māori's mother was Hana Toi of the Ngāti Korokoro and the Ngāti Whārara people of the southern side of the mouth of the Hokianga Harbour. Hana's family are particularly associated with marae at Pākanae, Kōkōhuia and Waiwhatawhata.

Māori was a tohunga, scholar, writer, healer, minister and philosopher for the latter part of the twentieth century. A member of the Tai Tokerau peoples of the north, Māori was both an ordained Anglican minister and a graduate of the *whare wānanga*, the traditional tribal centre of higher, and esoteric learning. He was raised in Waimanoni and Maimaru. An interview that was conducted by Dame Joan Mette on the 9<sup>th</sup> of November 1982 with Rev. Māori Marsden details, he says;

“The first and strongest impressions I've retained over the years are those I had as a child. I was brought up in Maimaru [also known as Mahimaru], ten kilometers east of Awanui. Our community revolved around Ngāitakoto and Patukōraha people. Ngāitakoto had two main *papakāinga*; Maimaru and Waimanoni. Waimanoni, situated on the southern end of the Rangaunu harbour, was regarded as the heart of our people. The Rangaunu was the main source of food for us. Inside the harbour, we gathered mainly small fish and shellfish. Outside the harbour, we had large fishing grounds, generally known and fished by the majority of the *hapū*. Our lands were fertile, largely silt - built up over the centuries by the flooding of Awanui River.”

## 2.4 Reverend Māori Marsden (continued..)

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On page 24 of Marsden's book named 'The Woven Universe' (The Natural World and Natural resources - Māori Value Systems and Perspectives), he spoke of the Resource Management Law Reform concerns of his time;

"The present Resource Management Law Reform being undertaken by Government is the most comprehensive yet attempted by a New Zealand Government. Granted that the system is in need of massive overhaul, the use and management of resources to which this reform is largely directed is being complicated by new and emerging factors.

The socio-economic impact of 'Rogernomics' has already had far-reaching effects on this nation. The impact is such that the socio-cultural fabric of New Zealand has been radically altered. The effects of 'Rogernomics' has impacted more seriously upon Māoridom than any other sector. Already at the bottom of the heap, Māoridom has been shoved even further out on the socio-economic limb on to the dependency branch.

Since the creation of the Settler Government by the Crown with the 1852 Constitution Act, that Government and its successors have imposed a blatantly mono-cultural approach to legislation. By that process, the resources once owned totally by Māoridom have been appropriated by the agent of the Crown (government); which has resulted for Māoridom in 'the massive development of underdevelopment.'

Māoridom clearly sees that continued and persistent deprivation/oppression/intrusion/imposition/manipulation of tangata whenua by the dominant culture/society/government, poses a serious threat to the self-esteem/humanity/dignity/identity and very existence of present and future generations of tangata whenua.

The social disorders from which tangata whenua presently suffer are but symptoms of the mental, spiritual organic disease created by the colonization process. This is demonstrated by the high-incidence and gross over-involvement of Māori in the negative areas of crime/unemployment/violence/mental and organic ill-health as confirmed by the negative statistics across the whole social spectrum.

Such deprivation and oppression has forced Māori to take an uncompromising stance on various issues to do with the Treaty of Waitangi. In terms of the resource management law reform, the Māori view would be that all people have a right to an environment that is adequate for health and well-being. The objective for any authority that has to do with the environment and its resources is to ensure that resource management meets the needs of people today without compromising the heritage of future generations as to their needs.

This is the concern of Māoridom, under the present law review and general economic trends, the prognosis for the future generations of Māoridom, indeed of most New Zealanders, is grim indeed. Māoridom both in view of their past experience and foreknowledge of what could happen if they do not reverse the trends are saying "thus far and no further."

## 2.4 Reverend Māori Marsden (continued..)

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With the news that the United Nations will be issuing a proclamation regarding the rights of Indigenous peoples to self-determination is an encouragement, and to Māori it reinforces their conviction that they were right all along.

The Māori Task Group of the Resource Management Law Reform would regard this review as crucial to defusing the likely conflict that could arise should Māori demands be once more ignored. Several basic principles are indispensable to the Review.

- 1.) That the general policy by which the review is ordered must not conflict with the fundamental objectives of the tangata whenua, for equity and justice.
- 2.) That we need to find common grounds on which to build agreements.
- 3.) That we need to have comprehensive agreement to affirm tangata whenua rights. These must be based on the Treaty of Waitangi and can be effected by attaching protocols to the Treaty. These protocols must define the exact meaning of the Spirit and the letter of the Treaty.
- 4.) Having affirmed the Spirit and letter of the Treaty, then both Māori and Pākehā must work towards meeting the changing needs of all New Zealanders. A national formula for land quantum or a single settlement is not to be considered as a binding precedent for future agreements. Each agreement should vary according to the needs and potential of each iwi within their territories and for the Pākehā populace according to their needs. On this basis, we would work toward a society that meets the needs of all peoples.
- 5.) The process for negotiations with all the iwi must be determined at the outset. This must be conducted by the Māori Task Group, who, acting on the mandate of the various iwi, can negotiate with Government to reach agreements that are satisfactory for all parties.
- 6.) Negotiation is preferable and tidier than litigation, therefore, consultation before policy decisions and legislation are determined, will avoid unnecessary conflict and litigation. Agreements, fairly negotiated and entered into freely, with the consent of all parties are far preferable to decisions imposed after lengthy, bitter and costly disputes.
- 7.) Before formal negotiations begin, early agreement can be reached on the agenda, the timing for the negotiations, the funding for the tangata whenua group, for the process of ratification and for the consultative task force.

This paper is designed to focus upon Māori View. More specifically my brief is to define and give an account of:

- The Māori view of the natural world.
- The relationship between Māori and resources.
- The relevance and applicability of traditional measures employed by Māori in the use and management of resources in the present and for the future."



## 4. Strategic Placement of Pā

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Pā sites, settlements and marae were strategically placed near lakes (roto) and the ocean (moana) for a combination of practical, cultural, and spiritual reasons such as;

### Access to kai (Food Sources):

- Waterways were, and still are an abundant source of food:
- Moana (Ocean) provided kaimoana (seafood) like fish, shellfish, kina, pāua, and more.
- Roto (Lakes) offered eels (tuna), freshwater fish, and birds nesting nearby.
- Being close to these resources ensured a reliable food supply for the haukāinga, especially during gatherings and ceremonies.

### Transport & Trade Routes:

- Before modern roads, waka (canoes) were a main mode of transport.
- Marae by lakes or the sea were connected to other hapū and iwi, allowing for easier trade, communication, and movement.

### Spiritual Significance:

- Water is sacred (wai tapu) in te ao Māori. It's used in cleansing rituals and has deep spiritual meaning.
- Proximity to water made it easier to perform Māori rituals of purification (waerea, whakawātea) for important ceremonies like tangihanga (funerals) or pōwhiri (welcoming).

### Strategic Defense:

- Some pā sites were built near water for defensive advantages. Natural barriers like lakes or cliffs could help protect from attack. Kerekere Pā and Te Waionepū are examples of defensive pā for Ngāitakoto.
- High ground near the coast or lakefronts often gave a tactical vantage point.

### Connection to Whakapapa (Genealogy):

- Many iwi and hapū have ancestral stories tied to specific bodies of water, whether it's a taniwha guarding a lake or an origin story linked to the sea.
- Locating pā sites or marae near these significant sites reinforced identity, history, and belonging for Māori.
- Pepehā reiterate an individuals connection to a roto, moana, maunga, iwi, hapū, marae, tūpuna, waka, awa because this is how pā sites and marae were strategically developed to ensure that a settlement had access to all aspects that allow Māori to survive, practice their tikanga, to access kai and resources and defend themselves.

## 5. Whenua Māori Alienated by Crown and Returned for Ngāitakoto

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A recent example of historical land alienation (and then returned to Manawhenua by Crown) via the Public Works Act, is the return of Kaitāia Airport to a collective group of manawhenua which included Ngāitakoto and three Ngāti Kahu hapū; Ngāi Tohianga, Patukoraha and Te Paatu.

Te Waionepū is a historically significant site located on Quarry Rd in Awanui where Kaitāia Airport sits. It is a piece of whenua that was taken from local whānau and hapū (Kataraina Mātenga and Ante Erstich) under the Public Works Act in order to build an aerodrome during WWII. It was detailed under oath that the land should be returned to the whānau, hapū and iwi when it was finished, but this never happened. This whenua is where the 'Battle of Whiti' took place and became 'Te Rangi Aniwaniwa' meaning the double rainbow, the tohu which appeared after this battle. On the 13<sup>th</sup> December 2025 Crown transferred this land back to iwi and hapū with confirmation of a 35-year lease of the airport and the release a multi-million-dollar funding package for vital maintenance and upgrades.

A further example of land alienation by Crown via the Discharged Servicemen Act is Waimanoni tupuna whenua which Te Rūnanga o Ngāitakoto purchased back off the private landowners in 2020. This whenua belonged to Rawiri Awarau and his descendants as Chief of Ngāitakoto until it was granted by Crown to the Eccleshall family in the late 1800s before being subdivided and sold to other private landowners.

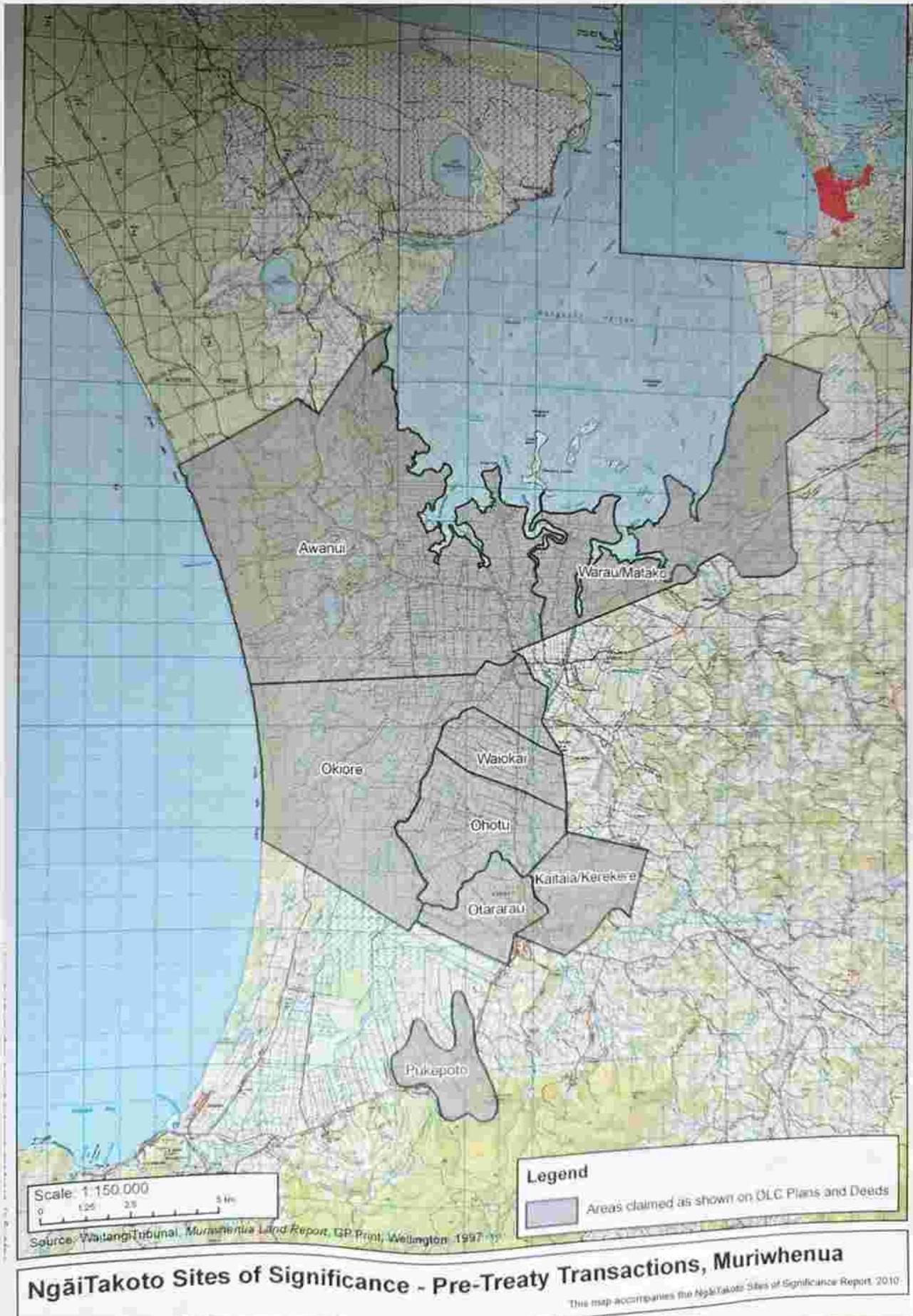
18<sup>th</sup> of October 2014 marked the day that another significant Ngāitakoto site was purchased back by Te Rūnanga o Ngāitakoto which halted the sale of the site to another private buyer. This block in Kaimaumu was supposedly purchased by Crown in 1857 for \$1500 and is recorded as having been an area of 25,000 acres for the Muriwhenua South Block and 3000 acres for the Wharemaru Block - later being recorded as a supposed 87,000 acres for the Muriwhenua South Block and 13,555 for the Wharemaru Block. Ngāitakoto did not sell any of these lands. These lands had been subject to Treaty Settlement claims for many years and are deeply significant sites for Ngāitakoto with many kōiwi buried right across these lands in mass burials where many died during the influenza pandemic. Kōiwi (bones) are still found today where elders are known in the area to re-intern them safely.

Te Make is another significant site for Ngāitakoto which is located along Sandhills Rd. Rev.Henare Paraone has recorded this as the area of ancient kumara pits and is where Crown confiscated land from the descendants of Tikiahi (father of Rawiri Awarau) as payment for a supposed bull. In close proximity to this site is Tikiahi's pā and these areas were given back to Ngāitakoto as part of the Treaty of Waitangi cultural lands and redress structure.

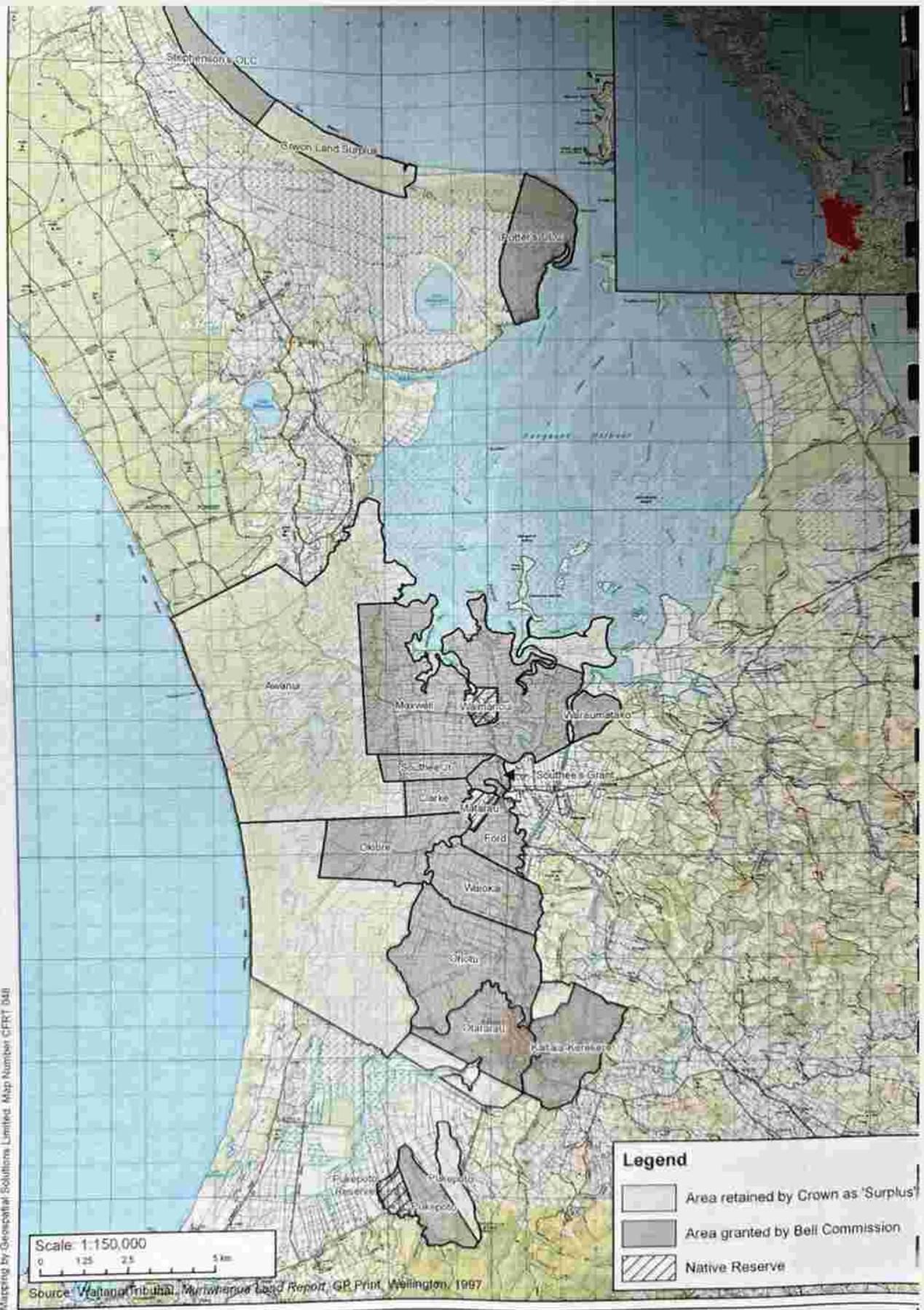
Lake Rotokāwau settlement was alienated by Crown in the 1837 & 1839 (Otaki transactions) deeming Ngāitakoto land as "Surplus" land. Crown granted parts of this land to returned servicemen, missionaries and their families with the rest converted into unoccupied Crown Reserve land.



## 5.1 Land Alienation by Crown in Awanui (Otaki) Transactions:



## 5.2 Land Alienation by Crown as 'Surplus'



Mapping by Geospatial Solutions Limited. Map Number GFRY 040

Scale: 1:150,000  
0 125 250 5 km

Source: Waitangi Tribunal, *Whānau Land Report*, GP Print, Wellington, 1997

**Legend**

- Area retained by Crown as 'Surplus'
- Area granted by Bell Commission
- Native Reserve

**Ngāi Takoto Sites of Significance - Pre-Treaty Transactions, Kaitiaki-Awanui**

This map accompanies the Ngāi Takoto Sites of Significance Report, 2010

## 6. Relevant Iwi/ Crown Planning Documents

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### 6.1 Resource Management Act 1991 (RMA)

As part of this CIA and in respect to the RMA it is important to note that;

Section 6 (Part 2) - All persons exercising powers under the RMA shall recognise and provide for (e) The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu (sacred places), and other taonga (treasures); (f) The protection of historic heritage, which includes Māori cultural heritage and (g) The protection of protected customary rights. Part 9 also refers to heritage protection and customary rights that protects wāhi tapu, Māori heritage sites, and recognises Māori customary rights over natural resources.

Decision-makers must also have particular regard; s7(a) Kaitiakitanga – the Māori concept of guardianship and stewardship over natural resources. s8 also requires decision-makers to take into account the principles of the Treaty of Waitangi. This means councils and government agencies must engage with iwi and hapū, recognise Māori interests, and consider co-governance arrangements where appropriate.

As mentioned above in regards to the Te Iwi o Ngāi Takoto Environmental Plan, that regional policy statements (s61), regional plans (s66), and district plans (s74) must take into account Iwi Management Plans (IMP). When councils assess resource consent applications, they must consider effects on Māori cultural values and any relevant iwi management plans (s104).

***“Ka mau tonu ngā taonga tapu o ngā matua tūpuna  
Koinei ngā taonga i tuku iho, na te Atua”***

*“Hold fast to the treasures of the ancestors  
For they are the treasures that have been handed down to us by God”*

## 6.2 Regional Policy Statement/ Regional Plans

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The Northland Regional Policy Statement (RPS) outlines several key provisions relevant to this CIA and emphasises the importance of tangata whenua participation in resource management and the integration of Māori values into environmental planning.

1. **Recognition of Iwi Management Plans:** As specified earlier under the RMA, the RPS acknowledges the significance of Iwi Management Plans (IMPs), which are resource management plans prepared by iwi, iwi authorities, rūnanga, or hapū. This ensures that the perspectives and aspirations of tangata whenua are considered in regional planning processes.

2. **Tangata Whenua Participation in Resource Management:** The RPS emphasises the active involvement of tangata whenua in planning and decision-making processes.

The Northland Regional Water and Soil Plan includes specific provisions that recognise and provide for the relationship of Māori with land and water resources. These are primarily outlined in **Section 6 – Recognition of and Provision for Māori and their Culture and Traditions.**

**Section 6 Objective:** Manage natural and physical resources in a way that acknowledges and provides for the traditional and cultural relationships of tangata whenua with land and water.

### **Policies:**

- **Policy 1:** Recognise and, as far as practicable, provide for the relationship of Māori and their culture and traditions concerning the use, development, and protection of water and land resources.
- **Policy 3:** Have particular regard for kaitiakitanga (guardianship) and consider options for involving tangata whenua in monitoring the use, development, and protection of resources within the region.
- **Policy 5:** Recognise and provide for iwi management plans as a mechanism for Māori to express their concerns and aspirations about resource management.

Additionally, the plan acknowledges the importance of Iwi and Hapū Environmental Management Plans (IHEMPs). Under the Resource Management Act (RMA), councils are required to take into account any relevant planning document recognised by an iwi authority and lodged with the council when preparing or changing regional plans. This ensures that the perspectives and aspirations of tangata whenua are considered in regional planning processes.

## 6.2 Regional Policy Statement/ Regional Plans Continued..

The Northland Regional Council (NRC) identifies 52 Rotokāwau Rd as a wetland based on council records, aerial imagery and ecological assessments. This designation carries legal and environmental responsibilities under both regional and national regulations.

These responsibilities are (and are not limited to):

### 1. Restrictions on Land Use

- Wetlands are protected under the Resource Management Act (RMA) and National Environmental Standards for Freshwater (NES-F).
- Certain activities, such as drainage, earthworks, vegetation clearance, stock grazing, and building, are restricted and in most cases require resource consent.

### 2. Obligations Under NRC's Regional Plan

- The Regional Plan for Northland (Section C.2.2) regulates activities affecting wetlands.
- May require NRC approval for any work that could alter the wetland's natural state (e.g., drainage, infilling, or water extraction).

### 3. Potential Property Development Limitations

- Limited development options for subdivision, new buildings or land modification.
- NRC may require an ecological assessment before granting permission for changes.



## 6.3 The Far North District Plan

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The Tangata Whenua Chapter (Operative District Plan: Part 1, Chapter 2) outlines the relationship between the Far North District Council (FNDC) and tangata whenua, emphasising the importance of partnership and participation in resource management decisions. It acknowledges the Council's obligations under the Resource Management Act (RMA) to recognise and provide for the relationship of Māori with their ancestral lands, water, sites, wāhi tapu (sacred places), and other taonga (treasures). This chapter sets out objectives and policies aimed at ensuring that Māori perspectives are incorporated into planning processes and that their role as kaitiaki (guardians) is supported.

The District Plan identifies and seeks to protect Sites and Areas of Significance to Māori (Operative District Plan: Appendix 1F), including wāhi tapu and other culturally important locations. These sites are mapped and listed within the plan, providing a framework for managing activities that may affect them. The plan includes rules that require resource consent for certain activities within these areas to ensure that potential impacts on cultural values are assessed and appropriately managed.

The schedule within the Operative District Plan only lists those sites that:

- (a) are on Maori land or on Department of Conservation estate; and/or
- (b) were in the Transitional Plan; and/or
- (c) are on general title land and there has been consultation with the affected landowner.

As a result Pukengātu is not mentioned within appendix 1F of Cultural Significant to Māori however, Lake Ngātu (Lake Ngātu Recreation Reserve) is recognised within the Far North District Plan through a Statutory Acknowledgement and Deed of Recognition, as indicated in the council's open data resources. This acknowledgment highlights the cultural significance of Lake Ngātu to tangata whenua.

One objective of this CIA is to insure that Pukengātu Pā is listed as a Ngāi Takoto Cultural Significant Site under Appendix 1F of the District Plan to protect and safe guard it for future generations.

## 6.3 Far North District Plan (continued..)

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Consultation Requirements - (Operative District Plan) The District Plan also outlines the necessity for applicants to consult with tangata whenua when proposing activities that may impact Māori cultural values. The plan encourages engagement with iwi authorities, especially when activities are likely to affect sites of cultural significance or areas where tangata whenua have a particular interest.

Integration with Iwi Management Plans - As with the RMA and RPS, the FNDC recognises the importance of Iwi and Hapū Environmental Management Plans (IHMPs) within planning framework. These plans, prepared by iwi or hapū, outline their objectives and policies for managing natural and physical resources within their rohe (territory). The District Plan acknowledges these documents and seeks to integrate their content into council strategies and decision-making processes.

Its also important to note that the Proposed District Plan includes provisions for identifying and protecting Sites and Areas of Significance to Māori (Section 32 Report on Tangata Whenua). Ngāi Takoto will be working closely with FNDC to incorporate other Wāhi Tapui and Cultural Significant Sites.

All of these provisions demonstrate that the FNDC is commitment to honouring the principles of the Treaty of Waitangi and ensuring that the cultural values and rights of tangata whenua are respected within the district's resource management framework.

## 6.4 Te Iwi o Ngāitakoto Environmental Plan 2017 (NTEP)

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The Purpose (Section 1.1) of the 'Te Iwi o Ngāitakoto Environmental Plan (2017)' is to provide a pathway that will acknowledge and pursue the peoples of Ngai Takoto's role and responsibilities as Manawhenua/ Kaitiaki 'guardians' over their lands and environments within their Rohe (Mana Tangata, Mana Whenua and Mana Moana).

For the purposes of this CIA the Te Iwi O Ngāi Takoto Environmental Plan (NTEP) clearly defines (1.2):

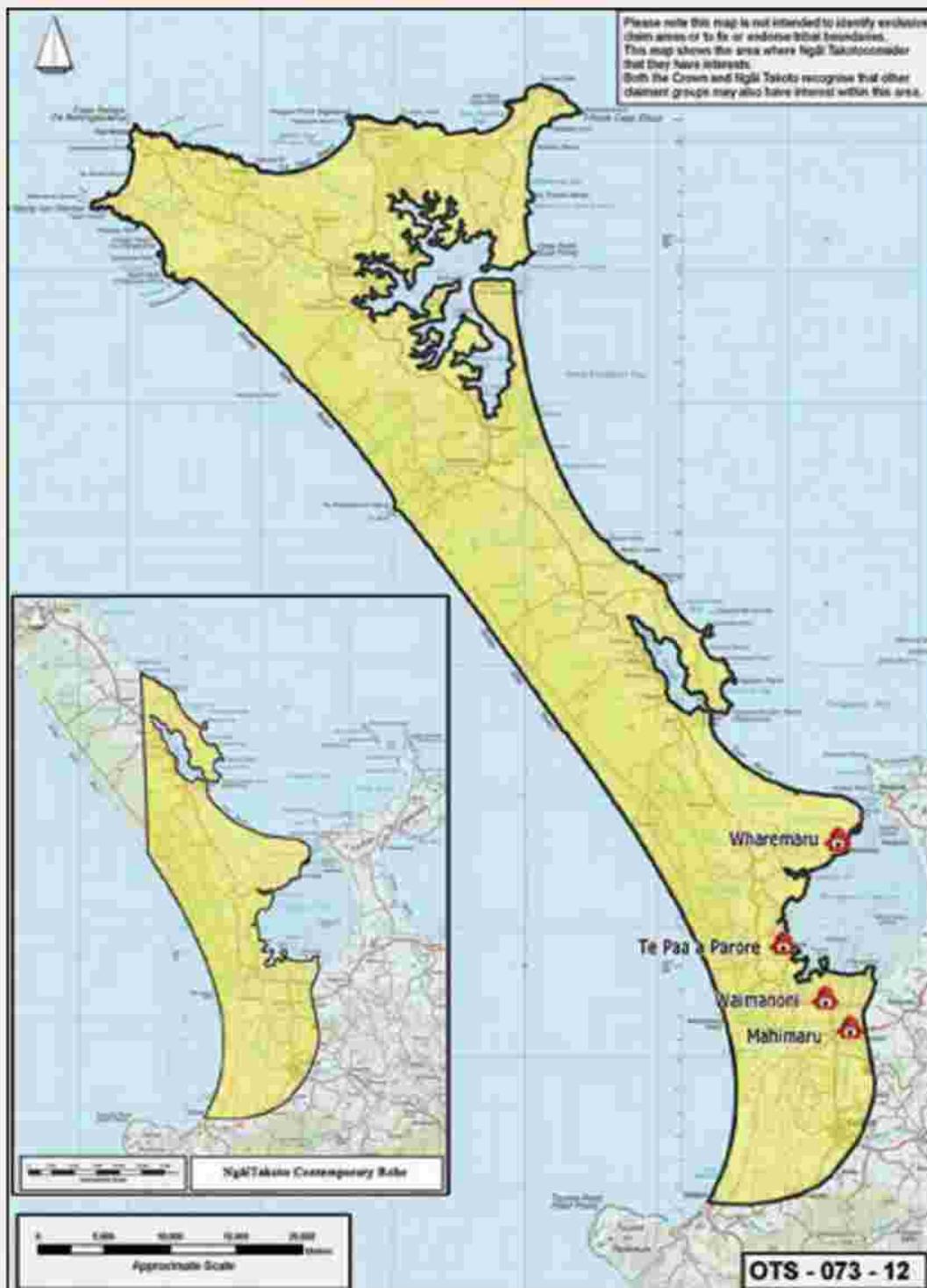
- 1) The overarching position of Ngai Takoto on the Ngai Takoto environment
- 2) Describes the Ngai Takoto values, principles, knowledge and perspectives on, relationship with, and objectives for natural resources and the environment;
- 5) Provides tools to enhance Ngai Takoto Mana Whakahaere (governance) and Kaitiakitanga (guardianship), particularly when participating in resource and environmental management through;
  - b) Establishing a framework for resources and environmental management to support iwi members, whanau, hapu and marae.
  - f) Influencing local and national decision makers;
  - g) Providing a guide to resource users, or developers within the Ngai Takoto rohe;
  - h) Affecting how development may occur; and
  - j) Providing guidance to external agencies regarding the Ngaitakoto values, principles, knowledge and perspectives on, and relationship with, and objectives for natural resources and environmental management.

Section 2 of the NTEP outlines Ngāi Takoto settlement legislation and recognition:

- Recognises and safeguards the Mana Tangata, Mana Whenua interests, enhancing the Iwi's ability to have Ngāi Takoto's values acknowledged and provided for;
- Provides opportunities for active management, control or ownership of sites, areas or customary resources on Crown-owned land with which they have traditional and cultural associations; and
- Creates partnerships and relationships with government departments and other agencies such as local bodies, which play significant roles in the areas in which Ngāi Takoto have traditional and cultural associations.

## 6.4 Te Iwi o Ngāitakoto Environmental Plan (2017) (continued..)

Area of interest (2.4) & Ngai Takoto Contemporary Rohe/ Boundary (2.8, 2.9)



The location of Pukengātu Pā falls within the Area of Interest and the contemporary boundary as expressed by the Deed of Settlement and Ngai Takoto Claims Settlement Legislation (2015) and recognises the area of influence and authority of Ngāi Takoto as mana whenua.

## 6.4 Te iwi o Ngāitakoto Environmental Plan (2017) (continued..)

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*“Hukatere to Houhora Peninsular, (including Rarawa Beach) along East Beach to Mapuraiti (Wharemaru/ Kaimaumu), south across the Rangaunu harbour to Ngatikuraiti; from Mahimaru river to Matakau Pa, to Pungaungau Pa, to Whare Kakariki Pa, to Ohinu, Waionepu (Te Rangi Aniwaniwa) to Tutatarakihi Pa, To Pukekahikatea Pa to Kerekere Pa, (Kaitaia) from Kerkere Pa across to Tangonge Swamp, continuing across to Wharo (Ahipara) river at the southern end of Te Oneroa a tohe (Ninety Mile Beach), returning to Hukatere”.*

**The location of Pukengātu Pā falls within the Area of Interest and the contemporary boundary as expressed by the Deed of Settlement and Ngāi Takoto Claims Settlement Legislation (2015) and recognises the area of influence and authority of Ngāi Takoto as Manawhenua.**

### **2.6 Ngāi Takoto Sites of Significants & 2.10 Ngāi Takoto Cultural sites returned:**

Within the NTEP these sites identify and recognise key traditional, historical, cultural and spiritual association of Ngāi Takoto with places and sites within the Ngāi Takoto rohe. This allows Ngāi Takoto and the Crown (together) to protect and enhance the historical and conservation values associated with these sites.

**Significant Sites recognised around or associated with Pukengātu pā are listed within the Ngaitakoto Iwi Environmental Plan and are listed below:**

2.10.5 Bed of Lake Ngātu - 54ha returned as fee simple vested recreation reserve. This lake (directly next to Pukengātu Pā) is of great cultural significance to Ngāi Takoto. The lake itself derives its name from Pukengātu Pā. Bathing and kuta.

2.10.3 Waipapakauri Beach Site (historically known as Ngāpae) - Is 3.8km from Pukengātu Pā and approximately 6ha and returned to Ngāi Takoto as fee simple scenic reserve

2.10.4 Waipapakauri Papakāinga site 5.3ha fee simple. This area was historically a seasonal papakainga (residential) for gathering kaimoana, shellfish and fishing for Ngāi Takoto people.

**Other lake beds returned are;**

2.10.6 Bed of Lake Rotokāwau (1km north of Pukengātu Pā) - 16ha

2.10.7 Bed of Lake Ngakapua (1.3km north west of Pukengātu Pā) - 14ha

2.10.8 Bed of Lake Katavich (1.8km north west of Pukengātu Pā) - 7ha

2.10.13 Te Oneroa a Tōhē sites - vested in equal shares with Ngāi Takoto, Te Rarawa, Te Aupōuri and Ngāti Kuri classified as a scenic reserve. 3.9km from Pukengātu Pā.

## 6.4 Te iwi o Ngāitakoto Environmental Plan (2017) (continued..)

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Te Oneroa a Tōhē (Ninety Mile Beach) is of utmost historical, cultural, spiritual and physical importance to the people of Ngāi Takoto. Not only is it a vital resource for food gathering, and an important transport route, it contains Te Ara Wairua, a nationally significant site recognising the spiritual pathway between the living and the dead for iwi maori in Aotearoa/ New Zealand. All Te Hiku have specific kaitiaki responsibility associated with Te Oneroa a Tōhē.

### 2.11 Statutory Acknowledgements and Statements of Association;

This is an acknowledgement by the Crown of Ngāi Takoto's particular cultural, spiritual, historical and traditional association with sites recognised within the Ngāi Takoto Deed of Settlement (2015). The purpose of Statutory Acknowledgments is to improve the implementation of existing RMA processes, particularly the decision-making process in relation to notification of resource consent applications. It aims to minimise problems encountered in the past, for example, some areas of significance to Ngāi Takoto, such as burial grounds, have been cleared or excavated without either consultation or consent, often because consent authorities and applicants may have felt that they were insufficiently aware of Ngāi Takoto's interests.

**Decision-making in relation to Statutory Acknowledgements is subject to the provisions of Part II of the RMA. Under Part II local authorities are required to:**

- recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga (s.6(e));
- have particular regard to kaitiakitanga (s.7(a));
- take into account the principles of the Treaty of Waitangi (Te Tiriti O Waitangi) (s.8).

**In relation to this CIA, the Ngāi Takoto Claims Settlement Act (2015) legislation provides Statutory Acknowledgements and Statements of Association by the Crown to the following areas:**

- 2.11.4 Lake Rotoroa - 3.7km south of Pukengātu Pā
- 2.11.5 Lake Heather (Wai Te Huahua) - 3km south of Pukengātu Pā
- 2.11.6 Ngatu Recreational Reserve - adjacent of of Pukengātu Pā
- 2.11.9 Southern Par of Waipapakauri Conservation Area

## 6.4 Te iwi o Ngāitakoto Environmental Plan (2017) (continued..)

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**2.12 Collective Redress as mentioned within the NTEP & Ngāi Takoto Deed of Settlement (2015) further establishes Ngāi Takoto as manawhenua in relation to Pukengātu Pā and emphasises the significance of the area.**

- 2.12.2 Te Oneroa a Tōhē (Ninety Mile Beach) - 3.9km from Pukengātu Pā
- 2.12.3 Aupouri Forest - 1.7km from Pukengātu Pā
- 2.12.4 Landcorp Farm - 2.8km from Pukengātu Pā
- 2.12.5 He Korowai - Conservation Co-Management Agreement (DOC) - multiple sites from all around Pukengātu Pā.

2.13 Properties in transition from District Council - As an ongoing component of Treaty Settlement process that is presently underway within the Te Hiku district, Council staff and Iwi Leaders are working together for the purposes of establishing a process by which sites of significance can be returned back into Iwi ownership and as such the plan and policy direction established within this framework is to be taken into account in regards to this CIA, this being:

- 2.13.8 Waipapakauri Ramp 1.3ha - 3.8km from Pukengātu Pā
- 2.13.11 Waipapakauri Recreational Area - 2km from Pukengātu Pā
- 2.13.12 Corner West Coast Rd, Sweetwater Road as a Recreational Reserve - Adjacent to Pukengātu Pā.

### **3.3 Engagement with Stakeholders - Responding to consents & Cultural Impact Assessments (CIA)**

*“It is important to ensure that resource uses and activities that impact on the environment in the Ngāi Takoto rohe give effect to the role of Ngāi Takoto as Mana Whenua-Kaitiaki, as envisioned in article two of Te Tiriti O Waitangi. It is important that a meaningful, participatory relationship is formed between Ngāi Takoto, as mana whenua – kaitiaki, and the applicant, developer, and local authorities during the planning and initial stages of development, construction, operation, and through to completion. The key to this relationship is Ngāi Takoto tikanga, transparency, good faith, patience and understanding. Engagement with Ngāi Takoto members is not achieved by merely having a discussion about resource consents, plans and policies, but how the concerns, interests and intentions put forward by Ngāi Takoto are considered should be reflected in any outcomes plans, conditions and policies produce.”*

## 6.4 Te iwi o Ngāitakoto Environmental Plan (2017) (continued..)

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As mentioned within the NTEP, Te Rūnanga o Ngāi Takoto responds to resource consent (subdivision consents), mineral permits and concession applications within the Ngāi Takoto rohe. Ngāi Takoto will engage with the District and Regional Councils, Government Departments and Crown agencies where applicable.

As reference to the NTEP - A Cultural Impact Assessment (CIA) report is an assessment of the potential impacts of a given activity on resources and values of importance to Ngāi Takoto. Such reports document Ngāi Takoto values associated with an area, and provide appropriate measures to avoid, remedy or mitigate any adverse effects on those values.

This CIA is prepared by MoanaWhenua Ltd with assistance and guidance from relevant representatives. CIA reports are an effective means of providing cultural and technical input, mainly with respect to resource consent applications under the Resource Management Act (1991). Such reports should form part of a resource consent application's Assessment of Environmental Effects (AEE). Te Runanga o Ngāi Takoto has advised the applicant or developer in this regard that this CIA is needed. A CIA is required when:

- The cultural values associated with the site or in relation to the proposal need to be determined;
- The proposed activity is either on, adjacent to or will impact upon a wāhi tapu or species/ places of cultural importance;
- The size and scale of the proposed activity is such that multiple values or multiple effects need to be considered; and The proposal is considered to have significant impacts on Ngāi Takoto values
- An archaeological report may be required in some circumstances as a basis of the CIA.

### 3.4 Engagement Policy

- As mentioned within the NTEP all matters relating to environmental management in the rohe of Ngāi Takoto are to be directed to Te Rūnanga o Ngāi Takoto.
- This Plan shall provide the basis, but not a substitute, for consultation on environmental matters.
- Local, regional and national authorities shall, to the fullest extent possible, recognise and provide for the values, goals, and policy directions outlined in this plan.
- Te Runanga o Ngāi Takoto will assist external agencies and applicants to determine the nature and extent of consultation required for specific issues.

## 6.4 Te iwi o Ngāitakoto Environmental Plan (2017) (continued..)

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- Te Rūnanga o Ngāitakoto encourages early engagement. Engagement at the earliest possible stage in the design and development of proposals, policies or plans can save both time and resources. This includes pre- application consultation on resource consent and concession applications.
- Engagement requests must include sufficient information to allow Te Runanga o Ngāitakoto to gain a comprehensive understanding of the issue, and thereby have the ability to make informed decisions.
- Engagement processes must allow for sufficient time to make informed decisions and the applicants must be mindful of the need for hapu to meet and consider an application.
- Adequate resourcing for engagement must be provided for.
- The value of technical, cultural and other advice provided by the Runanga must be recognised and if necessary the engaging agency or stakeholder shall be obliged to provide adequate resourcing. Preferably, the costs associated with the engagement, and provision of other advice shall be determined and agreed at the outset.
- Oral evidence, as part of the accumulated knowledge base of Ngāitakoto, shall be considered equally with written evidence in all engagement processes.
- Outcomes should reflect input and final decisions and outcomes must be an accurate reflection of the engagement process.
- Genuine engagement includes a willingness to change, and recognition of differing priorities, concerns and values.

### Section 4: Policy and Plan Direction

4.1.1 Land use planning - The subdivision of rural and coastal land is of significance to Ngāitakoto. Residential subdivisions occur in environments that are already heavily modified, therefore rural and coastal subdivisions applications must consider:

1. An appropriate minimum allotment size;
2. Consideration of Wāhi Tapu / Sites of Significance;
3. Protection of waterways;
4. Use of advanced septic tank systems (two or more chambers);
5. Discharge of storm water needs to consider filtering, riparian planting;
6. Landscape plans and use of esplanade reserves;
7. Cumulative assessment of affects; and
8. On-going monitoring to ensure resource consent conditions are met. It is noted that the Assessment of Environmental Effects (AEE) provided with many applications is often not appropriate to the subdivision.
9. Ngāi Takoto expects early engagement on all subdivision applications irrespective of resource consent activity status.

## 6.4 Te iwi o Ngāitakoto Environmental Plan (2017) (continued..)

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### 4.1.1 Recording of Significance of Site

Ngāi Takoto will record the cultural significance of the site and provide a copy to the landowner and applicant. This will be included as part of the consent application. Where a site of cultural significance is identified Ngāi Takoto will identify options for protection and where possible alteration to the application and intended activity. Where methods for protection cannot be resolved Ngāi Takoto reserves the right to seek the independent protection of the site.

### 4.8 Wāhi tapu

Ngāi Takoto are the kaitiaki of their wāhi tapu. Too many, wāhi tapu are commonly thought of as simply an urupa, but they are much more than that. The term wāhi tapu means a place or area that is sacred, significant or important. They are often places where significant events have occurred or people lived long ago. They are both tangible and intangible and often have spiritual dimensions and values attached to them.

To date there is no formal list of Ngāi Takoto wāhi tapu held by the local government. This creates a reactive rather than proactive approach by Councils when consents are lodged or wāhi tapu are discovered. As a consequence, the wāhi tapu (of which there are many) are not currently afforded any level of protection under the district and regional plans.

#### **The NTEP Objective:**

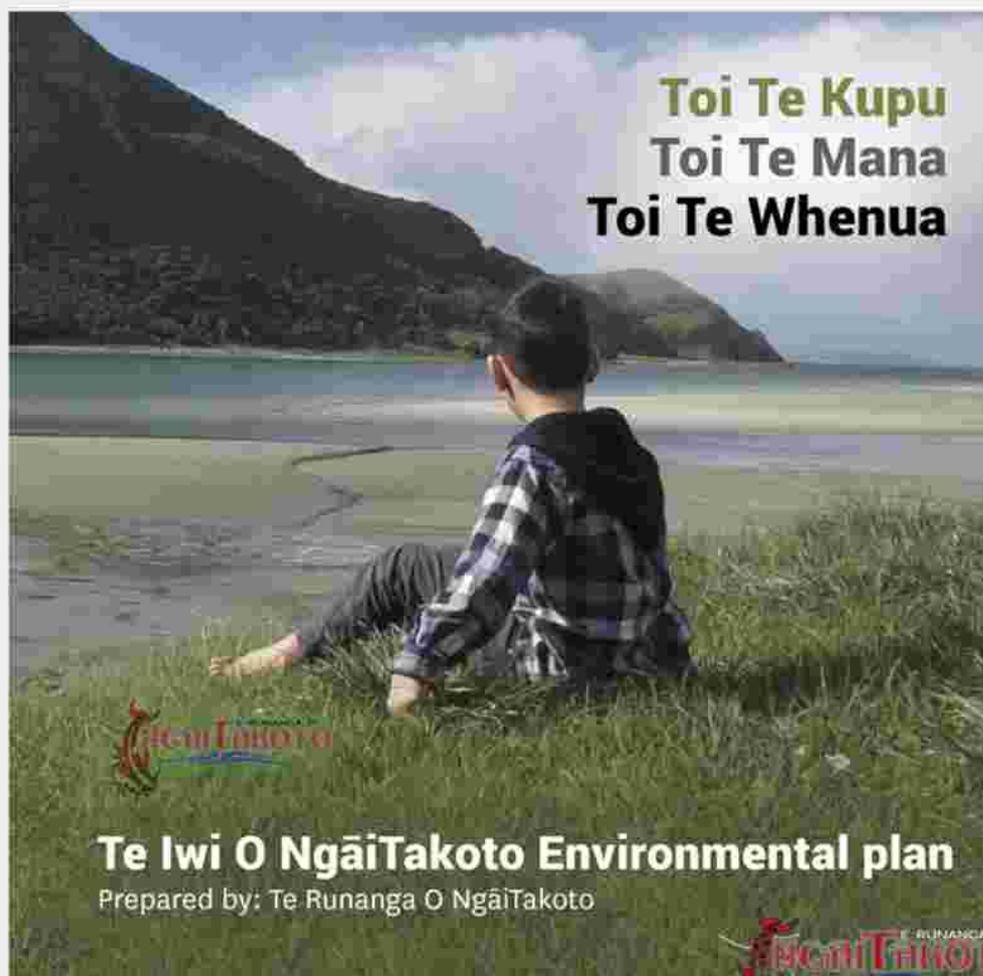
- To prevent the destruction, damage and/or alteration of wāhi tapu.
- To formalise the protection of wāhi tapu.
- To raise awareness of the significance of wāhi tapu.
- To record the wāhi tapu of Ngāi Takoto.

## 6.4 Te iwi o Ngāitakoto Environmental Plan (2017) (continued..)

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### Methods and Procedures:

- That NgāiTakoto is the sole determinant of the significance of its wāhi tapu.
- Develop a register of all known wāhi tapu.
- Engage with policy makers and regulators on all significant issues relating to wāhi tapu including provision of input into the formulation of local government plans.
- Develop protocols with territorial and local authorities to ensure protection of wāhi tapu.
- Make submissions on resource consent applications to ensure the physical and spiritual relationship of NgāiTakoto to their wāhi tapu is recognised, protected and provided for.
- Provide information that improves the understanding of the significance of wāhi tapu.
- That protection of wāhi tapu shall be provided by:
  - Not allowing structures to be erected on a wāhi tapu; or earthworks or excavation to occur on a wāhi tapu; and or clearance of vegetation from a wāhi tapu.
- That where relevant buffer areas and/or protective zones are used to protect wāhi tapu. From development and/or activities which could impact on their significance.
  - In the event of discovery of kōiwi tangata, the New Zealand Historic Places Trust Archaeological Guidelines series No. 8 Kōiwi Tangata/Human Remains shall be followed in conjunction with NgāiTakoto protocols.



## 7. Ecological Impact Report

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**An 'Ecological Report' was prepared by Lindsay Charman of Outlines NZ in June 2003. This same 'Ecological Report' was peer-reviewed in 2019 by Northland Environmental Services Ltd with no new site visit conducted.**

*Note: A new 'Ecological Report' was conducted 2021 by Lisette Collins of Northland Ecology.*

Previous application for Resource Consent by way of Management Plan RC 2060638  
52 Rotokawau Road, Waipapakauri, Northland  
Pt Sec 25 BLK VIII OPOE S.D. / Lot2 DP394720

**Client:**

Northland Planning, on behalf of Kustom Build Ltd

**Page 8 of the 'Ecological Report 2003' describes the following for Pukengātu Pā;**

***"Significance":***

- An extremely important high quality shallow lake with reed beds providing habitat for four threatened and three regionally significant species. (SNA NO 4/009)*
- Representative site for *Baumea juncea* sedge land. (SNA NO 4/009)*

***"Cultural significance":***

- An important site for Māori from as far away as the Hokianga for occasional harvesting of kuta, *Scirpus lacustris*, a reed highly prized for its strength and dyeing properties.*
- A duck shooters lake – the presence of maimai and nervous wildfowl indicates seasonal use by recreational hunters.*

**Page 17 of the 'peer-reviewed Ecological Report 2019' also suggests:**

***"7.9 Cultural significance":***

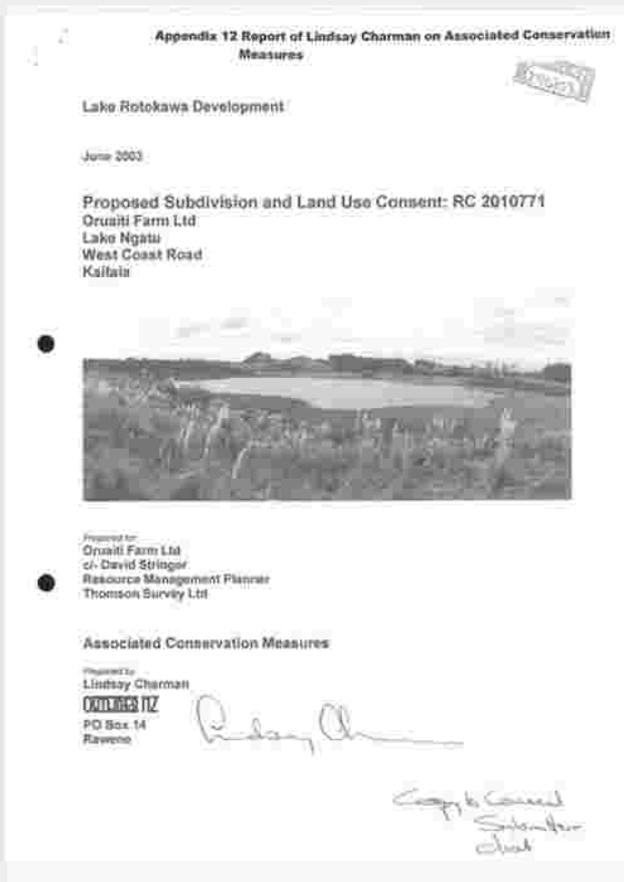
*Although it is not within the scope of this review to provide any recommendations on this aspect, this could potentially promote communication/kōrero between the client and Ngāi Takoto, which is an important factor given that the site is located within the cultural boundaries of Ngāi Takoto.*

## 7. Ecological Impact Report (continued..)

There was no consultation with manawhenua, therefore all 'Ecological Reports' conducted reflect a significant lack of cultural understanding around this site.

Sacred places and wāhi tapu have been desecrated or repurposed, disrupting the spiritual and ancestral connections of iwi and hapū. Colonisation has profoundly impacted Māori identity which includes the recognition and protection of culturally significant Māori sites, often leading to the dilution and 'downplaying' of these places through land alienation, urban development, and suppression of tikanga (customs). Colonisation introduced legal and social systems that marginalised Māori voices, eroding their authority over these taonga. Dilution of significance occurs not just physically, but also culturally, as Western narratives override indigenous significance. Despite this, many Māori communities continue to fight for recognition, protection, and the revitalisation of their sacred spaces and practices.

**A copy of 'Ecological Report' and reviews mentioned above are attached to the appendix of this 'Cultural Impact Assessment.'**



## 7. Ecological Impact Report (continued..)

### 7.1 Te Mana O Te Wai - Ecological Restoration surrounding Pukengātu Pā

- In an effort to re-establish their cultural connection and role as Kaitiaki, major restoration work has been completed around Pukengātu Pā in the last 15 years led by Te Rūnanga o Ngāi Takoto/ Mana Whenua Kaitiaki.
- This includes, and is not limited to, the fencing of Lake Rotokāwau, fencing of Lake Ngātu, fencing around lake Waitehuahua, weed control/ wilding pine removal, removal of motorised boats from Lake Ngātu, erection of vehicle restriction bollards, pest control and over 100, 000 native trees planted in the vicinity of Pukengātu Pā.
- Te Rūnanga o Ngāi Takoto, in partnership with the Northland Regional Council, have invested significant resources into Lake Ngātu and the surrounding area. For example a comprehensive program in 2020 to control and eradicate freshwater pest plant species hornwort (*Ceratophyllum demersum*), storm-water/ drain management targeting all drains and water entry points around the northern end of the lake to reduce nutrient loading entering the lake, following several years of algae blooms affecting water quality.
- Partnerships with NRC, Niwa, DOC, local residents, Bushlands Trust (local restoration group), Paparore School, Awanui School, Waiharara School, Te Rangianiwaniwa, Rangaunu Kōhanga, Waimanoni Marae, Paparore Marae with many others have contributed to the long term restoration of significant wetlands around Pukengātu Pā.
- Numerous wānanga and educational events have been undertaken to increase awareness and provide for future generations covering key aspects like riparian planting, wetland management, water quality and catchment resilience to help inform and protect the significance of these lakes/wetlands.
- As a result of all this mahi/work Te Rūnanga o Ngāi Takoto Taiao Kaitiaki Team were winners of the 2019 NRC Environmental Award for 'Environmental Action in Water Quality Improvement', and runners up in the 'Kaitiakitanga' category.
- This demonstrates a concerted effort by Te Rūnanga o Ngāi Takoto /Mana Whenua Kaitiaki to restore and revitalise all their connection to these areas adding increased long-term biodiversity, cultural and amenity values.



Image Source: Te Rūnanga O Ngāi Takoto

## 7.1 Ecological Impact Report (continued..)

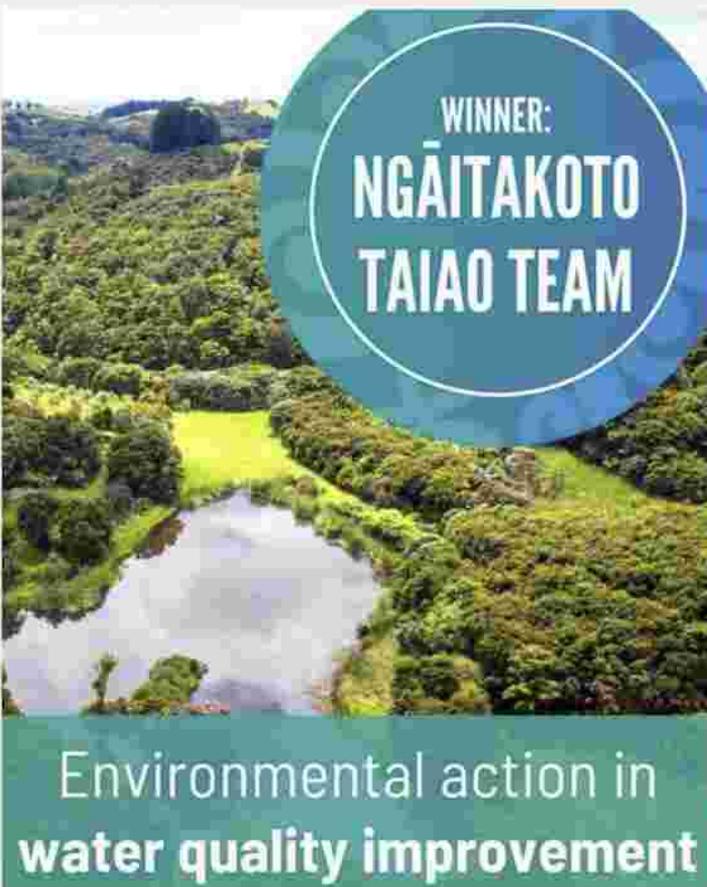


Lake Ngatu -World Wetlands 2013 (DoC image)

## World Wetlands Day



Students from Te Kura Kaupapa Māori o Rangiawhia School making mini-wetlands with Julie Holt, Primary EnviroSchools Facilitator, at World Wetlands Day, Lake Ngatu on 17 February 2012 – 100 students from eight schools took part.



NRC Environmental Awards 2019



WETAUNA WHAKARAU WHAKOTE NGĀITAKOTO TAIĀO TEAM (PHOTO SUPPLIED)

# 7.1 Ecological Impact Report (continued..)

## LAKE CLOSURE

### 7 – 11 September 2020

#### Dune lake aquatic weed eradication

Exotic waterweeds are spread very easily by a range of activities such as boating, duck hunting, wet fishing with nets, digger operations and farm drains. Aquatic weeds can quickly outgrow the native plant community, often choking a lake to the point of collapse and resulting in an algal bloom becoming dominant.

0508 TAKOTO (825 686)

In partnership with:



## Lake Ngatu

Rakau Ora  
NgaiTakoto Planting Day 1

When: **25th July 2020**  
Where: **North End Car park**

9:30am -	Karakia Mihimihi Waiata
10:00am -	Mahi Tahī Start Planting!
11:30am -	Lunch (BBQ)
12:00pm -	Finished

Please bring: Spades, sturdy footwear, drinking water and be keen to mahi!

For more info contact Kaio (09) 4080271

Thanks to:



## 7.2 Ecological Impact Report (continued..)

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### 7.2 Previous development on Pukengātu Pā

*"Although this site is classified as wetland, the site was previously in forestry. As a result of this and probable former farming practices, it has become severely degraded "*

*-Northland Environmental Services (report attached)*

- Pines planted before 1977 (see below images)
- Pines are still visibly present in 1985 (see below Images)
- North Vent Limited as owners pre-2008
- Native tree planting program 2005 by corrections NZ
- 03<sup>rd</sup> July 2008 - Transfer of ownership to Oruaiti Farm
- 18<sup>th</sup> October 2017 - Transfer of ownership to Sean and Leah Frieling



1965



1977



1981



1985

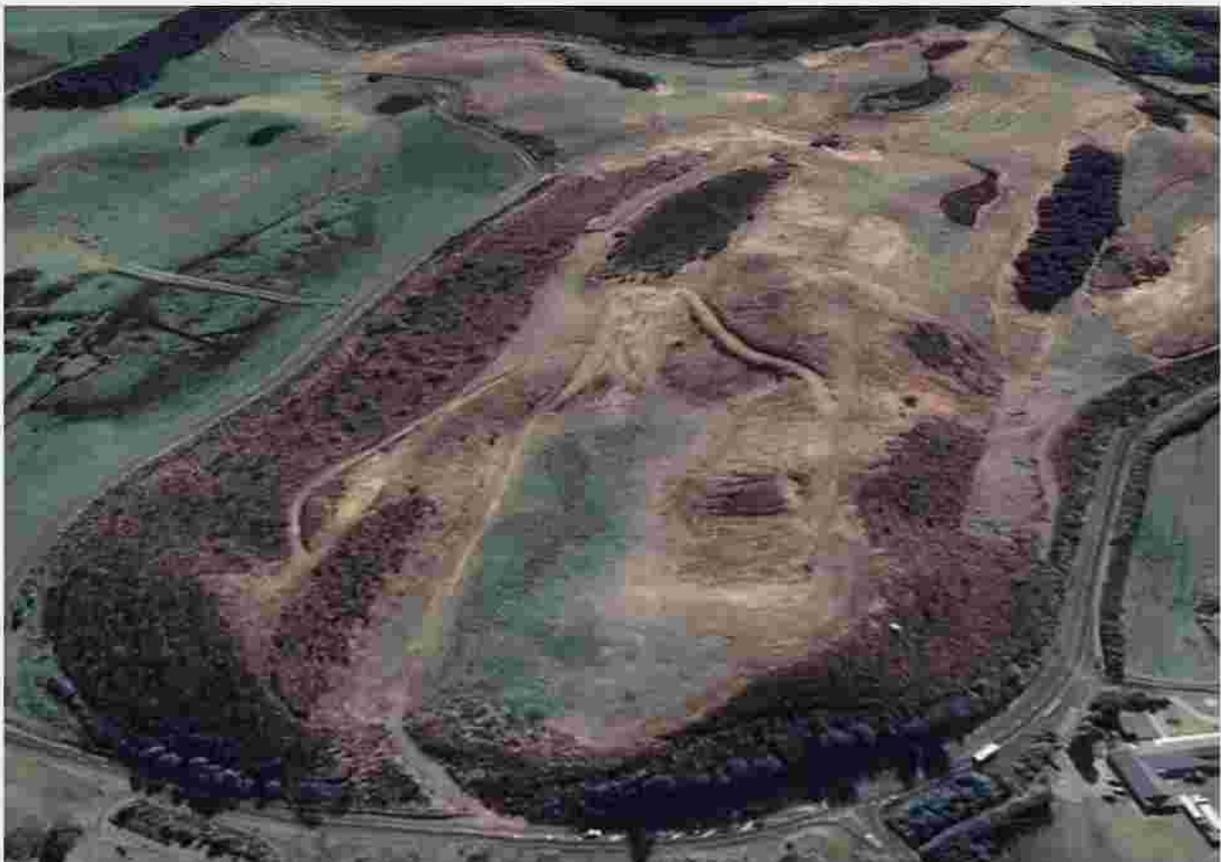
## 7.2 Ecological Impact Report (continued..)

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- Helicopter aerial herbicide spraying commenced between May 2018 and August 2018



5<sup>th</sup> May 2018



23<sup>rd</sup> August 2018

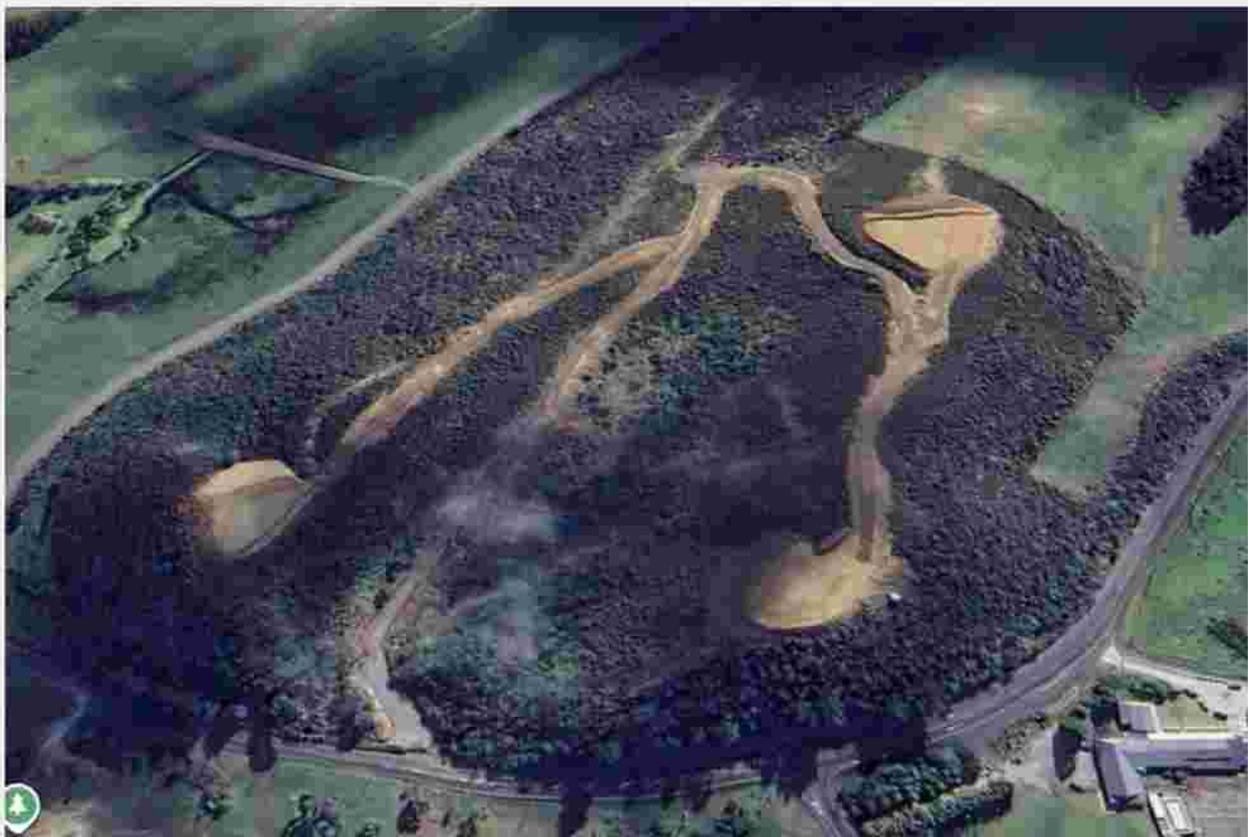
## 7.2 Ecological Impact Report (continued..)

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- Earth Works and access way development 2021/2022.



29<sup>th</sup> September 2021



11<sup>th</sup> August 2022

## 8. Heritage New Zealand Pouhere Taonga Act 1994

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The Heritage New Zealand Pouhere Taonga Act 2014 defines an archaeological site as a place associated with human activity before 1900.

A place associated with human activity after 1900 can be declared an archaeological site if it provides significant evidence relating to the historical and cultural heritage of Aotearoa New Zealand and can be investigated by archaeological techniques.

### ***New Zealand Heritage Pouhere Taonga Act 1994 s(43) details;***

#### **Declaration of archaeological site**

- (1) Heritage New Zealand Pouhere Taonga may, on reasonable grounds, declare any place to be an archaeological site if the place –
- (a) was associated with human activity in or after 1900 or is the site of the wreck of any vessel where that wreck occurred in or after 1900; and
  - (b) provides, or may be able to provide, through investigation by archaeological methods, significant evidence relating to the historical and cultural heritage of New Zealand.
- (2) A declaration under subsection (1) must be made –
- (a) by notice in the *Gazette*; and
  - (b) by public notice.
- (3) As soon as practicable after a declaration is made, Heritage New Zealand Pouhere Taonga must give a notice setting out the terms of the declaration –
- (a) to the affected owner (and the occupier, if different from the owner); and
  - (b) to every other person with a registered interest in the site; and
  - (c) to the relevant local authorities; and
  - (d) to the appropriate iwi or hapū.

### ***New Zealand Heritage Pouhere Taonga Act 1994 s(44) details;***

#### **Applications for authorities**

The following applications may be made by any person to Heritage New Zealand Pouhere Taonga:

- (a) an application for an authority to undertake an activity that will or may modify or destroy the whole or any part of any archaeological site or sites within a specified area of land, whether or not a site is a recorded archaeological site or is entered on the New Zealand Heritage List/Rārangī Kōrero or on the Landmarks list;
- (b) an application for an authority to undertake an activity that will or may modify or destroy a recorded archaeological site or sites, if the effects of that activity on a site or sites will be no more than minor, as assessed in accordance with [section 47\(5\)](#):



## **8. Heritage New Zealand Pouhere Taonga Act 1994 (continued..)**

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(c) an application for an authority to conduct a scientific investigation of an archaeological site or sites within a specified area of land, whether or not a site is a recorded archaeological site or is entered on the New Zealand Heritage List/Rārangī Kōrero or on the Landmarks list.

### ***New Zealand Heritage Pouhere Taonga Act 1994 s(45) details;***

#### **Application for approval of person to carry out activity**

(1) At any time before an activity in relation to an archaeological site is carried out under an authority, the person applying for the authority (or the holder of an authority) must apply to Heritage New Zealand Pouhere Taonga for approval of any person nominated to undertake the activity under an authority.

(2) A person must not be approved to carry out an activity under subsection (1) unless Heritage New Zealand Pouhere Taonga is satisfied that the 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 —

(c) has the requisite competencies for recognising and respecting Māori values; and

(ii) has access to appropriate cultural support.

(3) If it is necessary at any time, and for any reason, to replace the person approved to carry out an activity under an authority, the holder of the authority must, by written application to Heritage New Zealand Pouhere Taonga, seek approval for another nominated person to carry out that activity.

(4) Heritage New Zealand Pouhere Taonga must —

(a) determine an application under subsection (1) or (3) in accordance with this section not later than 10 working days after receiving it; and

(b) notify the applicant, and any other person directly affected, of the determination as soon as practicable.

(5) Despite subsection (4)(a), if an application for approval under this section is made concurrently with an application under section 44, the determination and notification of both applications must be made within the relevant time period specified in section 50.

### ***New Zealand Pouhere taonga Act 1994 s(46) details;***

#### **Information that must be provided with application for authority**

(1) Every application for an authority made under section 44 must be made in writing to Heritage New Zealand Pouhere Taonga in the form and manner prescribed by regulations made under this Act or as may be approved for the purpose by Heritage New Zealand Pouhere Taonga.

## 8. Heritage New Zealand Pouhere Taonga Act 1994 (continued..)

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(2) An application must include the following information:

- (a) a legal description of the land or, if one is not available, a description that is sufficient to identify the land to which the application relates; and
- (b) the name of the owner of the relevant land, if the applicant is not the owner of the land; and
- (c) proof of consent, if the owner has consented to the proposed activity; and
- (d) a description of each archaeological site to which the application relates and the location of each site; and
- (e) a description of the activity for which the authority is sought; and
- (f) a description of how the proposed activity will modify or destroy each archaeological site; and
- (g) except in the case of an application made under [section 44\(b\)](#), an assessment of –
- (h) the archaeological, Māori, and other relevant values of the archaeological site in the detail that is appropriate to the scale and significance of the proposed activity and the proposed modification or destruction of the archaeological site; and
- (i) the effect of the proposed activity on those values; and
- (ii) a statement as to whether consultation with tangata whenua, the owner of the relevant land (if the applicant is not the owner), or any other person likely to be affected –

(3) The application may (but need not) include an application required by [section 45](#).

(4) Before applying under [section 44\(c\)](#) to conduct a scientific investigation of a site of interest to Māori, the applicant must –

- (a) have the consent of the appropriate iwi or hapū; and
- (b) provide evidence of that consent in the information given under subsection (2).

(5) An applicant who provides the information required under subsection (2) for the purposes of a resource consent application or notice of requirement for a designation under the [Resource Management Act 1991](#) (the planning application) –

- (a) may provide the same information to Heritage New Zealand Pouhere Taonga as that provided for the planning application under the [Resource Management Act 1991](#); but
- (b) must ensure that all of the information required by subsection (2) is also provided.

*Section 46(5): amended, on 23 December 2023, by [section 6](#) of the [Resource Management \(Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting\) Act 2023](#) (2023 No 68).*

*Section 46(5)(a): amended, on 23 December 2023, by [section 6](#) of the [Resource Management \(Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting\) Act 2023](#) (2023 No 68).*



## 8. Heritage New Zealand Pouhere Taonga (continued..)

**As part of this CIA, contact was established with Heritage New Zealand Pouhere Taonga in April 2025 to enquire about;**

- Whether or not HNZPT had been to visit Pukengātu Pā.
- Whether or not HNZPT had a status update in relation to the last communication held between HNZPT and the property owners during past attempts to gain resource consent.
- Whether or not HNZPT knew that there were existing buildings ontop of Pukengātu Pā as at todays date.
- Whether on not HNZPT knew that Pukengātu Pā was a culturally significant site for te iwi o Ngāitakoto.
- Whether or not HNZPT knew why Pukengātu Pā was a culturally significant site for te iwi o Ngāitakoto.
- How to register Pukengātu Pā as a significant site for te iwi o Ngāitakoto.
- If a HNZPT advisor and/or achaeologist could conduct a site visit to Pukengātu Pā.

**HNZPT responded with the following email on the 15<sup>th</sup> April 2025;**

52 Rotokāwau Rd, Awanui External Inbox x

◆ Summarize this email

James Robinson <jrobinson@heritage.org.nz> 5:58 PM (2 hours ago) ☆ ↶ ⋮  
to me, Bill, Atareiria, Lisa ▾

Tena koe Mr Hooper

Thank you for your email identifying traditional names, places and events in the vicinity of Lake Ngātu.

While there are no recorded archaeological sites around these lakes this probably reflects a lack of survey rather than an absence of sites. The Heritage New Zealand Pouhere Taonga Act protects the physical remains of sites on the ground (eg pa, pits etc) and this includes both recorded and unrecorded sites. All sites with physical remains are protected by our Act and cannot be modified without an authority from HNZPT.

Heritage New Zealand Pouhere Taonga staff have viewed the three building sites and associated access ways on the property on Google Earth. The earthworks for these appear to have taken place in 2022-2023. We have checked with FNDC and they inform us that all Resource Consent applications to subdivide at 52 Rotokawau Road, Waipapakauri have either been rejected, cancelled or withdrawn.

We have informed council about the three building sites and access roads that may have been put in without any resource consent from FNDC. I assume that their compliance staff will investigate further with regard to the RMA.

Regarding the archaeological protection provisions of the Heritage New Zealand Pouhere Taonga Act, I will be carrying out an investigation of the earthworks to determine whether any currently unrecorded archaeological sites have been affected.

Kia ora mai ra

James Robinson

**As part of conducting this 'Cultural impact Assesment', Pukengātu Pā will proceed through the registration process with HNZPT as a significant site and an update on the site visit will be updated in due course. 15<sup>th</sup> April 2025.**

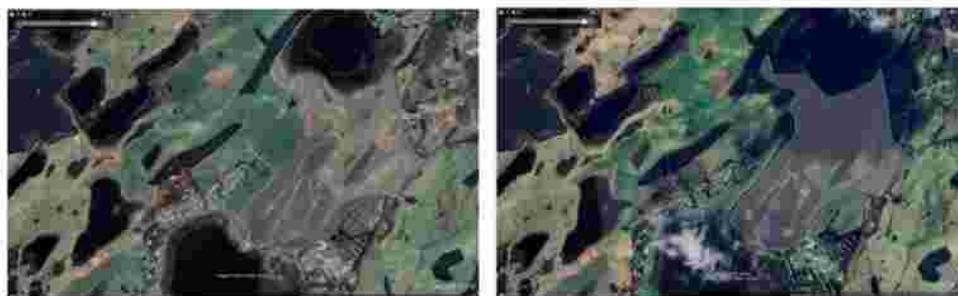
## 8. Heritage New Zealand Pouhere Taonga (continued..)

**The Senior Archaeologist (James Robinson) of Heritage New Zealand Pouhere Taonga has scheduled a site visit and sent an enquiry to the Far North District Council.**

Heritage New Zealand was informed by a member of the public that the above property had been developed with building platforms in the vicinity of and has damaged a traditionally recorded site called Pukengātu Pā. While there are no recorded archaeological sites on the property, it does contain a maunga called 'Ngatu' – which is most likely the location of the traditional site 'Pukengātu' (see QuickMap cadastral map below with the property outlined in purple).



While examining the google earth pro images there appears to be three building platforms with associated roads on the property. One of these is in the vicinity of Ngatu maunga mentioned above. Using the Google Earth Pro time slider roadworks for the building platforms and access roads appear after June 2022 and before January 2024 (see images below).



Grey polygon is the property. Left image June 2022. Right image January 2023.

While no recorded archaeology has been affected by the earthworks, the location of the property between Lake Ngatu to the south and Lake Rotokawau to the north is the type of environment where Heritage New Zealand would expect unrecorded archaeological sites to be present. If this turns out to be the case, these sites may have been damaged or destroyed by the earthworks.

Should the earthworks relate to an earlier rejected, cancelled or withdrawn resource consent, or to another unconsented development, your compliance officers may wish to make a site visit. If this is the case, I would be happy to accompany FNDC staff to determine whether any archaeological damage had also occurred.

Looking forward to your reply

Kia ora mai ra

Dr James Robinson | Senior Archaeologist Northland | Heritage New Zealand Pouhere Taonga | PO Box 836, 21 Hobson Ave, Kerikeri 0245 | Ph: 0272490864  
[www.heritage.org.nz](http://www.heritage.org.nz)

*Tairangahia a tua whakarero; Tātakihia ngā reanga o āmuri ake nei | Honouring the past; Inspiring the future*

## 9. Potential Cultural Effects

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### 9.1 Effects on Land and Sites of Significance

- As demonstrated, Pukengātu Pā is culturally significant to the people of Ngāi Takoto and must be recognised as a Pā and Wāhi Tāpū as provided for within the RMA (1991) and further clarified within the NTEP.
- The cumulative impact of alterations, aerial spraying, earthworks and now proposed subdivisions continue to systematically erode the integrity, history and Mana of this Wāhi Tāpū and therefore this is reflected on the descendants of Ngāi Takoto.
- This further diminishes the identity and sense of belonging for the people of Ngāi Takoto within their own rohe.
- There is a real risk of losing significant Ngāi Takoto history and cultural connections to Pukengātu Pā. This compounded with accumulated factors, from initial alienation, historical development and now the continued lack of consideration for the views and values expressed by Mana Whenua.
- Associated reports and management plans accompanying previous subdivision applications failed to provide any real consideration of the cultural significance of Pukengātu Pā and/or the values of Mana Whenua.

### 9.2 Effects on Waterways/ Wetlands and Kaitiakitanga

- It must be clearly noted that all restoration work around Pukengātu Pā was either led by or in partnership with Te Rūnanga O Ngāi Takoto/ Mana Whenua Kaitiaki, therefore, any proposed land development and/or land subdivision runs the risk of directly impacting this restoration work and established kaitiaki values.
- Past development and actions on Pukengātu Pā have already put pressure on the surrounding natural features, biodiversity and amenity values, with previous subdivision proposal and accompanied incomplete Management Plan seemingly doing little to alleviate or rectify these adverse effects.
- The recommendations mentioned in the Ecological Assessment prepared by Lisette Collins Northland Ecology (February 2021) do provide some mitigation;
  - Increasing the extent of the margins by planting native 'buffers'
  - Creating habitat corridors between the wetlands and Lakes
  - Increasing the extent of kanuka (*Kunzea linearis*) forest
  - Restoring indigenous vegetation on steep slopes
  - Retiring areas from grazing, control nitrogen fixing weeds
  - planting native species (locally sourced) and/or
  - Increasing the width of the Lake Rotokawau esplanade reserve
- Ngāi Takoto/ Mana Whenua have worked hard to get to this point to re-establish their connection to the whenua and enact their kaitiaki responsibilities to set a platform for future generations, ensuring remaining wetlands/ waterways are enhanced and protected.

## 10. Recommendations and Mitigation Measures

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### 10.1 Cultural Protocols and Recognition Recommendations:

- Formally recognise Pukengātu Pā as a Wāhi Tāpu/Cultural Significant Site within the RMA, District Plan (appendix 1F) and any other relevant legislative mechanisms.
- Register Pukengātu Pā with Heritage NZ and ensure adequate time is provided to conduct required historical assessments.
- Acknowledge this information is specific to Pukengātu Pā and that it may be used for future subdivision or resource consent application in this area, however, this CIA is not to be considered as consultation.
- Establish a positive working relationship with local authorities and decisions makers in regards to any future development, subdivision or significant resource application that falls with the Ngāi Takoto rōhe/area of interest.
- Build a proactive framework between Te Rūnanga o Ngāi Takoto, Local Government and Heritage NZ to help with identification and management of other unrecognised Wāhi Tāpū/Pā Sites and cultural Significant Sites within the Ngāi Takoto rōhe.

### 10.2 Avoidance and Minimisation Strategies

- Retirement considerations of some or parts of the allotments recognised as Pukengātu Pā in accordance with an in-depth historical assessment carried out by Heritage NZ and Te Rūnanga O Ngāi Takoto.
- This would mean that all work should stop and sufficient time is allowed for a comprehensive archeological assessment to take place.
- It is noted that the previous subdivision applications proposed to vest an allotment (Lot 16) as an Open Space Reserve. This reserve should, as a bare minimum, remain and be managed in partnership with Te Rūnanga o Ngāi Takoto at the applicants expense.
- This ability to 'vest' should be used for further retirement of land based on the historical assessment and ecological recommendation from Lisette Collins (2021).
- Access by Mana Whenua to this reserve and other historical sites identified as a result of archeological assessment should be granted in perpetuity.
- Covenants and other mechanisms over historical sites and wetland areas should be set as consent conditions with advice from Heritage NZ, qualified planner and Te Rūnanga o Ngāi Takoto.
- Consider options around the vesting of Pukengātu Pā back into customary ownership by way of sale.

### 10.3 Restoration, Enhancement Initiatives and Co-Management

- All future proposed restoration work as mentioned in Lisette Collins Ecological Assessment and required Management Plan should be part of a co-management arrangement between Te Rūnanga o Ngāi Takoto and the land owner at their expense.
- Iwi monitor on site during any future earthworks to enact taonga/ artifact unearthing protocol as specified in the NTEP at the expense of applicant.
- Ensure all stormwater is contained on the property and managed in a sustainable manner to ensure no excess run off overflows in to lake Ngātu or Lake Rotokāwau.

## 11. Conclusion

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Careful consideration has been given to this CIA in an attempt to capture known history, cultural values, the mana of the people of Ngāi Takoto, the significance of Pukengātu Pā and to recommend protection mechanisms to ensure its cultural heritage endures for future generations. The aim is not targeted at land owners but instead highlights the need to manage rural development in conjunction with current legislative frameworks so that all actions (and reactions) provide for iwi history, cultural preservation and consideration, damage mitigation on the surrounding environment and recognises and provides for the values and aspiration of Mana Whenua.

This CIA should be used as a tool to help the land owners and other external parties obtain a better understanding of the significance of Pukengātu Pā & the people of Ngāi Takoto, their principles and aspirations, which can be considered and applied holistically across this area and the wider taiao/ environmental space. Through this opportunity, this CIA provides scope for Te Rūnanga o Ngāi Takoto to work productively with the land owners, other parties and local authorities, now and into the future.

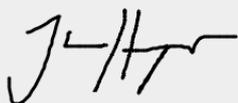
This CIA's purpose is primarily to provide information before consultation occurs to ensure all parties are aware of the Ngāi Takoto iwi's position. Appreciating this position is essential to understanding their response when ongoing consultation occurs and will help guide all parties throughout the resource consent process as this sets the foundation in regard to the Te Rūnanga o Ngāi Takoto Engagement Policy (Sec 3.4) set out in the Te Iwi o Ngāi Takoto Environmental Plan 2017 (NTEP).

***“He iti marangai, tu ana te pahukahuka,  
He iti pioke no Rangaunu he au tona.”***

*This refers to, small although the pioke may be,  
great is its wake, as it traverses the  
might of the Rangaunu harbour.*

**Prepared by:**

Kaio Hooper (Bsc)



## Bibliography

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## 12. Acknowledgments

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This report could not have been written without the support and knowledge of our forebearers, our Ngāitakoto kaumātua and kūia, Te Pā a Parore Marae, Wharemaru Marae, Waimanoni Marae, Mahimaru Marae and the foundation set by Te Rūnanga o Ngāi Takoto. A special mention must go to the late Mangu Awarau and the late Rev. Māori Marsden. Special thanks must also go to Rangitāne Marsden, Whiti Awarau, Shane Jones and those who dedicated their lives to capturing the narratives of our iwi over many generations.



# 13. Appendix

**From:** Doug Te Wake  
**Sent:** Tue, 3 Dec 2020 09:22:48 +0000  
**To:** Charlotte Anderson  
**Subject:** Resource consent 2300295 - 52 Rotokawau Road,

Tena koe Charlotte

For our context to keep in pace and be mindful of our ability and agility to make informed decisions and offer qualitative recommendations, I am hoping that you are able to assist me in a couple of enquiries with regards to this application:

With the length of time this application has been in progress or development; We have a couple of queries if you can answer for us please

Was the original or components of the original application granted and progress undertaken by the applicant;  
If so, what conditions were attached to that stage of development  
And, is there any data or quality assurance that can be shared with the department as references going forward.

Mihini nui kia koe

**Doug Te Wake**  
Department of Conservation (Te Papa Atawhai)  
Senior Ranger, Community  
Kaitiaki Matarua, Ao Hāpiti

DOI: +64 9 408 6294 VPN 7346  
**Tākinā te hi, Tiakina, te hō o te Āo Tūroa**  
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**From:** Charlotte Anderson <[Charlotte.Anderson@fndc.govt.nz](mailto:Charlotte.Anderson@fndc.govt.nz)>  
**Sent:** Monday, 23 November 2020 11:06 AM  
**To:** Alice Hosted <[AliceH@barker.co.nz](mailto:AliceH@barker.co.nz)>  
**Cc:** Trish Routley <[Trish.Routley@fndc.govt.nz](mailto:Trish.Routley@fndc.govt.nz)>  
**Subject:** FW: Resource consent 2300295 - 52 Rotokawau Road, Waipapakauri - Kustom Build Limited

Good morning Alice

Please see email from DOC below. Is this timeframe suitable?

Kind regards,



**Charlotte Anderson**  
RMA Support Officer

District Services, Far North District Council | 24-hour Contact Centre 0800 020 028  
DOI: +6494015524 | [Charlotte.Anderson@fndc.govt.nz](mailto:Charlotte.Anderson@fndc.govt.nz)  
[Website](#) | [Facebook](#) | [LinkedIn](#) | [Camera](#)

**From:** Hamish Eglinton <[heglinton@doc.govt.nz](mailto:heglinton@doc.govt.nz)>  
**Sent:** Monday, 23 November 2020 11:01 AM  
**To:** Charlotte Anderson <[Charlotte.Anderson@fndc.govt.nz](mailto:Charlotte.Anderson@fndc.govt.nz)>  
**Cc:** Meirene Hardy-Birch <[mhardy-birch@doc.govt.nz](mailto:mhardy-birch@doc.govt.nz)>; Doug Te Wake <[dtewake@doc.govt.nz](mailto:dtewake@doc.govt.nz)>  
**Subject:** RE: Resource consent 2300295 - 52 Rotokawau Road, Waipapakauri - Kustom Build Limited

Morning Charlotte,

DOC's decision Maker for this application has asked for an extension of time to **Wednesday 2 December** to provide comments.  
Is FNDC happy to extend the timeframe?

Kind regards

**Hamish Eglinton**

Statutory Manager, Northern North Island - Te Tai Tokerau  
Department of Conservation - Te Papa Atawhai

**Whangarei office**  
2 South End Ave, Raumanga, Whangarei, 1001 | PO Box 842, Whangarei 0140  
VPN: 7244 | M: 027 540 3701

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[www.doc.govt.nz](http://www.doc.govt.nz)

**From:** Charlotte Anderson <[Charlotte.Anderson@fndc.govt.nz](mailto:Charlotte.Anderson@fndc.govt.nz)>  
**Sent:** Tuesday, 1 December 2020 2:26 PM  
**To:** Alice Hosted <[AliceH@barker.co.nz](mailto:AliceH@barker.co.nz)>  
**Subject:** FW: Resource consent 2300295 - 52 Rotokawau Road,

Good afternoon Alice

Please find below email response from DOC.

Let me know if there is any additional information you would like me to send to DOC (it is possible for me to send the link to the original application - the same one I sent you)

Kind regards,



**Charlotte Anderson**  
RMA Support Officer

District Services, Far North District Council | 24-hour Contact Centre 0800 020 028  
DOI: +6494015524 | [Charlotte.Anderson@fndc.govt.nz](mailto:Charlotte.Anderson@fndc.govt.nz)  
[Website](#) | [Facebook](#) | [LinkedIn](#) | [Camera](#)

**From:** Doug Te Wake <>  
**Sent:** Tuesday, 1 December 2020 1:23 PM  
**To:** Charlotte Anderson <[Charlotte.Anderson@fndc.govt.nz](mailto:Charlotte.Anderson@fndc.govt.nz)>  
**Subject:** Resource consent 2300295 - 52 Rotokawau Road,

Tena koe Charlotte

For our context to keep in pace and be mindful of our ability and agility to make informed decisions and offer qualitative recommendations, I am hoping that you are able to assist me in a couple of enquiries with regards to this application;

With the length of time this application has been in progress or development; We have a couple of queries if you can answer for us please

Was the original or components of the original application granted and progress undertaken by the applicant;  
If so, what conditions were attached to that stage of development  
And, is there any data or quality assurance that can be shared with the department as references going forward

Mihi nui kia koe

**From:** Alice Hosted  
**Sent:** Wed, 2 Dec 2020 20:05:31 +0000  
**To:** Trish Routley  
**Cc:** Planning Support  
**Subject:** FW: DOC Letter with comments for RC1471 Kustom Build  
**Attachments:** Letter RC1471 Kustom Build.pdf

Hey Trish,

Thanks for sending your signature through, will send letter shortly - received the below from DOC and have included a point in the x32 letter suggesting that the applicant consider DOC's concerns in their response.

Ngā Mihi | Kind regards,

**Alice Hosted**  
Senior Planner

**B&A**

**B&A**  
Urban & Environmental

M +6427 211 3882

[Contact](#) | [Website](#) | [Facebook](#) | [LinkedIn](#) | [Twitter](#) | [Instagram](#)

**From:** Meirene Hardy-Birch <[mhardy-birch@doc.govt.nz](mailto:mhardy-birch@doc.govt.nz)>  
**Sent:** Wednesday, 2 December 2020 6:24 PM  
**To:** Alice Hosted <[AliceH@barker.co.nz](mailto:AliceH@barker.co.nz)>; Doug Te Wake <[dtewake@doc.govt.nz](mailto:dtewake@doc.govt.nz)>  
**Subject:** DOC Letter with comments for RC1471 Kustom Build

Kia ora Alice - I hope this email finds you well.

Please find attached DOC Letter with comments for application RC1471 Kustom Build. Many thanks for the time extension.

Kind regards  
Meirene Hardy-Birch  
Operations Manager - Kaitiaki District

# Lot 16 Reserve Support letters (2003)

Matarua Marae  
 P.O. Box 6  
 Awarua 5522  
 Rotorua

15th August 2003

Kevin Mulholland (Chairman)  
 Environment Trust  
 24, Merton St,  
 Rotorua

Kua Ora Kōwhiri

On behalf of Matarua Marae  
 we would like to be known and our support  
 for Environment Trust regarding the following  
 proposal pertaining to the 2003 Reserve Council  
 Application to be a reserve. We have supported  
 it by the way we have stated our views  
 in the original application for the reserve  
 and of a high standard with no  
 environmental impacts of a negative nature

Thank you  
 Yours sincerely  
 John Windlehorn  
 Secretary Matarua Marae



**Paparore School**  
 West Coast Road, R.D. Awarua

Ph: (09) 4067300  
 Fax: (09) 4067348  
 Principal: John Windlehorn



17 August 2003

FNDC Hearings Committee  
 KAIKOHE

Re: Application Number RC 2010771  
 Oruaki Farms Ltd

To Whom It May Concern

We understand that the Council is considering deleting Lot 16, namely "The Reserve," and incorporating it into Lot 15.

We would like to endorse the Bushland Trust submission to keep Lot 16 as a reserve. We feel that this is an extremely important resource for the school. It has excellent viewing over the whole area which our kura cares for and historically, it provides an area which we can gather for kaitiaki to speak to our tamariki about.

For a number of years now, our school has been involved in a number of environmental projects within the school, our local Lakes Projects, at the local Marae and we were hoping to help with the development of the intended "Reserve".

Our school would be disappointed if the Council's proposal was to eliminate these initiatives, not only for our tamariki, but the school and local Maori community.

Yours faithfully  
  
 John Windlehorn  
 (Principal)

cc: Bushland Trust  
 Te Paa A Puarere Marae

**Bushland Trust**  
 P.O. Box 124  
 Awarua  
 Rotorua  
 Phone Number 09 4027510

17 August 2003

FNDC Hearings Committee  
 KAIKOHE

Re Application Number RC 2010771

Re Applicant: Oruaki Farms Limited

Dear Sir/Madam,

The Bushland Trust has given conditional support to the proposed subdivision, Alter Horizons - Section Planner for FNDC, unless these conditions in his report.

However when the Bushland Trust put forward the submission reserve Lot 16 was included. Paparore School has given support to the inclusion of the reserve indicating that it could become involved in an environmental project including planting. The Bushland Trust is currently helping Paparore School with a similar project on DOC lease land adjacent to Lake Ngata.

The following reasons given for deleting Lot 16 are stated in Alter Horizons report.

4.6.7 In terms of amenity values, Lot 16 is being offered as a reserve to rest in the Council. The Northern Community Board has previously passed a resolution indicating that they do not wish to acquire further land for reserve at this point in time & while the site may have some potential as a reserve, the existing reserves & recreational use of Lake Ngata are considered sufficient to provide for amenity in the area. It is therefore considered that Lot 16 can be deleted from the subdivision plan, with the land incorporated into Lot 15.

**It is the Bushland Trust's considered opinion that Lot 16 as a reserve should not be deleted & should be included in the proposed subdivision for the following reasons.**

- The proposed reserve's of special significance given that it is high point in the area, a 360 degree panoramic view can be obtained from this site, looking SW to the rest of Shipwreck Bay, NE over Rongakau Harbour, N to Mt Carmel & 3 back to Kaitake. This was recognised by local Maori in the past & the hill was thus given the name Ngata Ahi, which translated means to stand & point. My wāhi always made reference to this as the place of the "for seeing eye". As a lookout of significance this site cannot be compared with the two existing DOC recreational reserves of Lake Ngata.
- The Trust has developed a walkway around Lake Ngata, access to Lake Heather, which has a lookout incorporating a shelter, over to Lake Tehoroa & out onto Sandhills Road. The inclusion of the proposed reserve will complement this walkway. It will also be of educational value to children, giving them the opportunity to see from the lookout an overview of the place they live in.
- The Bushland Trust will give an under taking to the northern Community Board to help develop & encourage the reserve in co-operation with the local community including local schools, an important objective of the Trust is to educate children & young adults about the local environment.
- The credibility of parking on the road adjacent to the proposed track up to the reserve has been considered by the Trust as a potential problem. Signage directing vehicles to the DOC recreational reserve approximately 40m further down the road is an option perhaps with the addition of no parking lines. A similar sign to the one already put in place by the BT delimiting the walkway could be placed in this parking area.
- If it is unclear if the northern Community Board viewed the proposal to create a reserve on this site given the inclusion of the wording "the community board has previously passed a resolution indicating that they do not wish to acquire further land." The Bushland Trust believes these proposals should be dealt with on a case-by-case basis in consultation with the local community.
- Lake Ngata is the only recreational water quality fresh water body that is easily accessible to the community of the far North. It is highly valued for its water sports & recreational use. These include water canoe, kayaking, swimming & walking/hunting around the lakes margin. DOC's long term plans for one of its amenity areas may include a camping ground. The inclusion of Lot 16 will add to the value of this prized community asset.

With reference to the focus on the recreational quality of the morning waters we see that the FNDC agrees that the installation of effluent & stormwater systems obtain a level of treatment that will not impact on the quality. In the last 12 months the BT has undertaken a filtration project to help construct overbanking Lake Ngata with reeds. The importance of maintaining the lakes water quality cannot be over estimated. If the lakes water were to become eutrophic (depleting oxygen resulting in decaying plant life & the death of most aquatic organisms) most of the beauty & recreational use that attracts people to the lake will vanish. Lake Chapare & Lake Rotiki is an example to take heed of.

With reference to Lindsay Chapman's report, it reflects the BT objectives in respect of Lake Kaitake. The Trust is willing to offer advice on the restoration of the lake margin, particularly in relation to weed control & erosion-prone plants.

Thank you for considering the Bushland Trust submission.

Yours faithfully  
 Kevin Matthews   
 Chairman of Bushland Trust.

# Disclaimer

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This Cultural Impact Assessment (CIA) has been prepared in good faith and in consultation with relevant iwi, hapū, and/or mana whenua, based on information available at the time of writing. The views expressed within reflect the perspectives of the contributors and the cultural values relevant to the area assessed. While every effort has been made to ensure accuracy, completeness, and cultural sensitivity, this report should not be considered exhaustive or final. Cultural landscapes are dynamic, and ongoing engagement with mana whenua is encouraged as part of any future planning, development, or decision-making processes.

This CIA does not substitute for formal consultation or engagement required under legislation such as the Resource Management Act 1991, the Heritage New Zealand Pouhere Taonga Act 2014, or the principles of Te Tiriti o Waitangi. The authors do not accept liability for any loss or damage arising from reliance on the contents of this report without further context or consultation.

Reports attached within the appendix of this report have been legally obtained by way of purchase via the Far North District Council's publicly available property database. A timeline of this process is as follows;

- 2nd April 2025 - Officially engaged by Craig Wells (Te Rūnanga o Ngāi Takoto) to provide a Cultural Impact Assessment (CIA) to document comments/concerns from manawhenua regarding the proposed subdivision of Pukengātu Pā. This was following a request sent by the property owner (Leah King) to Craig Wells and sent on the 25th March 2025.
- 3rd April 2025 (11:29am) - Application to and access purchased from the FNDC workspace to gain background information regarding the proposal to develop Pukengātu Pā and to view any relevant historical information as required to complete the CIA.
- 3rd April 2025 (03:05pm) - Access was granted and the availability of all correspondence and documentation was provided by Far North District Council (documentation that dates as far back as the early 2000s). A note from Olivia Perenara from FNDC stating that more information will be added and is continuing to be processed as we speak.
- 4th April 2025 - First official engagement with property owner, Leah King.

Use of this document in part or whole must acknowledge the contributing iwi/hapū and respect the tikanga associated with the mātauranga Māori shared herein.

This Cultural Impact Statement has been developed specifically for Te Rūnanga o Ngāi Takoto to acknowledge and record the cultural significance of Pukengātu Pā. It reflects the values, history, and ancestral connections that Ngāi Takoto holds with this important site. This document is intended to inform those with an interest in Pukengātu Pā and to support meaningful engagement with mana whenua from this date forward. It must not be reproduced, distributed, or shared in any form without the explicit permission of Te Rūnanga o Ngāi Takoto. Its purpose is to uphold and protect the cultural integrity of this taonga.

## **Information use disclaimer:**

All reports and documents referenced have been lawfully obtained and are used solely for their intended purpose – to support the assessment of the proposed subdivision application on behalf of the applicant and their associated partners. The intent of this assessment is to highlight information that has been explicitly relied upon within the resource consent process, particularly in the context of mana whenua status as an affected party, and to ensure that cultural values and the historical significance of Pukengātu Pā are appropriately recognised and provided for.