

Your written comments on a project under the Fast Track Approvals Act 2024

Project name	Waipiro Marina Fast Track Referral Application
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All sections of this form with an asterisk (\*) must be completed.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Patukeha Hapū  AND  Ngāti Kuta and Patukeha Hapū MACA Applicants MAC-01-01-076 and CIV-2017-485-321		
*First name	Charlie		
*Last name	Sherman		
Postal address			
*Contact phone number	s 9(2)(a)	Alternative	
*Email	s 9(2)(a)		

2. Please provide your comments on this application	
Introduction	
1.	Patukeha hapū and those in support of this submission <b>OPPOSE</b> the Waipiro Bay Marina Project referral application under the Fast Track Approvals Act 2024 ("the Project").
Ngāti Kuta and Patukeha	
2.	Patukeha share ahi kā with Ngāti Kuta over the rohe in which the Project is proposed to be located. Patukeha support the comments made by Ngāti Kuta on 13 May 2025. The two hapū are distinct and autonomous, however, as the rohe that they exercise rangatiratanga

and mana over are shared and in parts, overlapping, the experiences of the hapū are intertwined.

3. Their rohe extends not just to Waipiro Bay, but to the greater Īpīpiri area. A map depicting the rohe of Patukeha is included in the Patukeha Hapū Environmental Management Plan attached and marked **P-01**.<sup>1</sup>
4. The hapū continue to exercise ahikātanga and kaitiakitanga within their rohe and over their moana, lands, resources, and other taonga. While others may use these areas, Patukeha (along with Ngāti Kuta) have an obligation to care for their rohe in line with their customary practices and traditions.
5. Expressions of Patukeha kaitiakitanga in respect of their rohe moana have included the placement of Rāhui, for various reasons, including for the protection of resources and the environment. These customary practices and authority are continuously shared between Patukeha and Ngāti Kuta hapū to this day.
6. Ngāti Kuta and Patukeha have been recognised for their efforts in conversation management and protection as winners of the Northland Regional Council Te Tohu Matua – Supreme Award and Kaitiakitanga Award at the second annual Environmental Awards.<sup>2</sup> The hapū therefore have a proven track record of expertise in their rohe for conservation management and the protection of their lands, waters and resources.
7. Ngāti Kuta and Patukeha have filed a High Court Application seeking recognition of their rights and interests in respect of the Project Area and have also filed under the Crown recognition pathway prior to the implementation of the Fast Track Act. Their claims and interests in this area have therefore been well-known for some time.

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<sup>1</sup> Patukeha Hapū Environmental Management Plan (2024) at page 12.

<sup>2</sup> <https://www.nzherald.co.nz/northern-advocate/news/bay-of-islands-hapu-win-top-environmental-award/IAIX4HV62CMUD3SJQX4H7DDKWM/#:~:text=Patukeha%20and%20Ng%C4%81ti%20Kuta's%20work,on%20Facebook%20on%20Thursday%20evening.>



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8. The Project Area is located entirely within the rohe moana of Patukeha and Ngāti Kuta. The Project Area is entirely within the Ngāti Kuta Patukeha MACA CMT Application Area.

#### **Waipiro Bay**

9. Waipiro Bay is a pātaka kai for the hapū as it includes several kai gathering grounds of Patukeha and has been utilized as a space for gathering kai moana for generations of whānau members who whakapapa to the hapū. It is also surrounded by pā sites, wāhi tapu and sites of significance to the hapū. Of particular significance is the land which surrounds the Site itself, as this was the homestead of the Rangatira, Te Wharerahi, one of the founding brothers of te Patukeha hapū.
10. For these reasons, Waipiro Bay is regarded as a taonga to the hapū and it is considered that the protection of their taonga is imperative. Not just for the conservation of te taiao (the natural world), but also for the preservation of the cultural practices and way of life for the hapū.
11. Further detail on the importance of these sites to Patukeha has been included in the Affidavit of Jamie Hurikino Hakaraia dated 29 March 2017 attached and marked **P-02** and the Affidavit of the late Moka Puru dated 30 March 2017 attached and marked **P-03**. These Affidavits were filed in support of the Ngāti Kuta and Patukeha MACA Applications.
12. The above evidence is also consistent with feedback from Crown agencies on the application which included a Waipiro Marina Cultural Heritage map depicting the extent of archaeological sites located within and surrounding Waipiro Bay.<sup>3</sup> The feedback includes a reference to there being *“Multiple pā sites, middens, pit/terrace, ditch systems, wahi tapu and other culturally significant sites in vicinity.”* Any ground disturbance would therefore need to be approved by a Senior Heritage Advisor. The advice goes on to note that this should be referred to the

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<sup>3</sup> Annexure 19 to Azuma & Hoppers Application at page 9.

Heritage Advice Team, however, no advice from the Heritage team has been provided with the Application and supporting documents.

13. The importance of this area cannot be understated. It is significant not just to the hapū and to the Northland community, but to the nation as a whole for its natural beauty and wonder. The Eastern Bay of Islands as a whole is celebrated for this. The Project fails to sufficiently show how this natural amenity value will be maintained or upheld by the implementation of the Project.
14. The hapū consider that the Eastern Bay of Islands is a sanctuary, where access is restricted as a form of protection against environmental degradation as a result of Projects such as the one before us.
15. Correspondingly, Waipiro Bay is currently subject to the following:
  - 15.1. Controlled Area Notice (**CAN**) under the Biosecurity Act 1993 - The CAN has been in place since 2023 and is not due to expire until September 2025. A copy of the CAN notice area restrictions and Map are attached and marked **P-04**. The CAN places restrictions on moving equipment into the area including boats without a permit. The Activities described in the Project are therefore inconsistent with the CAN. The government has recently offered a cash contribution of \$6.5m to support the efforts to mitigate against Caulerpa in the area, and work on managing Caulerpa is ongoing.
  - 15.2. Fisheries (Kaimoana Customary Fishing) Regulations 1998 – The rohe of Patukeha for customary fishing purposes overlays the Project Area.<sup>4</sup>
  - 15.3. Rule 31.6 of the Northland Regional Council Coastal Plan (“NRCCP”), which affect Marine 4 Areas including:
    - (a) Rule 31.6.3 Structures;
    - (b) Rule 31.6.4 Reclamation;

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<sup>4</sup> See advice from MfE at page 11.

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(c) Rule 31.6.5 Discharge of Water;

(d) Rule 31.6.7 Dredging;

(e) Rule 31.6.8 Moorings and Marinas; and

(f) Rule 31.6.10 Mangrove removal. See a copy of the NRCCP attached and marked **P-05**.

15.4. Clause 11 of the NRCCP, which makes provision for the recognition of and provision for Māori and their Culture and Traditions.

15.5. The New Proposed Northland Regional Council Coastal Plan (“Proposed Plan”) also includes at least half of Waipiro Bay in an Aquaculture Exclusion Zone which prohibits the construction of a new structure, or extension of an existing structure, under Clause C.1.3. The Proposed Plan is attached and marked **P-06**.

16. The following applies, adjacent to, or in areas surrounding Waipiro Bay:

16.1. Te Pēwhairangi (Bay of Islands) Marine Mammal Sanctuary under the Marine Mammals Protection Act 1978.

16.2. Maunganui Bay to Opourua (Oke Bay) Rāhui Tapu – No Take Area which came into effect under the Northland Regional Council Regional Plan which became operative in July 2023. Attached and marked **P-07** is a copy of the Marine Mammal Sanctuary Map. Currently hapū work with the Regional Council and MPI to undertake monitoring in this area. The Project will likely place a significant burden on tāngata whenua who are not funded to conduct monitoring activities but do so as kaitiaki. The Project has not addressed this issue at all.

**Summary of Key Concerns**

17. Patukeha OPPOSE the referral of the Project through the Fast Track Procedure for the following reasons:
- 17.1. The Application does not meet the criteria for referral as set out in section 14 of the FTAA and should not have been approved by the responsible agency for referral. In particular:
- (a) The Application fails to provide sufficient information to demonstrate the project does not involve ineligible activities;
  - (b) The Applicants have not consulted with MACA Applicants;
  - (c) The Application does not comply with s16(1)(b) of the FTAA relating to the procedural requirements under s62A of the MACA Act 2011.
- 17.2. The **Project does not meet the criteria in section 22** as it:
- (a) Lacks evidence that it will deliver significant economic benefits;
  - (b) Lacks evidence that it will support climate change mitigation;
  - (c) Lacks evidence that it will support climate change adaptation and the reduction of natural hazards;
  - (d) Lacks evidence that it will address significant environmental issues;
  - (e) Fails to provide any consideration of cultural impacts; and
  - (f) Lacks support from the local community and hapū.
- 17.3. Even if the Minister finds that the criteria in s22 is met, the Minister should exercise their discretion to decline the referral application as it:
- (a) Would be inconsistent with the MACA Act 2011;

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- (b) Would be more appropriate to deal with matters that would be authorised by the proposed approvals under the RMA 1991, Heritage NZ Pouhere Taonga Act 2014, Wildlife Act 1953;
- (c) Will have significant adverse effects on the environment; and
- (d) The Project Area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes.

18. The strong preference of Patukeha hapū is that the Project undertakes the necessary approvals processes under the relevant legislation to ensure that the Project is properly investigated and any final approved project complies with public and tāngata whenua priorities. This includes appropriate and substantive engagement with the hapū and its members as kaitiaki, protection of the natural environment and protection of rights and interests including rights and interests which may be afforded under legislation such as the MACA Act.
19. On the current information provided to hapū through this Application, the fast-track process has promoted obtaining high level impact assessments which lack independence over proper consideration of important issues including environmental and cultural factors. It is therefore submitted that the Fast Track process should not be utilised as a short-cut to approval.

**Application does not meet the criteria for referral under s14 of the Act**

20. The Application documents provided show that initially in June 2024, Azuma applied for the Project to be a listed Fast Track project for inclusion in Schedule 2 of the Act. It was not included in the Act which came into force in November 2024 which indicates that it did not have sufficient information or that it was not of sufficient regional or national benefit at that time to be considered fit for referral.
21. Patukeha observes that this remains to be the case. The Application lacks the necessary information required to justify referral under the Act. In particular the Application:

- 21.1. Fails to provide clear evidence that it does not involve ineligible activities;
- 21.2. Fails to provide sufficient information for the Minister to decide;
- 21.3. Fails to show how consultation requirements under s11 have been complied with.

Ineligible Activities, s5 FTAA

- 22. The Application does not provide sufficient information with supporting evidence to demonstrate the Project does not contain any ineligible activities. The Application simply states “no” under the heading “are there any ineligible activities”. The Minister should require confirmation that there are no ineligible activities before an Application is referred.
- 23. The Ministry for Environment Preliminary Assessment which purports to support that there are no ineligible activities is dated 27 June 2024, prior to the FTAA coming into force which makes the advice out of date. It further contains a disclaimer that *“Given the time and scope constraints, the initial assessment is solely based on the information provided by the applications.”*<sup>5</sup> The Minister therefore cannot be confident that the assessment given by the MfE is accurate.
- 24. In the time available, it is unclear whether s5(g) might apply in this case to a significant portion of the Project. While there are existing moorings in the Project Area, the proposed Marina Development falls within Marine 4 Areas of the Northland Regional Coastal Plan under which the majority of the activities proposed in the Project would be considered “Discretionary Activities” requiring Coastal Permits that are unlikely to be the subject of existing authorisations.<sup>6</sup>
- 25. The application relies heavily on ecological assessments that are preliminary only, and does not yet provide sufficient evidence to demonstrate that adverse effects on indigenous species

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<sup>5</sup> MfE Advice dated 27 June 2024 at Table A.

<sup>6</sup> See for example Rule 31.6 of the Northland Regional Council Coastal Plan: Marine 4 Areas including Rule 31.6.3 Structures; Rule 31.6.4 Reclamation; Rule 31.6.5 Discharge of Water; Rule 31.6.7 Dredging; Rule 31.6.8 Moorings and Marinas; Rule 31.6.10 Mangrove removal



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and habitats will be avoided, as required under Policy 11 of the New Zealand Coastal Policy Statement.<sup>7</sup> Annexure 12 identifies the presence of threatened and at-risk species, including the Australasian Bittern, yet recommends that further field surveys are still needed.<sup>8</sup> For example, the report notes that "surveys will be required to determine if the SBA (Significant Bird Area) is being used by Bittern and other bird species",<sup>9</sup> and that the southern wetland will be "delimited prior to any substantive application" with its ecological values still to be determined.<sup>10</sup> It also acknowledges that "species presence within these habitats is yet to be determined, surveys are planned as part of the substantive application",<sup>11</sup> and that "detailed survey data... will be used to finalise the design such that adverse effects are avoided".<sup>12</sup> The report concludes that without this further information, "it is hard to speculate if offsetting or compensation will be required or to what extent".<sup>13</sup> These statements highlight significant gaps regarding the extent of ecological impacts, particularly on threatened species, wetlands, and wildlife habitats. Further investigation is clearly required to properly ascertain the environmental effects of this project.

26. The Minister must decline an application for referral if an ineligible activity is found. This is therefore something that the Minister should be certain of, which it cannot be on the information provided within and alongside the Application.

Consultation requirements not met, s11 FTAA

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<sup>7</sup> Main Application, at p26.

<sup>8</sup> Annexure 12, p8.

<sup>9</sup> Annexure 12, p2.

<sup>10</sup> Annexure 12, p3.

<sup>11</sup> Annexure 12 pp8–9.

<sup>12</sup> Annexure 12, p13

<sup>13</sup> Main Application, at p.14

27. S11(1) of the FTAA prescribes that before lodging an application the applicant **must** consult various listed groups. Ngāti Kuta and Patukeha submit there has been:
- 27.1. **No consultation** with Ngāti Kuta and Patukeha MACA applicants with applications for customary marine title at any stage;
- 27.2. **Provision of Limited information** on the Project in general terms without the provision of all supporting documents and reports in sufficient time for Ngāti Kuta and Patukeha to consider and or respond to any of the information contained in them.
28. The Applicants have failed to provide any evidence of consultation with MACA Applicants beyond sending letters to Applicants inviting comments. The letters have been referred to but not attached to the Application. The Applicants themselves have also noted that consultation thus far has been limited and informal, further indicating that “no formal consultation has been undertaken to date”.<sup>14</sup>
29. The Applicants have referred to the Draft Moana Management Plan of Ngāti Kuta me Patukeha dated 2007 and a Hapū Management Plan of Ngāti Kuta for the management of fish stocks. However, the Applicants have not attempted to engage with the principles contained within the Management plans and an acknowledgement does not equate to consultation.
30. The Applicants have referred to correspondence and a meeting held with representatives of Patukeha and have suggested this has led to a feedback loop. However, the Applicants have not provided copies of the correspondence and have not provided any detailed explanation about what the nature of the feedback has been or how it has informed the project (as contemplated by s13(4)(k) of the FTAA.
31. The Applicants have suggested that no concerns have been raised to date. However, Patukeha submit it is more accurate to say that they have not been provided with sufficient detail or information to assess and identify any areas of concern until they were invited to comment on this Application for referral. Any initial comments Patukeha were preparing to make intended

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<sup>14</sup> See MfE advice at page 5.

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to be part of their own initial due diligence and in anticipation of an ongoing partnership with Azuma (as set out below).

32. Patukeha accept some of their representatives were first notified about the proposal for the Project in about March 2024. However, notification is not the same as consultation. At that stage, any information available was high level and the hapū representatives were reassured by the Applicants that the Project was at the “very early/conceptual stages of development”. The Applicants further expressed to Ngāti Kuta and Patukeha there would be an ability for “a partnership” to occur with the hapū. See email from Kallam Brown dated 9 April 2024 at **P-08**.
33. Despite the lack of information, and early stages of the Project, the hapū undertook to be proactive and internally discuss questions in anticipation of that partnership and further detailed information being supplied.
34. In May 2024, the Applicants followed up on how Ngāti Kuta and Patukeha were getting on with their feedback on the Proposal. However, no further information was provided aside from mention that further technical investigatory work was being conducted by the Applicants.
35. In September 2024 Ngāti Kuta and Patukeha hapū members sent a number of initial queries to Azuma representatives about the Project with a note that the hapū would require further time to meet to discuss and raise further questions.
36. On 9 January 2025, an email was sent from Kallam Brown to Patukeha representatives indicating they are starting to undertake more investigative work for Waipiro and wanted to understand the position of Ngāti Kuta and Patukeha.
37. It was not until 21 February 2025, that Azuma provided Patukeha representatives with a Preliminary Ecological Assessment, a Preliminary Landscape and Visual Assessment and Economic Assessment Report. The reports were provided on a “draft” basis and shared in the hopes of generating more discussion.
38. Patukeha considers that consultation would have required at the very least, sufficient time to review and consider the reports and information and provided feedback on those to the

Applicants and areas of concern. That has not been possible prior to filing the Application through the Fast Track process.

**Minister must decline an application**

39. Per s21(3) the Minister must decline an application if they consider the Application includes an ineligible activity or he/she lacks sufficient information to decide whether to refer the application. Patukeha submit that for the reasons set out above the Minister should decline the Application.

**The Application fails to meet the Criteria in s22 of the FTAA**

40. In addition, Patukeha provides the following comments on how the criteria in section 22 of the FTAA is not met by the Applicants.
41. The Project has proposed a single project and in accordance with s21(a)(i) of the FTAA would therefore need to meet the Criteria in section 22 as a whole

**Insufficient evidence to support the Project is of significant regional or national benefit**

42. The Applicants have failed to show with sufficient supporting evidence how the Project would have significant regional or national benefits, for the following reasons:
- 42.1. Ecological and Environmental Factors
- (a) Patukeha have already seen a decline in marine species in this area due to poor water quality and environmental degradation, the Project would exacerbate the situation.<sup>15</sup>
  - (b) The proposed environmental mitigation is largely speculative and lacks commitments or evidence of secure funding.

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<sup>15</sup> Te Rūnanga o Patukeha Hapū Environmental Management Plan (2024) at 1.8.3b.

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- (c) The proposed dredging and breakwater construction would cause substantial and irreversible damage to the seafloor.
- (d) The proposal to remove mangroves and disturb the mudflats that are critical in providing breeding grounds, food and vital habitats for bird and marine species. The development threatens to permanently alter or destroy these essential ecological characteristics.<sup>16</sup>
- (e) The increased boat traffic associated with the proposed marina would result in:
  - i. Elevated noise and pollution, disturbing to the birdlife, and other effected species in Waipiro Bay;
  - ii. Increased recreational fishing pressure in an already depleted environment, which was once historically rich in shellfish beds, which has now been overharvested; and
  - iii. Further, strain on limited anchorage space, raises both safety concerns during storms and the risk of ecological degradation from anchor damage to seagrass and other sensitive marine habitats.

42.2. Inconsistent with other legislation and regulations

- (a) As detailed above, the Project Area is currently subject to a CAN which is imposed for the management of the toxic seaweed, Caulerpa. This toxic seaweed spreads rapidly, and was been detected in the Huirangi inlet, which is the mouth entrance to Waipiro Bay, as early as May 2023. Attached and

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<sup>16</sup> Te Rūnanga o Patukeha Hapū Environmental Management Plan (2024) at 9.0a.

marked **P-09** is an article from May 2023 which shows the detection of Caulerpa in that inlet.

- (b) The construction of the proposed Marina therefore poses a serious risk to ongoing eradication efforts, particularly considering the proximity of the Marina to already exposed areas. Interference such as dredging and other construction-related activities could accelerate the spread of Caulerpa into areas that have not yet been affected.
- (c) Furthermore, the Applicant has failed to outline what measures will be in place once the CAN expires or, in the unlikely event that it is not renewed. The hapū consider that the reliance on the expiration date of the CAN disregards the significant impact that Caulerpa has had on the ecology of the Project Area. Volunteer members of the hapū have dedicated years of hard work to managing this pest and note that the hard work is not yet over, considering the continued spread of this seaweed. Attached and marked **P-10** is a copy of an article from May 2025 which explains the significant amount of work still required to manage Caulerpa.
- (d) Despite the efforts of the hapū to mitigate the spread and attempt to eradicate Caulerpa, the toxic seaweed has now spread another location within their rohe. Attached and marked **P-11** is an article from March 2025 which confirms this, along with a map of Caulerpa locations as at April 2025.
- (e) It is therefore unlikely that this work will be complete by September, and is a feeble assumption that the CAN will not be extended beyond this date.
- (f) The assertion that the marina will help manage biosecurity risk by concentrating vessel arrivals is speculative and lacks supporting evidence. However, it raises concern, as marinas can heighten biosecurity risks as a result of attracting traffic where vessels/boats visit both nation-wide and internationally.



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#### 42.3. Economic Factors

- (a) The economic modelling used by the Applicant comes from reports commissioned by the Applicant themselves. There is no independent confirmation or analysis of the reports.
- (b) The Applicant claims that the development will contribute a total of \$177.9–\$218.8 million in value-added GDP and support 137–148 full-time equivalent jobs over a 30-year period. The analysis relies on optimistic projections about increased marine tourism and visitor spending, without accounting for global influence, or long-term infrastructure costs. The Job creation predictions lack detail on the type, duration, and local accessibility of employment, especially for local Māori or those in the immediate community.<sup>17</sup> Specifically, there have been no commitments made to provide employment to local Māori who whakapapa to Patukeha.
- (c) The development serves predominantly high-income recreational users (for example private yacht owners), with minimal demonstrable benefit to those most affected by the proposal.
- (d) There is no definitive or comprehensive agreement in place between both the Applicant and Patukeha to ensure that there are processes in place to support the employment of Hapū members, particularly at an executive level.

#### 42.4. Public interest

- (a) The applicant claims the marina will address a shortfall in modern marina infrastructure by providing 200–250 berths, a public boat ramp, trailer parking, and commercial services (fuelling, hospitality, and retail). However, the project

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<sup>17</sup>Economic benefits calculated for the project Annexure 07 of the Applicants Application.

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primarily serves private recreational users with limited broader public benefit. Further, the proposal does not address critical infrastructure needs or align with public interest priorities. Emphasis on commercial amenities raises concerns about prioritising private profit over public good.

- (b) The Bay of Islands is already overcrowded during peak times. Introducing 200+ berths would put unsustainable pressure on local resources and increase safety and environmental risks.
- (c) Further, Waipiro Bay, provides a key safe anchorage, with the Marina Waipiro Bay would face reduced accessibility<sup>18</sup>.
- (d) The area already has basic marina infrastructure and emergency services, making the scale of the proposed development unnecessary.<sup>19</sup>

#### 42.5. Cultural Concerns

- (a) The Project is placed within an area that is surrounded by wāhi tapu, and falls squarely over top of the pātaka kai that has provided generations of Ngāti Kuta and Patukeha hapū members with fresh kaimoana.
- (b) A number of other sites surround the Project, ranging from traditional gardens and urupā, to battlefields, fishing spots, and modern homes. These sites form a vital connection between the hapū identity and the whenua. While many of these places are not formally registered, they still hold spiritual and cultural significance to the hapū. Protecting these places is not just about preserving the past, it is about upholding hapū identity, honouring our role as kaitiaki, and ensuring our heritage is passed on to future generations.
- (c) Protection should extend beyond the archaeological sites themselves and instead encompass the broader cultural landscape. The voices of kaitiaki and

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<sup>18</sup> Te Rūnanga o Patukeha Hapū Environmental Management Plan (2024) at 10.4

<sup>19</sup> Te Rūnanga o Patukeha Hapū Environmental Management Plan (2024) at 10.5.

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tangata whenua, who live with and care for these places, must guide how they are managed and safeguarded. Unfortunately, developments such as these often place these sites at serious risk.

- (d) Tangata whenua must be able to access the coastal marine area freely to practice customary activities such as gathering kai and caring for wāhi tapu. While protecting sensitive environments and native species is important, such efforts must not unfairly restrict tangata whenua from fulfilling their responsibilities as kaitiaki. Furthermore, these culturally significant sites must be protected, regardless of whether the public has access to them.
- (e) The cultural considerations currently presented in the application do not accurately reflect the cultural values, interests, or environmental concerns of the mana whenua and the hapū.
- (f) It is of particular concern that the Site of the proposed development is closely surrounded by the following pā sites:
  - i. Ohae;
  - ii. Opopoti; and
  - iii. Reanui.
- (g) Attached and marked **P-12** is a copy of the exhibit to the Brief of Evidence for Moka Kaenga Maata Puru in the Wai 1040 Te Paparahi o Te Raki Inquiry which shows the various pā sites surrounding Waipiro Bay.<sup>20</sup> Access to the moana and various other sites of significance is therefore of extreme importance to the hapū.

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<sup>20</sup> At page 14.

42.6. Lacks support from the local community

- (a) The Application distorts the public's desire for a development of this sort. The local community, including heritage and community groups, have voiced their concern about the development of a large Marina within the Eastern Bay of Islands.
- (b) Attached and marked **P-13** are a number of letters in support of this submission in opposition. These letters provide further detail on the extent to which the local community not only oppose the Application, but also oppose the Project itself.
- (c) This Application has garnered significant public interest and opposition to the Project itself. The hapū consider that the referral of this Project to Fast-Track does not constitute a significant benefit to the nation, and have gathered a significant number of signatures in support of this position. Attached and marked **P-14** is a copy of a petition in opposition to this Application, which, as at 14<sup>th</sup> May 2025, has received 12,036 signatures in support within just 7 days. This petition has not been restricted to the local community, and therefore shows the national significance of this issue.
- (d) Representatives from both Ngāti Kuta and Patukeha met with the Far North District Council ("FNDC") on 7 May 2025 to discuss this Application and have received their support to oppose the Application for referral.<sup>21</sup> This further solidifies the local community opposition to the Application.

43. It is not accepted that the Fast Track process will enable it to be processed in a more timely manner. The Project still requires various approvals under the RMA as set out in the Application and are likely to also require approvals under:

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<sup>21</sup> New Zealand Herald "Far North Mayor supports hapū opposed to fast-tracking of marina plan" (8 May 2025) <https://www.nzherald.co.nz/northern-advocate/news/far-north-mayor-supports-hapu-opposed-to-fast-tracking-of-marina-plan/N3THRL43Z5CS7BR2K46JM6C4C4/>

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43.1. sections 42, 44 and 45 of the Heritage New Zealand Pouhere Taonga Act 2014; and

43.2. section 53A of the Wildlife Act 1953, under which the foreseeable consequence of development will incidentally kill protected wildlife.

44. Consequently, the Fast-Track Process will not enable the Project to be processed in a more timely matter.

**Minister should exercise discretion to decline to refer Application**

45. Even if the Application is found to meet the criteria in section 22, the Minister should exercise their discretion to decline the Application for the following reasons:

*The Application is inconsistent with the MACA Act*

46. The Project is entirely within the common marine and coastal area and is entirely within the application area of Ngāti Kuta and Patukeha MACA applicants whose applications have yet to be considered.

47. Section 6 of the Act provides that customary interests in the Takutai Moana are restored.

48. It would be entirely inconsistent with the purpose of the MACA Act set out in s4 if the Project were allowed to proceed through the Fast Track process before the substantive applications of Ngāti Kuta and Patukeha were able to be heard and determined under the MACA Act. This would not enable an appropriate balancing of interests, as any customary interests would be defeated simply by dint of legislative process in one Act (FTAA) circumventing the spirit and intention of another (MACA).

49. Section 7 encourages and upholds the rights of affected, iwi, hapū and whānau to participate in conservation processes. However, the Fast Track Approvals process would not facilitate this.

50. If any applicant under MACA is successful in obtaining a CMT in that area, their interests would be akin to interests in land, and their permission would be required before certain activities could be permitted. It would be open to the applicant group to negotiate terms of agreement

with the group seeking to use or occupy the CMT Area. By enabling a group to circumvent the MACA Act process, the Crown would effectively be permitting a carve out of rights to non-MACA groups not contemplated by the Act without ensuring appropriate compensation is made available to the iwi, hapū or whānau.

*More appropriate to deal with under RMA and other relevant legislation*

51. The claim that the standard Resource Management Act, Heritage Act, and Wildlife Act processes are too slow or expensive does not justify bypassing the proper assessment of environmental and cultural effects. These costs are a normal part of ensuring robust decision-making for projects with long-term consequences.
52. Specifically, the application lacks a substantive Cultural Impact Assessment, Social Impact Assessment, and Environmental Impact Assessment. Each assessment has a vital role in ensuring developments proceed in a way that respects people and the environment affected. These assessments ensure all relevant effects of a proposal are identified, understood, and addressed.
53. A Cultural Impact Assessment helps determine how the proposal may affect the values, practices, and relationship of mana whenua and hapū with the land and Waipiro Bay. Its absence means the application does not reflect the values, or responsibilities of those who hold customary interests with Waipiro Bay.
54. A Social Impact Assessment ensures any impacts on community wellbeing, cohesion, and quality of life are identified and considered.
55. An Environmental Impact Assessment is necessary to evaluate potential risks to local ecosystems, biodiversity, and natural resources. Without this, there can be no confidence that environmental protections will be upheld.
56. The applicant's prior experience, does not eliminate the need for public input, independent assessments, and potential challenge, especially given the scale and location of this development. Efficient administration must not come at the cost of meaningful oversight.



PATUKEHA HAPŪ & MACA APPLICANTS

OPPOSITION TO WAIPIRO BAY MARINA FAST-TRACK REFERRAL APPLICATION

57. Fast-tracking this application in the absence of these assessments undermines the integrity of the process. It risks proceeding without a genuine understanding of the impacts on local communities, the environment, and mana whenua. Given the level of public interest, environmental concerns, and local hapū considerations, this project is more appropriately handled through the full consenting process, where adequate time and resources can be allocated to determine whether consent should be granted.
58. The Applicant further fails to address how the necessary authority under the Heritage Act will be acquired. This is of particular concern given the number of archaeological sites present within the Bay and surrounding areas.<sup>22</sup> It is likely that the necessary authorities will still be required under the Heritage Act, however, the Applicant states an intention to engage in the future and an assumption that there will be “no further sites of significance found”.<sup>23</sup>
59. The hapū consider that this is insufficient to quell concerns regarding the various archaeological sites, and that the Applicant has failed to do their necessary due diligence under the Heritage Act in advance of submitting this Application. It has therefore attempted to evade their obligations under this Act.

*The project may have significant adverse effects on the environment*

60. Patukeha are particularly concerned with the adverse environmental effects towards the waters of Īpīpiri and Waipiro Bay. Due to poor management, marine species have declined from habitat loss, pollution, and overharvesting. The proposed marina development is expected to cause further serious environmental harm, including:
- (a) Destruction of marine habitats through dredging and breakwater construction, increasing turbidity and damaging the seafloor and species within the Waipiro Bay;

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<sup>22</sup> See attachment 19 to the Main Application.

<sup>23</sup> See main application at 3.1.6.

- (b) Loss of critical ecosystems, including intertidal mudflats and mangroves that support breeding and feeding grounds for marine and bird life; and
- (c) Increased environmental pressures from boat traffic, such as noise, pollution, and intensified fishing, exacerbating the degradation of already stressed marine habitats.

The project includes areas of land required for Treaty Settlement Purposes

61. Ngāti Kuta and Patukeha are currently seeking to have their mandate endorsed to proceed to negotiations with the Crown of their historical claims. There is potential scope for those negotiations to include consideration of their MACA claims. It is therefore inappropriate to undercut these ongoing negotiations which concern the Project Area while being well aware of the possibility of future recognition of the hapū as authority holders under legislation.

Insufficient information

62. The Application contains insufficient information regarding the necessary Wildlife Act and Marine Mammals DOC approvals. The Application therefore cannot be determined without an ecological values assessment.
- (a) Ngāti Kuta and Patukeha are well-respected by local businesses and operators alike and work collaboratively at fostering relationships with the local and regional councils under specific hapū management plans and relationship agreements. For example, the hapū work closely with the Department of Conservation and the relevant local Councils in collaboration over the management of their resources and taonga within their rohe. Of note is the HEMP which has been approved by the Far North District Council which is intended to guide how the hapū can exert their authority and kaitiakitanga over their rohe.<sup>24</sup>

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<sup>24</sup> As attached at P-01.

PATUKEHA HAPŪ & MACA APPLICANTS

OPPOSITION TO WAIPIRO BAY MARINA FAST-TRACK REFERRAL APPLICATION

- (b) Ngāti Kuta and Patukeha have a proven track record when it comes to making positive influences on the environment for the benefit of their community. Some recent success stories include:
- (c) In 2020, the hapū were named winners of Te Tohu Matua, the Supreme Award and the Kaitiakitanga Award at the second annual Environmental Awards hosted by Northland Regional Council for their work in restoring bush and birdlife using indigenous knowledge;
- (d) In 2025, the hapū have been hailed for their efforts in mobilising the community in the Bay of Islands area to mitigate against the spread of the Caulerpa Seaweed.<sup>25</sup>
- (e) In November 2024, the Northland Regional Council reconfirmed under Te Ruarangi a relationship agreement between the Council and tangata whenua as Te Tiriti Partners. This built on earlier Terms of Reference agreed in June 2020. Te Ruarangi has been developed on agreed values and principles including to “maintain and improve opportunities for Māori to contribute to local government decision making processes”.<sup>26</sup>
- (f) Progressing the Project through Fast Track has already undermined and will continue to undermine the relationship agreements reached between Council and tāngata whenua as it has expedited the consultation processes that are usually required under the various pieces of legislation for consenting applications.

63. Furthermore, the Application fails to provide the necessary information on what consents and approvals are required under the Heritage New Zealand Pouhere Taonga Act 2014.

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<sup>25</sup> See attachment P-10.

<sup>26</sup> Te Ruarangi, November 2024, at page 3.

### Conclusion

64. Waipiro Bay is a taonga to both Patukeha and Ngāti Kuta. Fast-Tracking any consent process for development within this area therefore constitutes a grave threat, not just to the environment and well-being of the moana, but to the kaitiakitanga that the hapū exercise over the area. Fast-Tracking of consents for development will result in the voices of the hapū, mana whenua and mana moana being disregarded in favour of supposed urgency and a vague promise of supposed partnership. This Application is therefore vehemently opposed by Patukeha hapū.
65. The hapū consider that this Application does not meet the necessary requirements under section 22 of the Act, and that the development itself may be considered an ineligible activity under section 5 of the Act.
66. For the reasons contained within this letter, the hapū strongly urge the Minister to decline this Application so that the development may be tested under the various other pieces of legislation. It is hoped that if this Application is declined, the voice of the hapū will be heard.

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.

**Signed by: Coral Panoho-Navaja of Wackrow Panoho & Associates Limited**



**On behalf of**

**Manager:** Charlie Sherman

**Patukeha Hapū**

**MAC-01-01-076**

**CIV-2017-485-321**

Date 15 May 2025

# Te Rūnanga o Patukeha

ROOPU MANA TAIO  
Environmental Management



# PATUKEHA HAPU ENVIRONMENTAL MANAGEMENT PLAN 2024

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## Acknowledgments

Our plan reflects the attitudes, values, and aspirations of the whānau of Patukeha; it would not, and could not, have come to fruition without their involvement.

To our kaumātua, both past and present, who laid the foundations for this mahi, establishing the values that continue to guide us today, we offer our deepest gratitude. You embraced this project with open hearts, even when at times we frustrated you with our haste and impatience. You have mentored us, imparting the inherent principles of respect and aroha for the natural environment, and guiding us in the wise and sustainable use of the resources gifted to us by Papatūānuku and Tangaroa.

To our pakeke, we are deeply thankful for the drive and passion that brought this plan to life, for your steady guidance that kept the project moving forward, and for your unwavering commitment and faith that saw it through to completion.

And to our tamariki, thank you for being the very reason we undertook this journey in the first place. You are the future, and all we do is for you.

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*Kia ū te mana  
kia kā te ahi o Patukeha  
mo ake tonu atu*







## PART I: INTRODUCTION

### 1.0 Mana Whenua

**Kia tākina te tautara ki Motūkōkako whakatahahia te Tikitiki o Tūtemahurangi, he manu kawē i ngā kī ki roto o Pouerua, ngā kohu e tatao ki runga o Rākaumangamanga kei tāhuna kia tapu te riri whai mai rā ki ahau.**

English korero for above ....

This plan is written on behalf of hapu and whanau of Patukeha. Over the last two decades in particular, the hapu have been faced with increasing pressure to respond and have input into a variety of issues such as the increased subdivision in our rohe, progression of treaty claims, resource management planning and customary fisheries issues. In recognition of the need to have a formalised strategy to deal with these matters this plan has been produced.

The Patukeha hapū of Ngāpuhi trace their origins to three influential brothers: Te Wharerahi, Rewa, and Moka. They took the name Patukeha for their descendants in memory of their mother, Te Auparo, and their sister, Te Karehu, both of whom were killed by a Ngare Raumati taua. After defeating Ngare Raumati in 1828, the brothers divided the land, and their descendants settled in Te Rawhiti through to Kororareka, where they maintain ahi kā today.

Te Wharerahi, also known as Hōri Kīngi, was the eldest of the three brothers and a leading chief of the Ngāi Tawake hapū of Ngāpuhi. Known for his diplomatic skills and as a peacekeeper, he played a pivotal role in the early missionary activity in the region, notably intervening to protect missionaries during attacks in 1828. He was involved in the establishment of the mission station at Waimate in the early 1830s and was one of the signatories of the Declaration of Independence in 1835. Later, Te Wharerahi supported the signing of the Treaty of Waitangi in 1840, firmly believing in maintaining peace and fostering balanced relationships between Māori and Pākehā.

Rewa, also known as Mānu, the second eldest of the three brothers was a significant Ngāpuhi chief and key figure in the northern alliance of Ngāpuhi, Rewa succeeded Hongi Hika after his death also in 1828. His leadership was instrumental during the Musket Wars, and he played a major role in both military and diplomatic actions. He was involved in the early establishment of missionary presence in the Bay of Islands, and he signed the Declaration of Independence in 1835. Although Rewa later signed the Treaty of Waitangi in 1840, he was cautious about the Crown's intentions.

The youngest of the three brothers, Moka was a respected warrior and one of Hongi Hika's chief generals during the Musket Wars, fighting in numerous significant battles, including those at Matakītaki, Mokoia, Te Totara, Kaiwaka, and Urewera. After the Battle of Te Ika-a-Ranginui at Kaiwaka in 1825, where he was shot but saved by fellow chief Rāwiri Taiwhanga, Moka adopted the name Te Kainga-mataa, the holder of ammunition, which refers to the metal armour that stopped the bullet. Moka was a staunch protector of his land and people, and a signatory to the Declaration of Independence in 1835. He also spoke strongly against the Treaty of Waitangi in 1840, challenging the Crown's claims over land. Despite his objections and his elder brothers signing the treaty, Moka himself did not.

The responsibility to protect our land and environment falls squarely on our shoulders as Patukeha descendants of these three brothers who each in their way safeguarded the mana of our people. Our tīpuna entrusted us with the stewardship of the whenua, not just as a resource but as a taonga—a living entity that carries the memories, history, and identity of our hapu. To be a guardian of this land is to honour the sacrifices of our ancestors and ensure that their legacy endures.

## 1.1 Te Timatanga – Patukeha

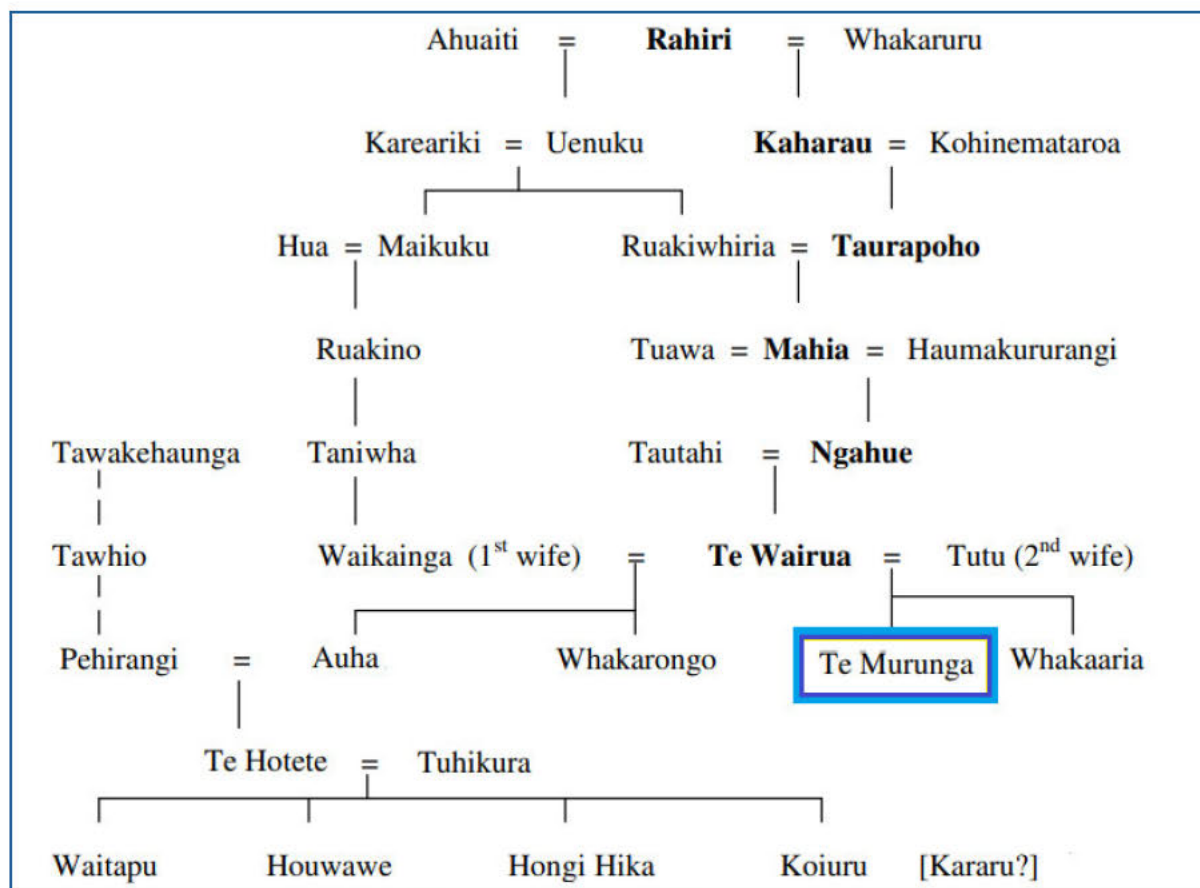
Te Patukeha origins is derived from the brothers connections to Ngāpuhi, Ngāi Tawake, Ngāti Tautahi, Te Uri-o-Ngongo. Tawakehaunga's descent from Nukutawhiti

```
graph TD; A[Nukutawhiti] --> B[Moerewa]; B --> C[Tuwharepapa]; C --> D[Tuwharekakaho]; D --> E[Tokoterangi]; E --> F[Tauritepo]; F --> G[Tawakehaunga];
```

Nukutawhiti  
|  
Moerewa  
|  
Tuwharepapa  
|  
Tuwharekakaho  
|  
Tokoterangi  
|  
Tauritepo  
|  
Tawakehaunga



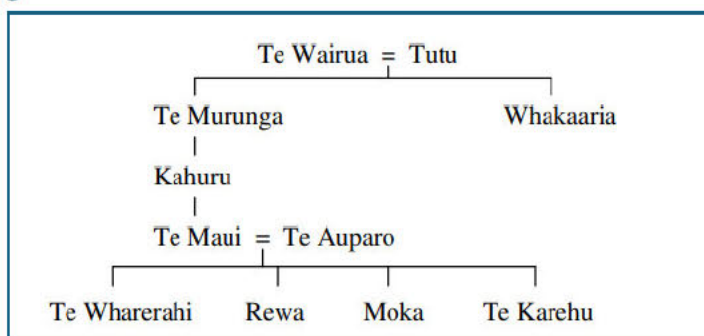
### 1.1.1 Ngāpuhi Descent Lines



Tawakehaunga, Taniwha, and Tautahi are the focal ancestors of Ngai Tawake, Te Uri o Hua, and Ngati Tautahi respectively. The conquest of Te Waimate by Auha and Whakaaria led to the formation of a political alliance between related tribes, including Ngai Tawake, Ngati Tautahi, Ngati Rahiri, Ngati Rehia, and Ngati Kuta. Over time, the hapu that made up the northern alliance became known collectively as Ngāpuhi.

### 1.1.2 Descent line of the brothers

Rewa built a house at Kororāreka (now occupied by the DOC) called Haratū but later withdrew to the Rāwhiti area in the Bay of Islands. He died on 1 September 1862 and was buried at Paripari urupā in Mataraua, where Moka was also laid to rest. Te Wharerahi mostly lived .... and died ... (Spaces brothers occupied after the wars)



### 1.1.3 Ahikaatanga

We acknowledge that in various areas we share mana whenua with other hapu, however we provide below a summarised version of our wider rohe, which includes:

**Kei Taupiri ki te tonga, Anga ki Motūkōkako ki te marangai, Anga atū ki Tikitiki ki te hauraro, Hoki atū ki Tāpeka, ki Kororāreka kei te hauāuru**





## 1.2 Purpose/ Kaupapa

This plan has been developed primarily for the following reasons:

- To ensure the appropriate engagement and participation of Patukeha in the planning and decision-making processes of councils, agencies, and developers with respect to our rohe.
- To assert our tino rangatiratanga and kaitiakitanga over our natural environment and all ancestral taonga; and
- To achieve the full intent of empowering legislative provisions such as those identified in section 1.6 below.
- To clearly identify the environmental management kaupapa of Patukeha.

## 1.3 Vision

**Kia u te mana, kia ka te ahi o Patukeha mo ake tonu atu**  
**Let the authority and the fire of Patukeha burn forever and ever**

The mana that Moka, Rewa, and Te Wharerahi upheld in their time is the same mana we must uphold today—through the protection of our environment, the care of our whenua, and the strengthening of our cultural and spiritual ties to Te Rāwhiti and te rohe o Patukeha Ahikaatanga. In doing so we also seek to re-engage with korero from our tupuna and our past. With these aspirations, we articulate our approach in this plan.

## 1.4 Mission

Our Mission is simple:  
**To revitalise the mauri of our taonga tuku iho.**

## 1.5 The Cultural Framework

The manner in which Patukeha responds to resource management issues in our rohe is shaped by several key factors:

- A body of knowledge about our land, water, and resources, developed over generations.
- A holistic worldview that sees people as part of a familial and symbiotic relationship with nature, rather than as dominators of it.
- The desire to protect core cultural values and practices, such as mauri, tikanga, rāhui, and wāhi tapu, which are central to our identity, sense of place, and cultural well-being.

The dispossession of land following colonial settlement, the signing of Te Tiriti o Waitangi, and the subsequent confiscation of whenua, along with the acquisition of motu through flawed purchases, profoundly disrupted the spiritual, cultural, and traditional relationship between Patukeha and the environment. As the landscape changed, so too did tangata whenua's ability to access and manage the resources on which they had long relied (see historical context in section X below)

### 1.5.1 Key Principles, Values and Practices

The following guiding values, principles or practices shape our view of on the environment and resource management. These are recurring themes throughout this plan and are also intended to guide us in the implementation of this plan:

<b>Whakapapa</b>	The foundation of our framework for managing resources, illustrating the interconnectedness of all elements of the world, including tangata whenua.
<b>Kaitiakitanga</b>	Our duty of care and responsibility to protect and preserve our taonga tuku iho for future generations.
<b>Whanaungatanga</b>	Building and nurturing ongoing, positive relationships within our whanau and community
<b>Manaakitanga</b>	Our ability to care for, sustain, and uplift our whanau and manuhiri, ensuring their well-being and hospitality.
<b>Matauranga</b>	The protection, revitalisation, enrichment, and application of our knowledge, exercising it in our role as kaitiaki.
<b>Mana Whenua</b>	Our right and authority to exercise control over our rohe and the resources within it, based on ancestral stewardship.
<b>Mauri</b>	The protection of the 'life force' or vital essence in all things, places, species, minerals, ecosystems, within our rohe, also representing their health and vitality.
<b>Tikanga</b>	The preservation and application of the traditions and practices handed down by our tupuna in all our operations and actions.

## 1.6 The Constitutional and Legislative Framework

<b>CONSTITUTIONAL FRAMEWORK</b>	<b>COMMENT</b>
Te Tiriti o Waitangi 1840 / the Treaty of Waitangi/ He Whakaputanga 1835	<p>In our view He Whakaputanga o nga Rangatira o Niu Tirenī (The Declaration of Independence 1835) and Te Tiriti o Waitangi need to be read together. Hapu resource management for Patukeha is about maintaining the cultural and spiritual integrity of these founding documents.</p> <p>Through He Whakaputanga Maori sought and gained international support of an assertion of political, economic and social rights, acquired an international identity, national flag, and signed a declaration of independence. Te Tiriti o Waitangi further affirmed the protectorate principle and right to exist as a nation and people.</p> <p>Article II of the Te Tiriti confirms the right to exercise authority over natural resources:</p>



	<p>Maori Text</p> <p>“Ko te Kuini o Ingarani ka wakarite ka wakaee ki nga Rangitira ki nga hapu – ki nga tangata katoa o Nu Tireni te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa...”</p> <p>Translation</p> <p>“The Queen of England agrees to protect the chiefs, the sub-tribes and all the people of New Zealand in the unqualified exercise of their chieftainship over their lands, villages and all their treasures...”</p>
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LEGISLATIVE FRAMEWORK	COMMENT
<p><b>Resource Management Act 1991 (RMA)</b></p>	<p>The purpose of the Resource Management Act (RMA) is to promote the sustainable management of natural and physical resources. Several sections of the RMA specifically reference the need to recognise and include tangata whenua issues, interests, and values. These provisions form the basis for consultation, collaboration, and participation, as well as the development of iwi management plans. They also guide the development and implementation of appropriate planning tools, processes, and systems for resource consent applications, planning, and policy. In achieving this purpose, three key sections require those exercising powers and functions under the Act to recognise and provide for iwi environmental interests and values.</p> <p><b>Part 2 Section 6: Matters of national importance</b></p> <p>In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:</p> <ul style="list-style-type: none"> <li>a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:</li> <li>b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:</li> <li>c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna: ...</li> <li>e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:</li> <li>f) the protection of historic heritage from inappropriate subdivision, use, and development:</li> <li>g) the protection of protected customary rights:</li> <li>h) the management of significant risks from natural hazards.</li> </ul> <p><b>Section 7: Other matters</b></p> <p>In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to –</p> <ul style="list-style-type: none"> <li>(a) kaitiakitanga: ...</li> <li>(i) the effects of climate change:</li> </ul>

	<p>(j) the benefits to be derived from the use and development of renewable energy.</p> <p>(j) the benefits to be derived from the use and development of renewable energy.</p> <p><b>Section 8: Treaty of Waitangi</b></p> <p>In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of Te Tiriti o Waitangi.</p> <p><b>Section 35A</b> requires local authorities maintain records for each iwi and hapu within their area, including contact details and Iwi Management Plans.</p> <p><b>Clause 3A</b> and <b>3B</b> of the First Schedule require local authorities to consult with the tangata whenua of the area (through iwi authorities) during the preparation of a proposed policy statement or plan, and set out the criteria for this.</p> <p><b>Section 33</b> states that a local authority that has functions, powers, or duties under the Act may transfer any one or more of those functions, powers, or duties to another public authority, including an iwi authority; while</p> <p><b>Section 36B</b> provides a framework for public authorities and iwi authorities to enter into joint management agreements about natural or physical resources.</p> <p><b>Section 88</b> requires resource consent applicants to undertake an assessment of effects on the environment, including cultural effects.</p> <p><b>Section 61: Matters to be considered by regional council (policy statements)</b></p> <p>(2A) When a regional council is preparing or changing a regional policy statement, it must deal with the following documents, if they are lodged with the council, in the manner specified, to the extent that their content has a bearing on the resource management issues of the region:</p> <p>(a) the council must take into account any relevant planning document recognised by an iwi authority; and</p> <p>(b) in relation to a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, the council must, in accordance with section 93 of that Act, -</p> <p>(i) Recognise and provide for the matters in that document, to the extent that they relate to the relevant customary marine title area; and</p> <p>(ii) Take into account the matters in that document, to the extent that they relate to a part of the common marine and coastal area outside the customary marine title area of the relevant group.</p> <p><b>Section 66: Matters to be considered by regional council (plans)</b></p> <p>(2) In addition to the requirements of section 67(3) and (4), when preparing or changing any regional plan, the regional council shall have regard to -</p> <p>(a) any proposed regional policy statement in respect of the region; and</p>
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	<p><b>Section 74: Matters to be considered by territorial authority</b></p> <p>(2) In addition to the requirements of section 75(3) and (4), when preparing or changing a district plan, a territorial authority shall have regard to -</p> <p>(b) Any -</p> <p>(i) Regulations relating to ensuring sustainability, or the conservation, management, or sustainability of fisheries resources (including regulations or bylaws relating to taiapure, mahinga mataitai, or other non-commercial Maori customary fishing); and</p> <p>(2A) A territorial authority, when preparing or changing a district plan, must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.</p> <p><b>Section 104</b> also provides an opportunity for increased recognition of Iwi Management Plans in local authorities' consideration of applications for resource consent.</p>
<p><b>Heritage New Zealand Pouhere Taonga Act 2014</b></p>	<p>Heritage New Zealand Pouhere Taonga is the government agency responsible for identifying, protecting, and promoting the unique historical and cultural heritage of New Zealand. It is an autonomous Crown entity under the Crown Entities Act 2004, supported by the Government and funded through Vote Arts, Culture and Heritage via the Ministry for Culture and Heritage. Its work, powers, and functions are prescribed by the Heritage New Zealand Pouhere Taonga Act 2014.</p> <p>Formerly known as the Historic Places Trust, it is co-governed by a Board and the Māori Heritage Council and guided by Tapuwae.</p> <p><b>Part 1 Section 7: Treaty of Waitangi (Te Tiriti o Waitangi)</b></p> <p>In order to recognise and respect the Crown's responsibility to give effect to Te Tiriti o Waitangi, this Act provides, -</p> <p>(d) in sections 27 and 28, for the functions and powers of that Council to ensure the appropriate protection of wāhi tūpuna, wāhi tapu, wāhi tapu areas, historic places, and historic areas of interest to Māori; and</p> <p>(e) in section 39, for the power of Heritage New Zealand Pouhere Taonga to enter into heritage covenants over wāhi tūpuna, wāhi tapu, and wāhi tapu areas; and</p> <p>(f) in sections 46, 49, 51, 56, 57, 62, 64, and 67, for the measures that are appropriate to support processes and decisions relating to sites that are of interest to Māori or to places on Māori land; and</p> <p>(g) in sections 66, 68, 69, 70, 72, and 78, for a power for the Council to enter, or to determine applications to enter, wāhi tūpuna, wāhi tapu, and wāhi tapu areas on the New Zealand Heritage List/Rārangī Kōrero, and to review or remove such entries; and ...</p>

<p><b>Local Government Act 2002 (LGA)</b></p>	<p>The Local Government Act 2002 (LGA) addresses a wide range of local government activities and functions, many of which impact Patukeha and our Roopu Whenua. Key aspects of this Act include:</p> <p><b>Section 4: Treaty of Waitangi</b> In order to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making processes.</p> <p><b>Part 2: Purpose of local government, and role and powers of local authorities</b></p> <p><b>14 Principles relating to local authorities</b> (1) In performing its role, a local authority must act in accordance with the following principles: (d) a local authority should provide opportunities for Māori to contribute to its decision-making processes</p> <p><b>Part 6: Planning, decision-making, and accountability</b></p> <p><b>75 Outline of Part</b> (b) states the obligations of local authorities in relation to the involvement of Māori in decision-making processes:</p> <p>Under the LGA, both Northland Regional Council (NRC) and Far North District Council (FNDC) must produce Long-Term Council Community Plans (LTCCPs), which serve as a principal interface between councils and their communities. Te Runanga O Patukeha will become more actively involved in the preparation, review, and implementation of these plans.</p>
<p><b>Environmental Protection Authority Act 2011 (EPA)</b></p>	<p>This Act establishes the Environmental Protection Authority (EPA) and provides for a range of regulatory functions. These include assessing applications for major infrastructure projects, as well as managing matters under several environmental Acts, such as the Resource Management Act, the Hazardous Substances and New Organisms Act, the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act, and the Climate Change Response Act.</p>
<p><b>Conservation Act 1987</b></p>	<p>The Department of Conservation (Te Papa Atawhai) is responsible for the protection of New Zealand's natural and historic heritage, as mandated by the Conservation Act 1987.</p> <p><b>Part 1 Section 4:</b> This Act must be interpreted and administered to give effect to the principles of the Treaty of Waitangi.</p>
<p><b>Treaty of Waitangi (Fisheries Claims) Settlement Act 1992</b></p>	<p>In addition to settling claims to commercial fishing, the Treaty of Waitangi (Fisheries Claims) Settlement Act (TOWFSA) clarified customary fishing rights. Regulations were developed to uphold the customary fishing rights of tangata whenua, recognise their ability to exercise rangatiratanga over traditional fisheries, and formalise the relationship between tangata whenua and the places used for customary food gathering.</p> <p>The Fisheries (1998) Kaimoana Customary Fishing Regulations enable iwi and hapū to demarcate a rohe moana (coastal marine</p>



	<p>area) over which they hold mana moana status, and to select tangata kaitiaki. These tangata kaitiaki are then officially appointed by the Minister of Fisheries (Primary Industries) as guardians. Tangata kaitiaki can issue permits for customary fishing within the rohe moana.</p> <p>Tangata kaitiaki can also use customary management tools such as mātaihai reserves and taiāpure, which allow traditional fishing grounds to be protected as special management areas. These areas may either be designated as reserves or have specific rules or bylaws established for their management. Additionally, they can place a rahui over sites using section 186A to strengthen the customary closure process.</p>
<b>The State Owned Enterprises Act 1986 (SOE)</b>	This Act is relevant because there are a significant number of land parcels within our rohe to which it applies. Section 27B provides for the resumption of land to Māori ownership, following a recommendation from the Waitangi Tribunal.
<b>Te Ture Whenua Māori Act 1993 (TTWMA)</b>	The TTWMA is administered by the Māori Land Court, whose key function is to facilitate and promote the retention, use, development, and control of Māori land as taonga tuku iho by Māori owners, their whānau, their hapū, and their descendants.

## 1.7 Tangata Whenua Planning Tools

A number of tools are made use of by Patukeha in the contemporary exercise of kaitiakitanga. These assist with incorporating cultural values and objectives into RMA processes and assessing the cultural health of our rohe. These tools include:

- Cultural Impact Assessments (CIA's)
- Cultural Values Assessments (CVA's)
- Cultural Health Monitoring (see section 3 for a description of Cultural Health Indicator Monitoring Framework for Patukeha)
- Sites of Significance Mapping (see section 8 for more information on our mapping project).

## 1.8 Policy Development and Design

### 1.8.1 Development

This plan was developed using the following key steps:

- Formation of a hapu “working party” to lead the review and update of the HEMP.
- A Desktop review of existing plan, other HEMPs and identification of gaps.
- An initial workshop to form the working party and allocate tasks.
- One initial hui-a-hapu at the start of the work programme to seek hapu input on the vision and clarification/identify “resource” issues of significance to Patukeha.
- Four wananga/workshops: two kanohi ki te kanohi and two online with working party and other key hapu members to discuss draft provisions.



- Development of draft provisions (issues, objectives, policies and methods) for the HEMP.
- A “report back” hui -a- hapu seeking ratification of draft plan with presentation of the issues of significance, policy direction and draft provisions to the wider hapu through hui for comment and endorsement.
- Presentation and circulation of the full draft for feedback and editorial review.
- Presentation of the completed HEMP to Local Authorities and Agencies

### 1.8.2 Design

The environmental policy outlined in this document draws on several key sources, primarily the Patuharakeke Hapū Environmental Plan 2014, Ngā Tikanga mō te Taiao o Ngāti Hine 2008, Ngā Uri o Hau Kaitiakitanga o te Taiao 2011, and the Ngāti Kuta Hapū Management Plan 2004. These documents build on earlier iterations of hapū and iwi plans, including those developed by the Ngātiwai Trust Board and various Ngāpuhi hapū, particularly the Environmental Management Plan for Ngāti Rehia 2007 and the Ngātiwai Environmental Principles.

A central focus of our Plan, as with the documents mentioned, is on fostering and maintaining strong, enduring relationships. We recognise that the effectiveness of our policies will rely on the strength of these relationships, both within our whānau and with others who engage with our rohe.

It is essential that Patukeha are acknowledged and empowered as kaitiaki, with the ability to practise kaitiakitanga over all resources within our rohe. Relationships and kaitiakitanga are fundamental to all aspects of environmental management. For this reason, we have placed the sections on kaitiakitanga and relationships at the beginning of this document, setting the framework for all the natural resource policies that follow.

### 1.8.3 Achieving the Baseline Standard

Here is a brief summary of the minimum baselines the hapū o Patukeha expect to achieve and work towards: ecosystem health, water quality, land management, visual quality, and human well-being. These baselines include: maintaining the health and integrity of both terrestrial and marine ecosystems; ensuring the quality of our freshwater and marine resources, safeguarding them for traditional food gathering and recreational use; implementing sustainable land use practices that preserve the fertility, productivity, and cultural value of our whenua; protecting the visual character of our environment, including landscapes and natural features, from inappropriate development or degradation; and promoting the well-being of our people by ensuring access to healthy land, water, and resources, while supporting cultural practices and community health. These baselines serve as a minimum standard and form the foundation of our precautionary approach to resource management.

#### 1.8.3a Ecosystem Quality

*Our commitment to maintaining the health and integrity of our ecosystems, including both terrestrial and marine environments.*

Te Runanga o Patukeha has always recognised the environment as a system of interconnected parts, where the health of one aspect affects the health of all. Our



relationship with the land sustains us, and at the heart of our identity is the ability to gather kai - daily, not just for special occasions. This ability to provide for our whānau and manuhiri is the primary benchmark for environmental health: the capacity of the land to sustain us.

For us, a healthy ecosystem means a sustainable, safe supply of kai, which requires nurturing the environment and ensuring it can support its own vitality. Our management approach focuses on maintaining healthy ecosystems with minimal disturbances to plant, animal, and food sources.

Strict management measures must be implemented to protect the quality of our ecosystems, including regulating development, reducing contamination, and monitoring native habitats. Efforts should be directed at controlling pollution, safeguarding biodiversity, and ensuring that new developments do not disrupt these ecosystems' balance.

The decline of the kiwi's distinctive cry and the scarcity of kukupa in our skies serve as stark reminders of our ecosystems' deterioration. Once abundant, these birds are vital indicators of environmental health. Their absence signals that our ecosystems are not thriving, calling Te Runanga O Patukeha to action to protect and restore the environment.

### 1.8.3b Water Quality

*Maintaining and improving the quality of our freshwater and marine resources, ensuring they are safe for traditional food gathering and recreational use.*

Our waterways have long been vital sources of food, sustaining our people and supporting cultural practices. To protect our fisheries, we must first protect the water quality - the habitat of the fish. A decline in fish populations signals either excessive pressure on the resource or compromised water quality. In addition to being essential for food, our waterways are also places of learning and connection for our children, where they develop a sense of belonging and heritage. The health of these taonga is directly linked to Te Runanga o Patukeha's ability to maintain a meaningful relationship with the land and water.

Our primary benchmarks are the health of our fisheries and the quality of our waterways. We cannot allow further degradation of water quality in our rohe. To ensure the health of both freshwater and saltwater environments, we will actively monitor all water bodies, combining traditional monitoring practices with scientific methods, such as regular water testing and habitat assessments. The presence of species like tuna in streams like Wairoa and Tangatapu has always been a clear indicator of healthy waterways. Their absence today signals trouble, and we must act urgently to restore and protect these taonga.

Key priorities for our waterways

- Ensure water remains suitable for consumption, supports wildlife, and is safe for recreational use.
- Monitor both freshwater and saltwater environments using a blend of traditional and scientific methods.
- Focus on restoring water quality and reversing any degradation.
- Implement strategies to prevent contamination and preserve healthy ecosystems.
- Maintain and enhance water quality for food sources, wildlife, and human use.
- By addressing both immediate and long-term needs, Te Runanga O Patukeha will ensure a sustainable, healthy environment for future generations.



### 1.8.3c Land Quality

*Ensuring sustainable land use practices that preserve the fertility, productivity, and cultural value of our whenua.*

As tangata whenua, Te Runanga O Patukeha understands that our connection to the land is not just a matter of ownership; it is fundamental to who we are. The land is the source of our whakapapa, history, and spiritual well-being. Severing this bond would be to sever our identity. The land is not merely a physical space; it is the foundation of our culture, values, and our relationship with the past, present, and future. Careless development damages not only the environment but also undermines our ability to thrive as a people.

While we recognise that development and human settlement inevitably cause some level of impact, we are committed to ensuring these impacts are carefully managed. The challenge is balancing community growth with the protection of the cultural, environmental, and spiritual values that define us. Our approach is rooted in our role as kaitiaki, ensuring that the land's essential character - its coastal rural outlook, large areas of native forest, rocky headlands, and uncluttered beaches - remains intact for future generations.

We acknowledge that some level of change is unavoidable with development. However, it is possible to manage these changes in a way that respects and preserves the land's cultural and environmental integrity. Therefore, the RMU will evaluate all applications for subdivision, land use, and development based on their impact on five key values:

- Environmental
- Spiritual
- Historical
- Cultural
- Visual

### 1.8.3d Visual Quality

*Protecting the visual aspects of our environment, including landscapes and natural features, from inappropriate development or degradation.*

### 1.8.3e Human Well-being

*Promoting the well-being of our people by ensuring access to healthy land, water, and resources, while supporting cultural practices and community health.*

We consider these baselines a minimum standard, and they form the foundation of our precautionary approach to resource management. We encourage feedback and collaboration to further refine these policies and ensure the long-term health and sustainability of our whenua.





## PART II: PARTICIPATION IN RESOURCE MANAGEMENT PLANNING AND DECISION MAKING

### 2.0 Engagement

The participation of Patukeha in local government planning and decision-making processes was virtually non-existent prior to the enactment of the Resource Management Act 1991, due to the lack of recognition of tangata whenua and legislative mechanisms that acknowledged the relationship of tangata whenua with the natural environment. As a result, previous generations faced significant barriers in engaging with the respective resource management regimes, which hindered their ability to protect and manage their whenua effectively.

In the past twenty years, Te Rūnanga o Patukeha (TRP) has adopted various structures to better achieve its vision and mission. To do so, the organisation has focused on strengthening existing relationships and creating new, meaningful connections at multiple levels. These relationships extend within our own hapu and whanau, across our wider whanaunga hapu and iwi links in Tai Tokerau, and outwards to the community, developers, and agencies responsible for environmental management.

Some parties have a legal obligation to engage with TRP either as Treaty Partners and/or under statute (such as the Resource Management Act or Local Government Act), while with others, engagement is guided by best practice or tikanga Māori. Over time, TRP has entered into numerous agreements with agencies, industry, and developers, which have varied in their effectiveness. We continue to assess these partnerships to ensure they align with our evolving needs.

In the last decade, TRP has become increasingly active in its engagement with councils and various agencies and is in the process of developing several policy documents to outline our position on resource management and related issues. These documents will clarify the appropriate processes for consultation and engagement, ensuring that councils and other



agencies receive Patukeha's input at the right time. This marks a shift from the previous norm, where hapu members were often approached in a personal capacity to unwittingly provide consent for activities on behalf of Patukeha, leading to a more structured and transparent consultation process.

Despite having established several relationships, TRP remains primarily in a reactive position, often engaged as an afterthought by agencies once designs are completed and decisions have already been made. We strongly advocate for a shift towards proactive engagement, where Patukeha are actively consulted from the outset of any project or decision-making process.

## 2.1 Roopu Whenua | Land Management

This section outlines the organisational and policy frameworks established by Te Rūnanga o Patukeha for the administration and management of our land-based assets and resources, Roopu Whenua. It describes our operational approach, the roles and responsibilities of the teams involved, and the processes through which we engage with land and resource management.

As Te Rūnanga o Patukeha continues to develop and refine its plans and strategies, we prioritise a holistic and sustainable approach to managing whenua. This approach ensures that our stewardship honours our whakapapa, tikanga, and kaitiakitanga responsibilities. The following areas are covered in this section:

- 2.2 Rōpū Hāpai Puna Taonga | Resource Management Unit
- 2.3 Whakawhanuitanga mō te Hāpu | Capacity Building
- 2.4 Whakararangi Kaupapa | Hāpu Project Planning
- 2.5 Wahanga ki te Ture | Statutory Planning Processes and Instruments
- 2.6 Kaupapa Taiao hei Whiriwhiri | Resource Consent Consultation

### 2.1.1 Te Runanga o Patukeha's Land Management Approach

As we develop our first integrated resource management plan, Te Rūnanga o Patukeha acknowledges that some issues may not yet be fully identified, and our policies are still evolving. At this stage, the focus is on establishing minimum environmental standards to halt further degradation and safeguard our taonga for future generations.

As tangata whenua and kaitiaki, Te Rūnanga o Patukeha is entrusted with the guardianship of all whenua resources in our rohe. We recognise that effective environmental management is guided by both statutory obligations and best practices rooted in our kaitiaki principles. Achieving the best outcomes requires careful planning and the execution of well-considered projects. The RMU is committed to ensuring that our kaitiaki and ahi kā are actively engaged in the stewardship of our lands and resources, shaping the decisions that will impact our future.

This approach is precautionary, aiming to prevent practices that threaten the integrity of our environment. We encourage input and feedback from whānau, hapū, and other stakeholders to help refine the policies and baselines outlined in this plan.

## 2.2 Rōpū Hāpai Puna Taonga | Resource Management Unit (RMU)

The RMU is the operational body within Te Rūnanga o Patukeha, responsible for managing land, coastal, and island resources. As the primary point of contact for all matters relating to roopu whenua and resource administration, it oversees the day-to-day management of the roopu whenua section within our Hāpu Environment Management Plan.

### 2.2.1 Nga Kaitiaki | Guardians

The Kaitiaki are a collective responsible for overseeing and managing land-based resources within Patukeha's rohe. Structured as follows:

Manager	- Leads RMU operations
/ \	
Kaumatua/Kuia	- Provides cultural guidance
\ /	
Kaitiaki x Kaitiaki	- Oversees specific resources and land areas

The RMU operates under their collective leadership, ensuring that resource management reflects Patukeha's cultural values, priorities, and tikanga.

### 2.2.2 Roles of the RMU

The RMU has specific responsibilities to ensure effective management of Roopu Whenua. These include:

- Consultation: Engaging with the hapū of Patukeha on land/resource management matters.
- Administration: Managing the roopu whenua section of the Hāpu Environmental Management Plan.
- Coordination: Overseeing day-to-day resource management issues.
- Resource Consents: Processing all resource consent and related applications.
- Environmental Projects: Initiating and overseeing land/resource management projects.
- Collaboration: Working with the roopu moana for integrated land and marine management.
- Policy Development: Creating policies and planning strategies for roopu whenua management.
- External Relationships: Building relationships with external agencies, stakeholders, and iwi whose activities impact or influence the management of our whenua and taonga.

Goal: Work collaboratively with Ngāti Kuta RMU and other resource management units in the future.



## 2.3 Whakawhanuitanga mō te Hāpū | Capacity Building

The RMU operates consistently, building strong relationships with agencies and collaborating with Regional and District Councils, Heritage New Zealand Pouhere Taonga, DOC, private development planners, engineers, and landscape architects, both locally and nationally. Established without external financial assistance, the RMU has developed effective partnerships with a wide range of organisations and continues to contribute positively to resource management processes.

Through ongoing training and collaboration, the RMU is dedicated to enhancing its capacity to actively engage in all resource management activities affecting our whenua, ensuring we remain proactive kaitiaki for future generations.

### **The RMU has achieved the following:**

- Established and maintained a marae-based, fully operational unit
- Developed and implemented effective consultation processes with key agencies and stakeholders
- Gained recognition for our expertise from other iwi and hapū
- Built strong professional relationships across the public, private, and non-profit sectors
- Engaged consistently with government departments at local, regional, and national levels
- Built internal resources, including office capacity and administrative systems

### 2.3.1 He Kōrero Hei Whiriwhiri Katoa | Collaborative Consultation Policy

The RMU is committed to fostering expertise in resource management through active engagement with various stakeholders. We strongly encourage the following practices:

- **Early Engagement:** Any party involved in development or land management within our area should contact the RMU as early as possible. Early communication ensures a thorough and respectful consultation process, leading to a better understanding of each party's needs and issues.
- **Collaboration:** The RMU strives to work closely with other hapū and iwi resource management units, sharing knowledge and resources for better outcomes. Many issues are not exclusive to Patukeha Hāpu, and by working together, we can address them more effectively.

### 2.3.2 Maintaining and Building Capacity

To effectively manage our mana whenua and engage with the Crown and other stakeholders, Te Rūnanga o Patukeha must continue building the capacity of our RMU, kaitiaki, and hapū. This ongoing effort ensures we can meet the challenges of modern resource management and safeguard our environment for future generations.

#### **Te Rūnanga o Patukeha will:**

- Maintain and support the ongoing effectiveness of the RMU



- Provide educational and training opportunities for Kaitiaki to engage in technical resource management fields
- Continue to develop and manage databases to support resource management decisions
- Develop a comprehensive database of all recorded archaeological sites and begin recording unrecorded sites
- Develop a comprehensive database with associated maps and other relevant information
- Equip the RMU with modern tools and access to external databases and resources
- Achieve full-time paid employment status for Kaitiaki
- Ensure the best possible management and administration of our whenua and resources

## 2.4 Whakarangiri Kaupapa | Hāpū Project Plans

Te Rūnanga o Patukeha, as tangata whenua and kaitiaki, is entrusted with the guardianship of all whenua resources in our rohe. We recognise that sound environmental management is guided by both statutory obligations and best practices rooted in kaitiaki and kaitiakitanga principles. To achieve the best outcomes, effective management requires thoughtful planning and the execution of specific, well-considered projects.

The RMU is committed to ensuring that our kaitiaki and ahi kā are fully engaged in the management and stewardship of our lands and resources, actively shaping decisions that will impact our future. Te Rūnanga o Patukeha has developed training initiatives to upskill our kaitiaki, ensuring they gain the expertise needed to lead and drive our hapū project plans. These project plans are central to our ongoing role in advocating for the health of our Roopu Whenua, ensuring that we are able to work collaboratively and transparently with all parties to protect and enhance the environment for current and future generations.

### Policy

<b>Collaboration with agencies</b>	Collaborate with agencies like DOC, regional and district councils, and the Heritage NZ Pouhere Taonga Agency to develop Hāpū Project Plans that enhance and restore the native environment.
<b>Focus Areas for Project Development</b>	<ul style="list-style-type: none"> <li>- Pest eradication on all islands and the coastal mainland.</li> <li>- Native tree planting and habitat restoration.</li> <li>- Establishing a Patukeha native tree nursery.</li> <li>- Installing composting toilets at Whangamumu.</li> <li>- Ecological restoration of DOC and Council areas in Rawhiti.</li> <li>- Protecting and enhancing wetlands.</li> <li>- Sealing of roads.</li> <li>- Control and eradication of noxious weeds.</li> </ul>
<b>Inviting Involvement of Others</b>	Te Rūnanga o Patukeha invites any parties who wish to involve tangata whenua in practical work programmes.
<b>Contact Point for Parties</b>	Parties are encouraged to contact the Resource Management Unit (RMU) as their initial point of contact with Patukeha Hapu.
<b>RMU Responsibilities</b>	The RMU will remain responsible for negotiating and preparing these plans, which, once approved, will be implemented by the unit.



### 2.4.1 Consultation and Future Involvement

Te Rūnanga o Patukeha requests that this Hāpū Management Plan be considered during the preparation or review of all statutory and non-statutory instruments affecting our area. However, this Plan is not a substitute for direct consultation with Patukeha Hapu.

**The RMU encourages:**

- **Early Engagement:** All parties involved in resource management processes must engage with us as early as possible.
- **Kanohi ki te Kanohi:** We emphasise kanohi ki te kanohi (face-to-face) consultation to ensure mutual understanding and respect in all resource management decisions.
- **Clear Communication:** Where consultation has not occurred, we do not accept that silence or inaction signifies agreement.

## 2.5 Wahanga ki te Ture | Statutory Processes and Instruments

The management of Roopu Whenua assets and resources is governed by several Acts of Parliament, requiring Te Rūnanga o Patukeha's involvement in their administration. These statutory instruments ensure we are consulted in decision-making.

Statutory Instruments	Relevant Acts and Plans
Key Statutory Acts	Resource Management Act 1991, Conservation Act 1987, Heritage New Zealand Pouhere Taonga Act 2014.
Key Policy Statements and Plans	Conservation Management Strategy for Northland (DOC), Regional Policy Statement for Northland (NRC), Regional Coastal Plan (NRC), Regional Water and Soil Plan (NRC), Regional Air Plan (NRC), Regional Pest Management Strategies (NRC), District Plan (FNDC).
National Policies	New Zealand Coastal Policy Statement, New Zealand Biodiversity Strategy, New Zealand Oceans Policy, National Environmental Standards.
Local Government Act 2002 (LGA)	NRC and FNDC must produce Long-Term Council Community Plans (LTCCPs) which serve as a principal interface between councils and their communities. Te Rūnanga o Patukeha will become more actively involved in the preparation, review, and implementation of these plans.

Te Rūnanga o Patukeha seek to be more actively involved in the preparation, review, implementation, and monitoring of all statutory and non-statutory instruments that impact the management of our whenua. This includes but is not limited to:

Other Relevant Planning Documents	National Coastal Policy Statement, New Zealand Biodiversity Strategy, Northland Regional Policy Statement, Northland Regional Coastal Plan, Northland Regional Water and Soil Plan, Northland Regional Air Plan, Northland Regional Pest Strategy, Far North District Plan, Northland Conservancy Conservation Management Strategy, Long-Term Council Community Plans.
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Te Runanga O Patukeha requests that all agencies responsible for these instruments consult with us from the outset of the process, through our RMU and ensure that our involvement is facilitated. We also acknowledge the need for wider collective involvement, but we retain the right to be consulted directly and independently of such groups. It is important to note that previous lack of involvement should not be interpreted as consent or acceptance of plans or policies.

## 2.6 Kaupapa Taiao Hei Whiriwhiri | Resource Consent Consultation

### Challenges

The Resource Management Act (RMA) governs the management, development, and use of natural and physical resources through a system of resource consents issued by regional and district councils. These consents are processed on a notified or non-notified basis, and in some cases, the Department of Conservation (DOC) is involved, particularly in issuing Coastal Permits. Te Rūnanga o Patukeha is engaged in the process of reviewing and administering these consents, alongside the Far North District Council (FNDC), Northland Regional Council (NRC), and the Heritage New Zealand Pouhere Taonga Department in accordance with legal and best-practice standards.

However, we are currently only notified of a limited number of consent applications within our rohe. This makes it difficult to protect our environment and cultural values, as we are often unaware of development proposals at the earliest stage. Without timely access to all consent-related documents, it is challenging for us to monitor activities and ensure compliance with our environmental priorities.

### Resource Consent Policy

The Resource Management Unit (RMU) will review, on behalf of Te Rūnanga o Patukeha, all notified and non-notified resource consent and coastal permit applications for activities within our tribal boundaries. This includes all applications for tourism-related activities, concessions, and similar ventures. In reviewing these applications, our interests extend to, but are not limited to, assessing the potential or actual effects on:

Assessment Areas	Considerations
Our cultural values	Impacts on waahi tapu, cultural sites, and practices
The natural environment	Effects on flora, fauna, and ecosystems
Archaeological and wahi tapu matters	Protection of ancestral sites and artefacts
The suitability of proposed development sites	Impact on landscape and ecological features
Engineering assessments	Safety and environmental impact of construction
Building plans (height, width, length, etc.)	Fit with local character and tikanga
Earthworks and landscape plans	Impact on whenua and waterways
Colour schemes	Visual integration with environment
Intended use (e.g., private vs commercial)	Impacts on community and environment

The RMU will adopt a number of strategies to fulfil their role including:

Method	Description
<b>Collaboration with Councils</b>	We will work with Northland Regional and Far North District Councils, as well as the Department of Conservation, to establish agreed processes for keeping Te Rūnanga o Patukeha informed about all notified and non-notified resource consent and permit applications that affect our area or interests.
<b>Site Visits and Assessments</b>	We will establish mutually agreed timelines with the councils to conduct site visits and assessments before final decisions and consents are granted.
<b>Early Engagement with Developers</b>	We will engage with property developers early in the process, either directly or through their planners, to establish the process by which Te Rūnanga o Patukeha will consider and monitor the development. This will include conducting site visits and assessments prior to lodging resource consent applications with the councils.
<b>Best Practice Standards and Guidelines</b>	We will develop best practice standards and guidelines—either independently or in collaboration with other RMUs and agencies—for development processes and outcomes within our rohe. These will ensure that development aligns with our values and interests.
<b>Standard Requests for Consent Applications</b>	As part of our review process, we may provide a sample form detailing some of our standard requests, depending on the type of application being considered.

### 2.6.1 Te Runanga O Patukeha Hapu Information Request Form

Tēnā koe,

Te Runanga o Patukeha Resource Management Unit is responsible for administering Hapu consultation regarding your Resource Consent Application. In order for us to successfully review your application, we require the following details and supporting documents. Please submit this information at your earliest convenience so that we can process your application promptly.

Should you need assistance with any of the requested information, please feel free to contact us.

Please forward to:

Email: s 9(2)(a)

Mobile: s 9(2)(a)



**Applicant Information:**

- ☐ Full Name and Address of Applicant
- ☐ Postal Address (if different from above)
- ☐ Contact Phone Number
- ☐ Email Address and Mobile Number
- ☐ Contact Person or Agent (if any) and their Address
- ☐ Resource Consent Application Number

*(Please indicate if you have applied for Resource Consent with FNDC / Northland Regional Council or if your request is for a preliminary assessment)*

- ☐ Applicant's Proposal (in detail)
- ☐ Location of Property for Development
- ☐ Property Address
- ☐ Activity Classification  
*(Controlled, Restricted Discretionary, Discretionary)*
- ☐ Property Zoning

**Supporting Documents (please include any relevant documents):**

- ☐ Recorded Archaeological Sites for the property and Archaeological Assessments
- ☐ 1xA3 & 1xA4 Scale Copies of the Scheme Plan
- ☐ Copy of the Certificate of Title
- ☐ Telecom and Power Correspondence and Plan (detailing the intended areas for construction)
- ☐ DOC Advice – Interpretation of NZAA Data
- ☐ Printout of Cadastral Index from TerraView
- ☐ Engineer's Appraisal (detailing stormwater runoff, site stability, etc.)
- ☐ Neighbour's Approvals
- ☐ Sewage / Wastewater Scheme Plan (inclusive of all design and performance specifications)
- ☐ Building Plans (inclusive of all design and measurement specifications)
- ☐ Earthworks (where applicable)
- ☐ Landscape Plan (inclusive of the types of trees/shrubs proposed for planting)

**Additional Information:**

If there are any other documents or details relevant to your proposal that have not been listed, please include them as well.

We look forward to receiving your completed application and supporting documents. Should you have any questions or need assistance, do not hesitate to contact us.

Ngā mihi nui,

Te Runanga o Patukeha Resource Management Unit

## 2.6.2 Utu Mo Nga Raupapa Mahi | Consent Consultation Fees

**Justification**

Our Resource Management Unit (RMU) incurs costs in the process of reviewing consents. As consultation requires significant time and resources from Te Runanga o Patukeha, we charge fees to cover the expenses associated with reviewing each application.

**Policy**

The RMU will continue to maintain and enhance its professional capacity and standards to deliver a high-quality service. To ensure the sustainability of this service, the RMU will recover its costs through a clearly defined fee structure.

**Fee Schedule**

The following Fee Schedule outlines the fees for different applications and identifies the associated costs. The RMU reserves the right to adjust this schedule without further notice.

## Resource Consent, Concession Permit, and Licence Applications

### I. Standard Consultation (SC)

Up to 16 hours:

\$TBC.00

### II. Major Development Application (MDA)

80 hours or more:

\$TBC.00

### III. Major Development Consultation

6 hours or more:

\$ TBC.00 per person, per hour

### IV. Preliminary Cultural Assessment or Application Review

\$ TBC.00

*(SC applies to assessments over 3 hours)*

### IV. Monitoring Earthworks

\$ TBC.00 per hour, per person

*(A maximum of two persons may monitor excavations)*

## Multi-Iwi and/or Hapu Project Planning, Cultural Advice Consultation Meetings

### • Hourly Rate:

\$ TBC.00 per hour

*(Including transport expenses, which are charged at 90c per kilometre)*

## Breakdown of Fees and Associated Costs

- **General Administration Costs:** Postage, photocopying, stationery
- **Office Expenses:** Telecom, power, hardware maintenance
- **Koha to Marae:**
  - For consultation with hapu x 1: \$ TBC (SC)
  - For consultation with hapu x 2-3: \$ TBC - \$ TBC (MDA)
- **Travel and Site Inspections:** Out-of-town travel costs, including planning meetings
- **Research:** Māori Land Court records, maps
- **Interviews with Kaumatua and Kuia:** For history and tribal knowledge
- **Professional Independent Advice:** As needed
- **Full Signed Report:** Provided upon completion of consultation

## Payments:

- All cheques payable to *Te Runanga o Patukeha*
- Direct payments can be made to the Hapu Bank Account.

## Please Note:

- Cash koha payments will not be accepted.
- An invoice will be posted for all services provided.

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*Our natural environment - our waters, coasts, oceans, flora, and fauna - and how we engage with them, are fundamental to our identity, our unique culture, and our ongoing ability to preserve our tikanga and mahinga kai practices.*

*This includes the commemoration of the places our tūpuna traversed in Te Tai Tokerau, and the specific mahinga kai resources and practices that sustained our ahi kā, anchoring our whakapapa to the land.*

*Wherever we are in the world, these entities form our tūrangawaewae - our home - a place to return and mihi to, grounding us and providing what we need to be sustained as Patukeha.*

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Patukeha





## PART III: RESOURCE ISSUES

### 3.0 Kaitiakitanga

Kaitiakitanga is central to the relationship between Patukeha and the environment. As kaitiaki, Patukeha are responsible for both the knowledge (matauranga) and the practice (tikanga) of kaitiakitanga in managing resources. This responsibility is intergenerational - it is not a right, but a duty bound by culture, tradition, and whakapapa. Our primary duty is to protect the mauri of the land, water, and all living things, ensuring a healthy environment for future generations.

However, the loss of kaitiakitanga knowledge - both the underlying principles and the practical methods - has been profound, driven by colonisation, land dispossession, and the growing influence of government control over resource management

Te Tiriti o Waitangi guarantees tangata whenua the right to fulfill their kaitiaki obligations, including the care of taonga such as land, waterways, natural features, waahi tapu, and biodiversity within our rohe. Yet, there remain concerns about whether current laws and policies adequately support these relationships in line with the Treaty's principles. As tangata whenua with manawhenua, Patukeha's interest in resource management extends beyond that of stakeholders or community members. The principles of Te Tiriti establish mutual obligations between Patukeha and government agencies, reflecting the broader intent of the Treaty.

This Patukeha HEMP is a formal expression of kaitiakitanga, outlining how we will protect natural and physical resources according to our values, knowledge, and practices. This section presents an overarching policy on kaitiakitanga, relevant to all aspects of the Plan.

### 3.1 Recognition of Kaitiakitanga

#### 3.1a Challenges

- a) Local authorities have not effectively recognised kaitiakitanga in natural resource management and governance processes.
- b) There is insufficient and meaningful involvement of Patukeha as kaitiaki in the sustainable management of our ancestral taonga, including water, soil, minerals, air, indigenous flora and fauna, and heritage.



### 3.1b *Commitment*

- a) Patukeha will be acknowledged as kaitiaki of all resources within our rohe, actively engaging in decision-making, management, monitoring, and enhancement of these resources, including water, soils, minerals, air, flora, fauna, and heritage.
- b) The relationship between Patukeha and our ancestral taonga will be recognised as a matter of national importance by councils and other statutory agencies.
- c) Maturanga Patukeha will be acknowledged, protected, and integrated into resource management and decision-making processes.

### 3.1c *Action*

- a) Recognise Patukeha as kaitiaki of all resources within our rohe, and ensure active involvement in their management, decision-making, and monitoring.
- b) Ensure that local authorities have the institutional capacity to effectively recognise and support the principle of kaitiakitanga.
- c) Provide leadership within elected bodies and senior management to ensure staff engagement with Patukeha.
- d) Incorporate maturanga Patukeha and traditional practices into decision-making processes, respecting the intellectual property rights associated with this knowledge.
- e) Recognise TRP as an interested and potentially affected party for any resource consent applications, ensuring adequate resources for monitoring and review of consent conditions.
- f) Ensure that local authorities recognise this Patukeha HEMP as a relevant planning document in accordance with the RMA.

### 3.1d *Method*

- a) TRP requests that all statutory agencies managing resources formally recognise Patukeha as kaitiaki within our rohe. TRP will monitor agencies' policies and practices to ensure that this recognition is upheld. TRP also requests that agencies:
  - i. Actively engage with tangata whenua during the pre-application stage of resource consent or permit applications as a best practice.
  - ii. Require all resource consent applications potentially affecting resources be lodged with a TRP Cultural Impact Assessment, approved by Patukeha as the relevant tangata whenua, including suggested consent conditions.
  - iii. Notify TRP of any resource consent or permit applications that concern or may affect resources within our rohe and provide adequate time and resources for TRP to respond.
  - iv. Provide TRP with copies of any infringement or abatement notices or details of Environment Court proceedings within our rohe.
- b) TRP, councils, and other agencies will collaborate to provide ongoing opportunities for instilling traditional values and knowledge in our rangatahi through involvement in restoration projects and customary mahinga kai practices.

## 3.2 Te Tiriti o Waitangi

TRP is the kaitiaki for claim WAI 1140, the blanket claim over our rohe on behalf of Te Patukeha Hapu to the Waitangi Tribunal. Other claims, including WAI 3300, WAI 3450, WAI 2022, and WAI 1958, have also been filed. TRP is working to resolve these claims quickly due to



development pressures and the Crown and local government's push to sell remaining Crown assets in our rohe. The outcome of these claims will significantly impact resource management in our area.

Until resolved, significant management decisions should not undermine these ongoing claims. In any dispute over the version of the Treaty with mana, Patukeha policy affirms the Māori version takes precedence.

The Resource Management Act (RMA) 1991 requires decision-makers to take into account the principles of Te Tiriti o Waitangi. The Local Government Act 2002 mandates local authorities to involve Māori in decision-making, reflecting the Crown's duty to consider the Treaty. The Conservation Act 1987 and Reserves Act 1977 also require giving effect to Te Tiriti. The Fisheries Settlement and Kaimoana regulations guarantee Māori rights in fisheries management, while other legislation like the Hazardous Substances and Heritage NZ Pohere Taonga Act also require local authorities to uphold the Treaty.

Patukeha is concerned that government agencies and local authorities lack understanding of Treaty obligations and fail to implement appropriate policies. The RMA's directive to merely "take into account" the Treaty trivialises its status.

Patukeha believes it is insufficient to just "take into account" the Treaty. Instead, Te Tiriti should define the relationship between Patukeha, the Crown, and local government. Giving effect to Te Tiriti allows local government to fulfil its obligations under Section 6(e) of the RMA, which requires recognition of Māori relationships with natural resources as a key consideration in decision-making. This ensures mana whenua can fully exercise their kaitiakitanga rights.

### *3.2a Challenges*

- a) There has been insufficient recognition of Te Tiriti o Waitangi as the foundation for the relationship between Patukeha and local government, resulting in a failure to address Treaty obligations appropriately.
- b) Development pressures and the Crown's push to sell assets in our rohe have compounded existing concerns about the lack of resolution for Treaty claims, including WAI 1140 and others, which directly impact resource management.

### *3.2b Commitment*

- a) Te Tiriti o Waitangi forms the basis for the relationship between Patukeha and both local and central government.
- b) The principles of Te Tiriti should be given full effect, recognising its importance as the foundational agreement between Patukeha tūpuna and the Crown, as well as its relevance to contemporary governance.
- c) In giving effect to Te Tiriti, government agencies and local authorities must recognise and provide for kaitiakitanga and rangatiratanga, ensuring the active involvement of Patukeha in resource management decisions.



### 3.2c *Action*

- a) Local government and statutory agencies must acknowledge that Te Tiriti o Waitangi, originally an agreement between Patukeha tūpuna and the Crown, also places ongoing obligations on them to uphold Treaty principles.
- b) The articles of Te Tiriti o Waitangi must be given effect by local government, with due regard to the significance of the Treaty as the foundational document of Aotearoa New Zealand.
- c) As the tangata whenua with manawhenua in our rohe, Patukeha's interests in resource management must be recognised beyond those of general stakeholders and must include the full exercise of our kaitiakitanga rights and responsibilities.

### 3.2d *Method*

- a) TRP will work to ensure that all relevant government agencies and local authorities recognise Patukeha as the tangata whenua with manawhenua, and act in accordance with Te Tiriti's principles.
- b) TRP will monitor and assess the policies and practices of local authorities, ensuring that they incorporate Te Tiriti in resource management decisions, and ensure these align with the Crown's Treaty obligations.
- c) TRP will advocate for legislative changes where the current approach, such as that within the RMA, merely requires decision-makers to "take into account" the Treaty, and instead push for laws that "recognise and provide for" the relationship between Māori and natural resources.
- d) TRP will continue to advance the resolution of Treaty claims, particularly WAI 1140, and monitor development proposals within our rohe to ensure that they do not undermine ongoing Treaty negotiations or our rights as kaitiaki.
- e) TRP will work with local authorities to promote Māori participation in decision-making, as required by the Local Government Act 2002, ensuring that Patukeha's voice is included at all stages of resource management and governance.
- f) TRP will ensure that all relevant authorities provide the necessary resources for Māori-led monitoring and review of consent conditions, to uphold kaitiakitanga in accordance with the principles of Te Tiriti.

## 3.3 Kaitiaki Monitoring Tools

As kaitiaki and mana whenua, Patukeha must be involved in monitoring the health of our rohe across all aspects. To achieve this, the following needs to be addressed:

- Greater integration of monitoring efforts across agencies
- Increased use of community-based monitoring at the local level
- Recognition and incorporation of cultural indicators in monitoring processes
- Adequate resourcing for kaitiaki

A cultural monitoring framework for our health and wellbeing must acknowledge that:

- Patukeha's traditional foods, economic practices, and subsistence activities are interconnected, mutually supportive, and interdependent.
- The overall health and cultural wellbeing of Patukeha whānau and hapū depend on our ability to manage, harvest, prepare, and consume traditional foods, as well as continue cultural practices.

- Patukeha possess traditional knowledge and practices that, with the right technical support and resourcing, can address our economic and environmental needs and contribute to our wellbeing.
- It is essential for Patukeha to determine the methods for assessing the current state, changes, and rates of change in our environment, whether that be decline, destruction, improvement, or revitalisation. This assessment must involve full participation from our taumata and resource management practitioners.

We expect our cultural monitoring framework to evolve over time, in alignment with our ongoing participation. Patukeha have implemented the Coastal Cultural Health Index (CCHI), which was developed as part of a Ministry for the Environment project in 2010. This tool focuses on monitoring the health of Tangaroa through indicators related to the takutai and mahinga kai.

In addition to using the CCHI, Patukeha are working on developing an overarching Cultural Health Index (CHI) methodology. This expanded framework will include indicators to monitor the cultural health of Papatuanuku, Tāne Mahuta, and Wai Māori, ensuring a more holistic approach to monitoring the wellbeing of our rohe.

### 3.3.1 Patukeha Coastal Cultural Health Indicator Chart

INDICATORS	UNHEALTHY				HEALTHY
<b>Catchment land use</b>	1 Land heavily modified (bush, wetlands etc lost)	2	3	4	5 Appears unmodified
<b>Adjacent vegetation (MHWS plus 100m)</b>	1 Little or no vegetation – neither exotic or indigenous	2	3	4	5 Complete cover of vegetation – mostly indigenous
<b>Adjacent land use (MHWS plus 100m)</b>	1 Margins heavily modified	2	3	4	5 Margins unmodified
<b>Takutai condition (sediment)</b>	1 Covered by mud/sand/slime	2	3	4	5 Clear of mud/sand/sediment
<b>Changes to takutai</b>	1 Evidence of modification (dredging, structures, erosion, reclamation)	2	3	4	5 Appears unmodified
<b>Water quality</b>	1 Appears polluted (foams, oils, slime, marine pests etc.)	2	3	4	5 No pollution evident
<b>Water clarity</b>	1 Water badly discoloured	2	3	4	5 Water is clear
<b>How would you describe the overall health of the takutai at this site?</b>	1 Very unhealthy	2	3	4	5 Very healthy



<b>Comment</b>	
<b>Mahinga Kai Measure</b>	
<b>Abundance</b>	<p>While in the field a collated list of plant, bird and fish species is prepared for each site. A score of 1–5 is then made, depending on the total number of species present.</p> <p>Can also use catch per unit effort measure for specific species (eg how long does it take to fill a sack with pipi?) useful for comparison over time.</p> <p>Also note size of individuals eg. to evaluate whether there is a range of adults, juveniles etc</p>
<b>Change</b>	Comparison of species present today and mahinga kai species historically sourced from the site. Score 1-5
<b>Accessibility of the site</b>	<p>A score of either 1, 3 or 5 is given based on the legal and physical access tangata whenua have to the site:</p> <p>1 No access to the site.</p> <p>3 Either physical or legal barriers make access difficult.</p> <p>5 Unimpeded easy access to the site.</p>

### 3.4 Patukeha Relationships | Fostering Meaningful Engagement

#### Key Relationships

<b>Mana Whenua</b>	- Kaingahoa Marae Trustees, Kaingahoa Marae Committee, Te Rawhiti Marae Trustees, Te Rawhiti Marae Committee, Patukeha whānau (local and abroad).
<b>Hapū and Iwi</b>	- Ngāpuhi, Ngāti Kuta, Ngātiwai, Ngāti Manu, Te Kapotai, Ngāti Rehia, Ngāi Tāwake, Ngāti Kawa, Ngāti Manuhiri, Ngāti Rehua, Ngāti Hine.
<b>Community</b>	- Rawhiti Works Trust, Schools, Kohanga, Wai Knot, Island Bird Song, Forest and Bird.
<b>Developers/Industry</b>	- Leisure Tours, Business Boi.
<b>Government Agencies</b>	- Northland Regional Council (NRC), Far North District Council (FNDC), MPI, MfE, DOC, HPT, EPA, Crown Research Institutes, Universities, NDHB, TPK, OTS.

#### 3.4a Challenges

Current relationships with external entities often limit Patukeha's full participation as equal partners in decision-making related to resource management within our rohe.

### 3.4b *Commitment*

Strengthen relationships by building meaningful, ongoing partnerships with neighbours, communities, developers, and agencies, while ensuring TRP actively participates in resource management and decision-making processes, and that Patukeha's perspectives are fully integrated at every stage.

### 3.4c *Action [for Effective Relationships]*

<b>Community Engagement</b>	Regular consultation with hapū, whānau, and marae, especially on significant matters.
<b>Government Interaction</b>	Advocate for Patukeha's participation in all relevant governmental decision-making processes.
<b>Collaboration with Iwi</b>	Foster relationships with neighbouring hapū and iwi, focusing on shared learnings and resource management practices.
<b>Developer Engagement</b>	Engage early with developers to assess potential impacts on Patukeha values and environment. Ensure development follows agreed protocols.
<b>Science &amp; Research</b>	Establish research partnerships with Crown Research Institutes, universities, and experts to enhance kaitiakitanga

### 3.4d *Method [to Strengthen Relationships]*

<b>Hapū and Iwi</b>	Maintain open communication; share knowledge, experiences, and resources; collaborate on kaitiakitanga initiatives.
<b>Community Groups</b>	Engage proactively with all community groups and ensure Patukeha's status as tangata whenua is recognised.
<b>Developers/Industry</b>	Use the Resource Management Unit (RMU) to liaise with developers and advocate for early consultation.
<b>Government Agencies</b>	Actively participate in decision-making processes and seek formal agreements like Memoranda of Understanding.
<b>Research Organisations</b>	Build partnerships to integrate Patukeha values into research initiatives and promote the use of traditional knowledge.

### 3.4e *Specific Policies [for Development & Resource Management]*

<b>Resource Consents</b>	Ensure early consultation on proposals; require evidence of Patukeha consultation before accepting resource consent applications.
<b>Monitoring Development</b>	Monitor impacts during and post-construction; develop protocols to protect wāhi tapu and other cultural sites.
<b>Capacity Building</b>	Advocate for the provision of resources to support Patukeha participation in planning and policy processes; provide training on the Resource Management Act (RMA).

### 3.4f *Joint Management [& Co-Management Proposals]*

<b>Crown Assets</b>	Engage Patukeha from the start in decisions related to Crown land, especially reserves and conservation estates.
<b>Department of Conservation</b>	Establish binding agreements for co-management of areas of cultural significance.



**3.4g** *Capacity Building [for Patukeha]*

To ensure effective participation, TRP will:

- Develop training on the RMA and cultural inductions for agencies.
- Allocate resources to support Patukeha representatives' involvement in planning and policy processes.
- Promote cultural training within local authorities and government agencies to increase awareness of Patukeha's role as tangata whenua.

**3.4h** *Ongoing Monitoring [& Reporting]*

- Annual Reports: TRP will provide regular updates to Patukeha hapū on progress in resource management.
- Development Monitoring: TRP will monitor ongoing developments to ensure compliance with environmental and cultural protocols.
- Participation in Decision-Making: TRP will ensure Patukeha are consulted and actively participate in decisions affecting natural and cultural resources





## 4.0 Discharges to Air

Discharges to air can adversely affect local ecology, amenity values, and the health of our whānau living and working within this airshed. The lack of comprehensive monitoring, particularly in remote or less populated areas, means that we are still in the early stages of understanding the full scale of air pollution's impact on our environment and health. For example, there is no established monitoring for airborne nitrogen deposition in freshwater systems, creating a critical gap in understanding how such pollutants might affect the environment and cultural practices linked to mahinga kai and taonga species.

Patukeha acknowledges the need for more research and improved monitoring systems to address these gaps. Our Hapu Environment Plan focuses on protecting the mauri of our environment, including air quality, and ensuring that both environmental and cultural impacts are properly assessed and addressed. Strengthening the evidence base through research that integrates mātauranga Māori is essential to protecting the health of our whānau, ecosystems, and cultural practices for future generations.

### 4.0a Challenges

- a) The discharge of contaminants such as nitrogen, sulphur compounds, microplastics, and trace metals into the air threatens ecosystems, vegetation, and animal health, potentially impacting biodiversity in land, freshwater, and marine environments.
- b) Air pollution can harm taonga species and mahinga kai, which are essential to Patukeha food gathering practices and cultural traditions, thereby undermining both food security and cultural identity.
- c) Contaminants in the air risk degrading the mauri of the environment, including air, land, and water, which are foundational to the wellbeing of our rohe and the health of our people.
- d) Discharges to air can negatively affect waahi tapu and marae, sites of spiritual and cultural significance, which are central to the integrity of our community life.
- e) There is insufficient evidence on how air pollution specifically affects Patukeha cultural practices, particularly food gathering, highlighting the need for more research that incorporates mātauranga Māori.



#### 4.0b *Commitment*

- a) The health of the air, like the health of water and land, is vital for the wellbeing of Patukeha. Protecting the mauri of the air from contaminants ensures the ongoing sustainability of our environment and cultural practices.
- b) Patukeha must have a voice in the policies and regulations that impact the quality of air in our rohe. As mana whenua, we have a right to participate in decisions that affect our environment and the health of our communities.
- c) Maintaining open lines of communication with industries that discharge contaminants to air is essential to ensure that Patukeha concerns, and cultural values are incorporated into their operations and practices.

#### 4.0c *Action*

- a) Discharges to air must be strictly regulated to safeguard the mauri of air and prevent harm to the environment, public health, and the wellbeing of Patukeha whānau.
- b) The regional council must respect and incorporate Patukeha's cultural connection to air in air quality management, ensuring that the impacts on taonga species, mahinga kai, and waahi tapu are considered in all decision-making.
- c) Encourage the use of native plantings and ecological restoration to mitigate the effects of air pollution, improve environmental health, and enhance the quality of air, water, and land within our rohe.

#### 4.0d *Method*

- a) Consultation on any resource consent applications seeking to discharge contaminants to air within our rohe is required to ensure that Patukeha interests, cultural considerations, and environmental protection measures are incorporated from the outset.
- b) Collaboration with industry will focus on developing cultural monitoring methodologies that complement existing air quality systems. This partnership will help assess the impact of air discharges on the environment, taonga species, and cultural practices more effectively. Cultural indicators based on mātauranga Māori will be incorporated into these monitoring systems to ensure they reflect the true state of our environment.
- c) Industry, academic institutions, and other stakeholders will be engaged to fund and support research into the impacts of air discharges on human health and the environment in Patukeha. Research will specifically focus on understanding the health impacts on Patukeha whānau, particularly those living or working near air pollution sources such as industrial areas or transport corridors.
- d) Relevant parties will be worked with to fund health impact assessments that specifically examine the effects of industrial air discharges on Patukeha whānau. This research will provide valuable insights into the links between air quality and the health outcomes of our communities.

### 4.1 *Climate Change*

Climate change is a reality, and the latest findings from the Intergovernmental Panel on Climate Change highlight alarming projections, with some impacts now irreversible. The adaptation required will present both challenges and opportunities for tangata whenua. Climate change poses significant risks to Māori communities, particularly as poor



communities, youth, women, and those in remote areas are disproportionately affected. Māori are well represented in these groups, making climate change likely to exacerbate existing inequities.

Projections indicate that Patukeha rohe will experience rising temperatures, more frequent rainfall, severe weather events, and rising sea levels. In the face of these changes, reaffirming traditional knowledge and adopting new strategies is vital to ensuring the long-term sustainability of our social, ecological, cultural, and economic systems. Early planning and increased resilience will better prepare us for the impacts of climate variability.

#### 4.1a *Challenges*

- a) Climate change will impact the cultural, economic, social, and environmental wellbeing of Patukeha.
- b) The magnitude, timing, and nature of these effects on Patukeha and our taonga tuku iho have not been adequately assessed.
- c) Northland Regional Council has not taken a proactive lead in mitigating carbon emissions in the region.
- d) There is a lack of preparedness and planning for climate change adaptation in Tai Tokerau and Aotearoa as a whole.

#### 4.1b *Commitment*

- a) Patukeha hapū and whānau have sufficient information to plan for the effects of climate change.
- b) The impacts of climate change on Takahiwai marae, papakāinga, and other significant sites are identified, and strategies for adaptation are developed.
- c) Our community is resilient and self-sufficient in response to events such as flooding, severe storms, tsunamis, and droughts.
- d) Patukeha whānau are empowered to take advantage of opportunities arising from a changing climate.
- e) Climate change considerations are incorporated into community-based integrated catchment management planning, led by tangata whenua.
- f) Northland's energy needs are met primarily by community-owned renewable energy resources generated locally.

#### 4.1c *Action*

- a) TRP will collaborate with neighbouring hapū and iwi to provide tangata whenua perspectives in regional and national climate change policies.
- b) Local authorities and agencies must recognise and address the potential effects of climate change on resources and values important to Patukeha, including:
  - Sea level rise affecting our coastal marae, waahi tapu, and urupa.
  - Increased salinisation of rivers and estuaries, impacting mahinga kai.
  - Warming oceans and the effects on marine ecosystems.
  - Changes in rainfall and the impacts on aquifer recharge.
  - Habitat changes for indigenous flora and fauna, including taonga species.
  - Increased pressure on failing infrastructure.
  - Impacts on eco-tourism and changes in the tourism sector.
  - Rising transportation and energy costs.
  - Health impacts, such as the spread of tropical diseases.
- c) TRP supports reducing emissions through measures such as:



- Urban planning to reduce transport emissions.
  - Use of solar water heating and energy-efficient technologies.
  - Improved farming practices to reduce emissions.
- d) Climate change policies related to forests and carbon credits should encourage the protection and restoration of indigenous forests.
  - e) Restoration planning for wetlands and lagoons must factor in the potential for future sea level rise.
  - f) Local authorities must halt beachfront development in our rohe, whether industrial or residential.
  - g) Local authorities should recognise and enable collaborative catchment management, led by tangata whenua, that incorporates responses to climate change.
  - h) NRC must take proactive action now, avoiding the "head in the sand" approach currently adopted by central government.

#### 4.1d *Methods*

- a) Patukeha will work proactively with all relevant agencies and individuals to find positive, pragmatic solutions to climate change.
- b) TRP will seek funding and support to assess the risks climate change poses, evaluate our vulnerability, and implement adaptive strategies to protect our community, values, and taonga tuku iho.
- c) TRP will not support development proposals in the coastal environment where climate change poses an undue risk.
- d) Patukeha will explore opportunities to reduce our carbon footprint, improve energy efficiency, and investigate renewable energy generation within our rohe.
- e) TRP strongly recommends that Northland Health and local government consider the potential health and social impacts of climate change on Patukeha in their strategic planning.



## 5.0 Kaupapa mō te Whenua | Land Management

Patukeha regard all land within our rohe to be ancestral. Since colonial settlement almost all of our land has been alienated, leaving only a small fraction. Some of this land is now privately owned, with other portions held by the Crown or local councils (e.g., recreation and road reserves). Approximately one percent of our original tribal estate remains, consisting of fragments of Māori land, Māori reserves, and small blocks of general land owned by Patukeha. The increasing number of beneficial owners, many of whom reside overseas, and the fragmentation of shares make land management decisions complex. Māori land generally cannot be used as security for capital, which hinders efforts to establish, maintain, or expand economic and social equity initiatives, such as housing, marae, or kāinga.

The changing use of land - through activities such as forest clearance, conversion to farmland, exotic forestry, coastal subdivision, and industrial development - has placed significant pressure on our land and water resources. The values that draw people to the region today are the same values our tūpuna held dear. However, development continues to undermine the integrity of pā, kāinga, wāhi tapu, and mahinga kai, as modern lifestyle choices clash with cultural values. While councils are tasked with ensuring that development does not cause harm, inadequate regulations and a relentless pursuit of development have resulted in poorly planned projects, insufficient infrastructure, and the degradation of our cultural landscape, natural resources, and community wellbeing.

### 5.0a Challenges

- a) Patukeha are tangata whenua, and our connection to this land is central to our identity. All land within our rohe is considered ancestral.
- b) The distinction between Māori land (held under Māori title) and land in general title is poorly recognised and inadequately addressed.
- c) Development continues to place increasing pressure on our land and water resources, threatening their integrity.

### 5.0b Commitment

- a) To return all Patukeha ancestral land currently held in Crown title to hapū ownership.
- b) To provide maximum protection for our ancestral land from the adverse effects of development.
- c) To ensure the true costs of development are borne by those profiting from it.



#### 5.0c *Action*

- a) No further alienation of Māori land. Sustainable, long-term land use should be adopted where economically viable.
- b) Land development in our rohe should not compromise our relationship with the land, our culture, heritage, or environment.
- c) All development should be preceded by proper infrastructure planning.

#### 5.0d *Method*

- a) TRP will support and encourage research into long-term sustainable land uses for Māori land, such as permanent cover indigenous forestry.
- b) TRP will request MLC and TPK to urgently investigate the adequacy of current management processes and address succession issues for Māori land shares.

### 5.1 Whare Noho | Marae and Kainga

Our marae at Kaingahoa and Te Rawhiti are central to hapū life within our rohe, and we are committed to strengthening their role as vibrant hubs of our community for future generations. The marae has always played an integral role, offering vital benefits to our people - such as providing shelter during natural disasters, hosting sporting teams, and supporting schools. These contributions should be acknowledged in all policies affecting the rating of marae land.

Papakāinga development provides an important opportunity for whānau to establish affordable housing. Unlike typical subdivisions or developments on general title land, papakāinga is designed specifically to meet the needs of Māori landowners and their whānau.

#### 5.1a *Challenges*

- a) Kaingahoa marae is the cultural heart of our hapū.
- b) Kāinga, particularly those still in Māori ownership, are key to rebuilding hapū communities.
- c) Constraints such as land zoning, housing density regulations, and infrastructure provisions, along with multiple ownership, limit the ability to live on, utilise, and develop Māori land.
- d) The return of settlement assets will create future opportunities to re-establish kāinga and marae.

#### 5.1b *Commitment*

- a) Our marae will continue to be a vibrant, living centre of our hapū community.
- b) Whānau will have the opportunity to return to and live on their whenua.

#### 5.1c *Action*

- a) Our marae, kura buildings, and marae grounds are cultural treasures that should be recognised and preserved as heritage icons.
- b) TRP will support the Marae Committee and whānau in further developing and enhancing the marae.



- c) Papakāinga developments initiated by whānau will be supported to encourage the resettlement and re-connection of tangata and whenua. Council control over papakāinga should be limited to health and safety considerations, excluding 'reserve' land contributions.

#### 5.1d *Method*

- a) TRP will advocate for agencies to incorporate and implement the policies outlined in this section.
- b) TRP will assist the marae committee and whānau in developing marae and kāinga in a sustainable manner, focusing on transforming the marae into a cultural centre, with energy-efficient building designs and environmentally sustainable systems.

## 5.2 Māori Land Rating

Historically, much Māori land has been lost due to inequitable local government rating policies. Patukeha believes that the specific characteristics of Māori land, such as its multi-shareholding nature and its cultural significance, have not been adequately recognised or addressed by local government. Māori land has often been treated the same as general title land, which fails to account for the different legal, social, and economic circumstances faced by Māori landowners. While we acknowledge the challenges faced by FNDC and NRC in resolving these issues, a fair and durable solution requires the active involvement of central, regional, and local governments, with MLC playing a critical role. The blanket approach to valuing Māori land based on general land market values places an unfair and disproportionate rate burden on Māori landowners. This occurs even when the land is unlikely to be sold, as it cannot generally be used as collateral or developed in the same way as general title land due to Māori land tenure restrictions. Additionally, the practice of valuing Māori land based on its potential market value is unrealistic, given the multi-shareholding nature of Māori land and our responsibility to preserve it within whānau for future generations, ensuring its connection to our tūpuna remains intact.

#### 5.2a *Challenges*

- a) Māori land rating is a longstanding and contentious issue for Patukeha. The current system often fails to consider the unique challenges of Māori land, such as its fragmented ownership, lack of development potential, and cultural importance.
- b) The rapid expansion of the housing market in our coastal rohe has put immense pressure on land values, dramatically increasing the rateable value of properties. This surge in property value is often unrelated to the actual use or development potential of Māori land, making it harder for our community to afford rising rates.

#### 5.2b *Commitment*

- a) Our commitment is to establish Māori land rating policies that are fair, equitable, and acknowledge the specific conditions and challenges of Māori land tenure. This includes ensuring that Māori land is not unfairly burdened by rate increases driven by external market forces that have no bearing on its actual use or value to Māori landowners.



### 5.2c *Action*

- a) Māori-owned land should be rated differently from general title land, with consideration given to the land's cultural and social context. Māori land is often held in multiple ownership, and its development potential is restricted by legal and cultural factors, which make it inappropriate to treat it like ordinary private land.
- b) The valuation and rating of Māori land should not be subject to the increase in market values driven by adjacent property development. If such developments increase the rateable values of neighbouring Māori lands, this should be mitigated through a development levy or other compensatory mechanisms.
- c) Local authorities should carry out a thorough review of Māori land rating policies, with an emphasis on understanding the long-term effects of current remission and postponement policies. This review must involve the full participation of TRP, TPK, and MLC to ensure Māori voices are central to the decision-making process.
- d) Local authorities across Tai Tokerau should collaborate to develop a unified, consistent approach to Māori land rating issues, ensuring that local governments are addressing Māori land rating concerns in a coordinated manner.

### 5.2d *Methods*

- a) TRP will actively engage with the relevant council processes to request a comprehensive review of Māori land rating policies. This process will also involve ensuring that local government staff responsible for setting and processing rates receive adequate training and education on the complexities of Māori land tenure and the unique challenges Māori landowners face.
- b) Where the development of general title land leads to an increase in Māori land rates due to the proximity of the development, TRP will seek to ensure that developers are held accountable through long-term mitigation agreements. These agreements would be designed to offset the increased rating burden on Māori land and ensure that Māori landowners are not unfairly penalised for the impacts of neighbouring developments.

## 5.3 Prospecting, Exploration, Mining | Soil and Minerals

Mineral resources are finite, and their sustainable management is critical to prevent long-term environmental degradation. This is not only about preserving the physical landscape but also about protecting the cultural significance of these resources, which are deeply intertwined with the Māori worldview. Māori traditionally view the resources in the land, including minerals, as belonging to the people. These resources, form part of a broader concept of taonga, seen as treasures that hold both environmental and cultural value. The principle of Tino Rangatiratanga, or Māori sovereignty, asserts that Māori have the inherent right to control and manage these resources according to their customs and needs, ensuring that they are used in a way that protects both the land and future generations.

Effective land use planning is essential to ensure resources are preserved for future generations. Poor land management, such as excessive extraction or inappropriate agricultural practices, can result in soil erosion and sedimentation, which adversely affect water quality. Protecting the mauri of these resources is not only vital for environmental sustainability but also for the well-being of the community. These resources, as taonga, hold significant cultural importance to Patukeha, embodying not just natural wealth, but the



identity and connection to the land. Sustainable management of minerals and soil ensures that the land continues to provide for future generations, while mitigating harmful impacts on ecosystems and cultural heritage.

However, the Crown's claim over underground resources - such as gold, minerals, and other precious metals - has long been contested by Māori. The Crown Minerals Act 1991, and other laws assert that these resources belong to the Crown, despite Māori's deep connection to and authority over their lands and taonga. Mining companies' ability to prospect or extract resources beneath private or Māori land (e.g., through prospecting rights granted by the Crown) without explicit consent from the landowners or the affected iwi/hapū is seen as a violation of the Tino Rangatiratanga principle. This encroachment undermines Māori authority over their lands and resources, and Māori often argue that such activities breach the Crown's obligations under Te Tiriti o Waitangi to consult, respect, and protect Māori rights and taonga.

### 5.3a *Challenges*

- a) Extractive industries and poor land management practices have the potential to diminish or destroy the mauri of mineral and soil resources in our rohe, leading to detrimental environmental, cultural, and social effects.
- b) Soil and mineral resources are finite, and their depletion poses significant challenges for future generations.
- c) Mining and extraction activities can negatively impact areas of cultural significance to Patukeha, including wāhi tapu, waterways, mahinga kai, and culturally important landscapes.
- d) Soil erosion resulting from poor land management practices remains a persistent issue that exacerbates environmental degradation.
- e) Earthworks must be carefully managed to prevent damage to significant cultural sites, minimise erosion, and control sedimentation.
- f) Mining activities, particularly hard rock mining, create environmental risks such as toxic waste and long-term contamination of the land and waterways.
- g) Recent government efforts to fast-track mining proposals, often with minimal public notice or education, undermine meaningful community consultation and environmental safeguards.
- h) The ability of mining companies to prospect or extract resources beneath Māori land, without iwi or hapū consent, breaches the principles of Te Tiriti o Waitangi, particularly the right of Māori to exercise Tino Rangatiratanga over their lands, taonga, and resources.

### 5.3b *Commitment*

- a) To protect and enhance the mauri of mineral and soil resources through sustainable management practices, ensuring that these resources are available for future generations.
- b) To ensure that the use and management of mineral and soil resources is carried out sustainably, avoiding any adverse impacts on the environment or cultural heritage.
- c) To prohibit all mining activities, including prospecting, exploration, and extraction, within our rohe, in recognition of the irreparable damage caused by past practices and to uphold the principles of Te Tiriti o Waitangi.



- d) To actively defend Māori sovereignty over lands, resources, and taonga by opposing any activities that infringe upon Māori rights to self-determination, particularly those regarding underground resources.

#### 5.3c *Action*

- a) Prospecting, exploration, and mining activities will not be permitted in areas that hold cultural significance to Patukeha.
- b) TRP supports the adoption of innovative, sustainable practices for mining and quarrying operations, with a strong emphasis on rehabilitation efforts to restore the land post-extraction.
- c) TRP advocates for an outright ban on mining activities in the rohe, acknowledging that these industries have caused extensive harm to the land and environment, which must now be restored.
- d) TRP opposes the Crown's claim over minerals and resources beneath Māori land, asserting that such practices are a violation of the principles of Te Tiriti, and advocates for the full restoration of control over taonga to the iwi and hapū concerned.
- e) Earthworks approved by local councils must meet stringent environmental standards to ensure they do not result in damage to the landscape or ecosystems.
- f) Applications for earthworks consent must include comprehensive management plans detailing erosion control measures, cultural site protection, and rehabilitation efforts.
- g) Patukeha will actively participate in decision-making processes related to contaminated land in our rohe, ensuring that cultural and environmental values are prioritised in remediation efforts.
- h) Any applications for mining or exploration must be subject to robust consultation processes with affected iwi, hapū, and local communities to ensure that their rights, interests, and cultural values are safeguarded.

#### 5.3d *Methods*

- a) TRP will advocate for a stronger integration of the Crown Minerals Act and the Resource Management Act (RMA) processes, ensuring that activities are not permitted in culturally significant areas, and that rehabilitation plans are mandated for mining operations.
- b) TRP will work with permit holders to ensure that rehabilitation costs are fully covered by the permit holder and that effective erosion controls are implemented to prevent further environmental damage.
- c) TRP will work alongside national and local authorities to lobby for an amendment or repeal of the Crown Minerals Act, aiming to prevent any future mining activities on Māori land or within our rohe.
- d) TRP will engage with affected communities and legal advisors to ensure that mining companies cannot exploit legal loopholes or bypass community consent through fast-tracked processes.

## 5.4 Vegetation Clearance | Commercial and Exotic Forestry

Vegetation clearance is often undertaken for various land management purposes, including the development of pasture or residential subdivisions. However, when vegetation is removed without proper management, it can lead to long-term environmental degradation, such as soil erosion, water quality disruption, and loss of biodiversity. Additionally,



deforestation contributes significantly to climate change by reducing the land's ability to sequester carbon. Sustainable management of vegetation is vital not only for maintaining ecosystems but also for ensuring the land remains productive for future generations.

Commercial forestry, especially the continued expansion of exotic forestry plantations, poses serious environmental risks. While these plantations may offer short-term economic value, they often come at the expense of biodiversity, soil quality, and the visual landscape. These monocultural plantations also contribute to the spread of invasive species, further complicating efforts to maintain the health of native ecosystems. Therefore, we stand staunchly against the development of any new commercial forests in our rohe, particularly exotic forestry. Instead, we advocate for the replanting of native forests, which offer greater ecological benefits, including enhanced biodiversity, improved water quality, and greater carbon sequestration.

#### *5.4a Challenges*

- a) Extensive land clearance has caused significant environmental damage, contributing to soil erosion, poor water quality, and the depletion of valuable ecosystems.
- b) Unregulated commercial forestry expansion, particularly in environmentally sensitive areas, poses risks to soil stability, local biodiversity, and cultural landscapes.
- c) Exotic forestry plantations, particularly pine forests, have often been established with minimal regard for the long-term environmental impacts, including the spread of invasive species and the loss of indigenous habitats..

#### *5.4b Commitment*

- a) To protect and sustainably manage land-based vegetation and ecosystems, prioritising native replanting to restore and enhance biodiversity.
- b) To oppose the expansion of commercial exotic forestry in our rohe, and instead promote the planting and regeneration of native forests for ecological, cultural, and environmental benefits.
- c) To ensure that commercial forestry activities are conducted sustainably, minimising environmental degradation and respecting cultural value.

#### *5.4c Action*

- a) Vegetation clearance should only be permitted for essential land management purposes, with clear plans for rehabilitation and, where possible, the restoration of native vegetation.
- b) Commercial forestry operations should be restricted to existing sites, with a preference for planting native species to support the local ecosystem.
- c) New commercial forestry development, especially exotic plantations, will not be supported in our rohe due to the environmental harm they cause.
- d) We will advocate for local, regional, and national policy changes that prevent further expansion of commercial forestry and encourage native forest regeneration.
- e) The community will be involved in decision-making around forestry practices to ensure cultural and environmental considerations are fully respected.



#### 5.4d *Methods*

- a) TRP will collaborate with local councils and environmental agencies to develop and implement policies that protect sensitive areas from further commercial forestry developments.
- b) TRP will work with local communities, iwi, and stakeholders to identify areas suitable for native replanting, supporting initiatives that promote the restoration of indigenous forests.
- c) We will lobby for stronger regulations that limit the growth of exotic forestry and incentivise the planting of native species to balance ecological and economic needs.
- d) TRP will continue to monitor the environmental and cultural impacts of forestry operations in our rohe, advocating for remediation where necessary and promoting sustainable, indigenous forestry practices..

#### 5.4.1 Farming | Poisons, Pesticides & Weed Sprays

Farming activities in our rohe, including dairy, dry stock, sheep, poultry, pig, and other animal farming, have traditionally been low-key, with most of the farming conducted by longstanding local residents. While these practices are generally well-managed, they do have their environmental impacts. Key concerns include the contamination of waterways from stock runoff, the overuse of chemical fertilisers and pesticides, and the issue of wandering livestock. The spread of non-native plants and invasive weeds also threatens the region's biodiversity, undermining local ecosystems.

The use of poisons, pesticides, and herbicides in farming, alongside the ongoing threat of noxious weeds, presents significant environmental risks. These chemicals can contaminate the land and water, harm local wildlife, and pose health risks to humans. The degradation of the environment through chemical use also undermines the mauri of the land, which directly impacts both the natural environment and Patukeha's deep spiritual and cultural connection to the land.

To address these challenges, we recognise the importance of balancing farming practices with efforts to protect and restore the environment. A crucial aspect of this is our support for the 100% Predator Free Programme, a government-led initiative aiming to eliminate key predators - stoats, rats, and possums - from New Zealand's ecosystems by 2050. These invasive species have caused the decline and extinction of many native birds, insects, and plants, and the programme seeks to reverse this damage. It promotes a range of pest control methods, including the use of toxins such as 1080 (sodium fluoroacetate) and other pesticides, applied in carefully controlled and monitored ways.

While the use of poisons is controversial, it is seen as one of the most effective ways to reduce predator populations rapidly in large areas, enabling native species to recover. However, the application of poisons must be done responsibly. Strict guidelines ensure risks to non-target species are minimised, and poison use is often combined with other control measures, such as trapping and habitat restoration, to ensure long-term ecosystem health.

In supporting this programme, we acknowledge the critical role that strategic, short-term poison use plays in protecting New Zealand's indigenous wildlife and ecosystems. At the



same time, we remain committed to maintaining sustainable farming practices that minimise environmental harm, advocate for safer alternatives, and support the restoration of native biodiversity. Through these integrated approaches, we aim to balance agricultural productivity with the preservation of mauri, ensuring the environment is protected for future generations.

#### *5.4.1a Challenges*

- a) Farming practices, including stock runoff, have led to waterway contamination, and wandering livestock poses road safety risks.
- b) The widespread use of chemical fertilisers, pesticides, and herbicides in farming has negatively impacted ecosystems, water quality, and human health.
- c) Noxious weeds, often linked to farming, have exacerbated challenges to native biodiversity and ecosystem health.
- d) The introduction of invasive species, such as rats, stoats, and possums, has caused severe damage to native wildlife and created ecological imbalance.

#### *5.4.1b Commitment*

- a) promote environmentally sustainable farming practices that reduce the impact on waterways and ecosystems.
- b) To collaborate with local farmers to minimise the use of harmful chemicals and advocate for safer, more effective alternatives.
- c) To encourage the restoration of native plants and trees on farms, reversing the spread of invasive species and promoting biodiversity.
- d) To support the 100% Predator Free Programme through responsible and controlled poison use, ensuring the protection of native wildlife and ecosystem restoration.

#### *5.4.1c Action*

- a) Farming Practices:
  - Work with local farmers to implement water quality testing and land management practices that reduce stock runoff and chemical use.
  - Promote sustainable agricultural practices, encourage organic or alternative methods, and limit the use of chemical fertilisers and pesticides.
- b) Pest Control and Predator-Free Initiatives
  - Support the 100% Predator Free Programme by advocating for the strategic use of poisons to control invasive species, particularly in native reserves and conservation zones.
  - Encourage collaboration with agencies like DOC, NRC, FNDC and pest control organisations to ensure poisons are used responsibly, minimising risks to non-target species.
  - Consider smaller-scale, community-led predator control initiatives that are more manageable for the hapū, while still aligning with broader national objectives.
- c) Invasive Species Management
  - Develop programmes to remove or control invasive species on farmland, focusing on restoring native biodiversity and ecosystem resilience.
  - Promote the eradication of noxious weeds threatening both farming landscapes and native habitats.
  - Work with relevant agencies such as the FNDC, NRC and DOC to identify the best practices for poison use and to promote pre- and post-monitoring programs.



- Advocate for the minimisation of poison applications and encourage monitoring programs to assess their effectiveness and environmental impacts.
- Focus on locally manageable projects, such as community-led weed eradication or pest control, that can be scaled based on available resources.

#### 5.4.1d Methods

##### a) Farming:

- Facilitate workshops on sustainable land management and alternative farming methods to reduce chemical pesticide use and promote organic practices.
- Collaborate with local councils to address wandering stock and improve road safety.

##### b) Pest Control and Predator Free Initiatives:

- Work with local agencies to ensure strategic, well-monitored poison use for pest control, protecting non-target species.
- Advocate for predator-free areas that allow for safe poison applications, with careful monitoring of their environmental impact.

##### c) Invasive Species Management

- Collaborate with environmental groups and councils to restore native plant life on farms, replacing invasive species with native alternatives.
- Support community-led projects to remove invasive pests and weeds from farmland and surrounding wildlife.
- Focus on practical, small-scale programs that involve local farmers and residents, drawing on regional expertise and leveraging available funding or partnerships.

## 5.5 Subdivision | Development

Over the past fifteen years, our rohe has seen significant growth in coastal subdivisions and the expansion of industrial and commercial estates. While small-scale developments, particularly those led by individuals who are genuinely committed to the well-being of the area, tend to have minimal environmental impact, there is growing concern about the effects of larger-scale projects. These developments can pose serious threats to the long-term sustainability of our environment, often leading to the degradation of water quality, destruction of natural landscapes, and damage to culturally significant sites.

Te Rūnanga o Patukeha (TRP) is committed to opposing inappropriate coastal development, especially when it conflicts with the New Zealand Coastal Policy Statement (NZCPS) or undermines our cultural values and the integrity of our landscapes and seascapes. While development can provide opportunities to strengthen cultural connections—such as incorporating Patukeha names or cultural interpretations into designs—we believe that developments must be low-impact, sustainably designed, and involve meaningful engagement with tangata whenua at every stage. Effective collaboration, from planning to post-consent monitoring, is crucial to ensuring that developments align with our values and objectives.

Te Rūnanga o Patukeha is committed to protecting the cultural and environmental integrity of our area and ensuring that development activities are managed responsibly, in line with our



values. We will continue to engage actively in planning processes to safeguard our coastal and rural landscapes for future generations.

#### 5.5a *Challenges*

The rapid increase in coastal subdivisions and commercial development within our rohe has had significant negative effects on Patukeha cultural values, including our sense of place, cultural identity, indigenous biodiversity, mahinga kai, and waahi tapu. Over the years, tourism-related ventures and residential expansion have altered the landscape, stressing natural resources and contributing to the degradation of key environmental assets. While small-scale developments can sometimes be managed sustainably, large-scale projects often threaten the cultural and environmental integrity of our rohe. The uncontrolled spread of these developments has exacerbated issues such as contamination of freshwater and coastal ecosystems, destruction of cultural landscapes, and reduced areas for customary use.

The processing of building and land use consents remains an ongoing concern. Consultation with Te Rūnanga o Patukeha is often overlooked or substandard. Even when we manage to impose controls on design, size, measurements, and colour—either through direct consultation or conditions on consents—these are frequently not monitored. The visual impact of poor housing design, particularly when viewed from the sea, is unsightly.

Te Rūnanga o Patukeha recognizes the growing trend of subdivisions within our area, where large farm blocks are increasingly being divided into smaller lots. This poses a significant threat to the preservation of our coastal and rural outlook, which are vital to our cultural, environmental, and spiritual well-being. As this development intensifies, TRP is committed to protecting our whenua and ensuring that these activities do not undermine the values we hold dear.

#### 5.5b *Commitment*

- a) Protecting our cultural landscapes and seascapes from inappropriate or destructive development.
- b) Playing an active and influential role in urban planning and development processes that affect our whenua.
- c) Ensuring that all subdivision and development activities are low-impact, sustainable, and aligned with our cultural and environmental values.
- d) Ensuring that development proposals comply with the provisions of the Te Rūnanga o Patukeha Plan and maintain the integrity of our natural and native environments.
- e) Advocating for a precautionary approach to coastal development, especially when potential environmental and cultural effects are uncertain.

#### 5.5c *Action*

- a) Work closely with councils and agencies to ensure that the cumulative impacts of subdivision and development on our cultural and natural landscapes are recognised and avoided, including:
  - Addressing the effects of incremental development on cultural landscapes.
  - Preventing further modifications that conflict with the cultural and environmental values of the area.



- b) Oppose the private ownership or effective privatisation of the foreshore resulting from coastal subdivision activities, as this undermines customary rights and public access.
- c) Advocate for the incorporation of Patukeha values in all coastal land development activities, including:
  - Protection of coastal headlands, skylines, and indigenous biodiversity, including remnant forests and endemic species.
  - Preservation of waahi tapu and other significant cultural sites.
  - Maintaining view shafts to significant natural landmarks.
  - Ensuring public access to coastal areas for customary use, such as gathering kai and engaging in cultural practices.
  - Supporting initiatives like mataitai reserves to protect coastal resources.
  - Addressing potential sedimentation and contamination of freshwater and coastal waters.
  - Recognising the increased pressure on existing water resources and community infrastructure caused by subdivision.
- d) Advocate for larger minimum lot sizes adjacent to the coast to protect rural vistas and limit the extent of subdivision near sensitive environmental areas.
- e) Ensure that subdivision and building consent applications include a landscape plan to assess the visual and environmental impacts, including:
  - Reducing the number of houses on the immediate coastline.
  - Restricting the erection of two-storey buildings on the immediate coastline to reduce visual impact.
  - Minimising building size and using shapes that do not compromise the natural outlook.
  - Negotiating appropriate colour schemes that blend into the surrounding natural environment.
  - Restricting the erection of buildings above the skyline and on ridges to preserve the natural character of the area.
- f) Monitor and review building designs and conditions on resource consents to ensure compliance, particularly concerning visual impacts from both land and sea. This includes ensuring that poor housing design, especially those visible from the sea, is avoided or mitigated.
- g) Ensure the protection of native plant species, particularly mature native trees. Increasingly, residential activities have led to the felling of these trees to improve views. TRP opposes this practice unless the tree poses a threat to human life or safety.
- h) Encourage the planting of native trees as policy within the area, especially eco-sourced local seed stock. TRP will support native tree planting programs on reserve land in partnership with DOC and councils.
- i) Establish a native tree nursery to raise seedlings for planting throughout the area, ensuring that local ecosystems are supported and restored.

### 5.5c *Methods*

- a) Work with local authorities to implement a consistent approach for identifying and addressing Patukeha interests in subdivision and development activities, including:
  - Encouraging early engagement with TRP in the planning process to identify cultural and environmental concerns.
  - Ensuring TRP is consulted during the Plan Change stage to assess potential impacts of proposed developments.



- Requiring resource consent applications to assess cultural, social, environmental, and economic effects on Patukeha.
- Ensuring that impacts on Patukeha values are avoided, remedied, or mitigated using culturally appropriate methods, as recommended by TRP.
- b) Develop guiding principles and design standards for subdivision and development that align with Patukeha values and environmental priorities.
- c) Actively monitor and engage in resource consent applications to ensure developments do not cause undue harm to the environment. TRP will oppose the establishment of commercial activities such as:
  - Restaurants and bars
  - Motels, lodges, cabins, and huts
  - Resorts
- d) If the Council is inclined to grant consent for such activities, TRP requests that this be done only with stringent conditions that protect the cultural and environmental values of our whenua.

## 5.6 Infrastructure | Development

In the past, Patukeha, as kaitiaki and tangata whenua, have not been fully engaged in decision-making processes regarding land and infrastructure developments within our rohe. Māori land has often been poorly serviced compared to other areas in the district. Over decades, Māori land has been taken under various acts, such as the Public Works Act, for infrastructure purposes, with little consideration for sustainable management post-acquisition.

### 5.6a *Historic*

- a) Increased development and population pressure have led to heightened demand for infrastructure, including roads, water supply, sewerage, stormwater systems, reserves, parks, and cultural facilities like libraries and museums.
- b) Agencies such as DOC and NRC have acquired significant areas of land for public reserves and infrastructure, yet the resources for managing these areas sustainably are often lacking.
- c) Current road networks within the area are substandard and unsafe. Some roads remain unsealed and contribute to silt runoff into waterways. Excessive dust levels pose health hazards and contaminate drinking water.

### 5.6b *Commitment*

- a) Being fully involved in decision-making processes regarding the planning, development, and management of utilities, amenities, and infrastructure within our rohe.
- b) Advocating for the provision and maintenance of a safe road network for people and industry and increasing the percentage of sealed roads.

### 5.6c *Action*

- a) Participate actively in all decision-making processes regarding infrastructure planning and development within our rohe. This engagement will start at the early stages of any planning or business cycle.



- b) Encourage innovative infrastructure solutions, such as algae farming for biofuels on sewerage treatment ponds or using effluent to support indigenous forestry.
- c) Ensure that new developments contribute to the full and true cost of infrastructure.
- d) Advocate that public infrastructure for greenfield developments does not come at the expense of existing community needs.
- e) Ensure that public reserves are adequately resourced for sustainable management.
- f) Negotiate with agencies for the development of a schedule of public reserves to facilitate joint or sole management arrangements with full participation of ahi kaa and kaitiaki.
- g) Work with the New Zealand Transport Agency and Far North District Council to:
  - Assess the overall road network and identify methods for improvement.
  - Evaluate the condition of drains, natural water flows, and safety hazards, particularly dangerous spots and accessibility for emergency services.
  - Assess the adequacy of road signage and the costs of repairs, upgrades, and sealing.
  - Investigate the impacts of unsealed roads on coastal, wetland, and river ecosystems, especially those affecting traditional food sources.
  - Develop a strategic plan to address roading issues and prioritise necessary actions.

#### 5.6d *Method*

- a) Continue to advocate that relevant agencies recognise and adhere to the policies outlined above.
- b) Request the development of a schedule and process for negotiating joint management agreements over public reserve lands, which should be included in any Memorandum of Understanding (MOU), agreement, or co-management arrangements.
- c) Discuss with Far North District Council a method to ensure all road contributions paid from developments within the area are set aside in a separate holding account for redistribution on road infrastructure projects in the area.
- d) Continue working with the New Zealand Transport Agency and Far North District Council to improve the condition of roads, prioritise safety, and ensure infrastructure development meets both the current and future needs of our communities.

### 5.7 Public Access

Patukeha, as tangata whenua and kaitiaki, have long been excluded from meaningful involvement in decision-making processes related to land and infrastructure development within our rohe. Māori land has often been underserved compared to other areas in the district, and over the years, it has been taken under various legislative provisions—such as the Public Works Act—for infrastructure projects. These acquisitions were made with little regard for sustainable management or the long-term cultural and environmental impacts. As a result, many Māori communities continue to lack access to essential services, and our ability to protect and manage our whenua according to our values has been undermined.

#### 5.7a *Challenges*

- a) Development Pressure - As our rohe faces ongoing growth, there is increasing demand for infrastructure such as roads, water supply, sewerage systems, stormwater management, parks, reserves, and cultural facilities like libraries and museums.



- b) Under-resourced Land Management – While government agencies like the Department of Conservation (DOC) and Northland Regional Council (NRC) manage significant areas of land, these lands often lack the resources needed for sustainable management. Without adequate funding and expertise, the opportunity for effective environmental stewardship and cultural protection is often missed.

#### 5.7b *Commitment*

- a) Active Participation – We are committed to ensuring that Patukeha is involved in every stage of decision-making related to the planning, development, and management of infrastructure, amenities, and utilities within our rohe.
- b) Cultural Integration – It is our priority to ensure that infrastructure development respects and incorporates Patukeha cultural values, traditional knowledge, and aspirations.
- c) Sustainable Development – We advocate for infrastructure projects that prioritise long-term sustainability and environmental responsibility.

#### 5.7c *Action*

- a) Engage Early – We will actively participate from the outset in all infrastructure planning and decision-making processes to ensure our cultural and environmental priorities are considered.
- b) Support Innovative Solutions – We encourage the development of creative and sustainable infrastructure solutions, such as algae farming for biofuels or using effluent for indigenous forestry projects.
- c) Full Cost Contribution – We will ensure that new developments contribute to the full cost of infrastructure, considering both the immediate and long-term environmental, cultural, and social impacts.
- d) Equitable Infrastructure – We advocate for greenfield developments to meet their infrastructure needs without compromising the needs of existing communities.
- e) Sustainable Reserve Management – We aim to ensure public reserves are adequately resourced for their long-term, sustainable management.
- f) Joint Management of Reserves – We are committed to negotiating joint or sole management agreements for public reserves, allowing for full participation by ahi kaa and kaitiaki in land stewardship.

#### 5.7d *Method*

- a) Advocate for Agency Adherence – We will continue to work with relevant agencies to ensure they follow these policies in all infrastructure planning and development processes.
- b) Negotiation of Joint Management – We will seek the development of a schedule and formal process for negotiating joint management agreements over public reserve lands, which should be incorporated into any Memorandum of Understanding (MOU) or co-management arrangement.
- c) Cultural Impact Assessments – We will ensure that developers and local authorities engage with Patukeha early in the planning process, commissioning Cultural Impact Assessments (CIAs) to identify and address potential cultural and environmental concerns.
- d) Monitoring and Advocacy – We will actively monitor resource consent applications and participate in planning processes to protect Patukeha values in all land-use decisions.



## 5.8 Overseas Investment | Land Purchases

Patukeha is committed to restoring our cultural and traditional ties to the land, which includes regaining access to significant sites and protecting waahi tapu. However, the sale of land to overseas investors can disrupt these efforts. Such transactions often occur without consideration of the land's cultural importance, leaving tangata whenua further disconnected from our ancestral lands. Overseas investors may not fully recognise or respect the cultural values tied to the land they acquire, which can lead to further disenfranchisement of Māori. For this reason, the Overseas Investment Office (OIO) must formally acknowledge and consider the cultural values of the land in its decision-making, alongside the other criteria set out in section 10(1)(a) of the Overseas Investment Act.

That said, overseas investment also presents an opportunity to recognise Patukeha's connection to specific areas, particularly for the protection and access to sites of cultural significance. For such investment to benefit tangata whenua, formal processes must be established to ensure our rights and interests are respected and included in any decision-making process.

### 5.8a Challenges

- a) Overseas investments and land purchases can negatively impact Patukeha's connection to ancestral lands, waterways, wāhi tapu, and other taonga. These transactions may sever our cultural ties and restrict access to sites of spiritual and historical significance.

### 5.8b Commitment

- a) Ensuring that any overseas investors are fully aware of the cultural significance of the land they purchase within our rohe, and that they actively work to protect culturally important sites and provide access to them.

### 5.8c Action

- a) Advocate for the retention of land within Māori ownership and the preservation of ancestral land in local ownership as a means of safeguarding our cultural and spiritual ties.
- b) Ensure that the OIO formally recognises Patukeha's cultural, historical, and spiritual interests in all overseas investment applications, including:
  - Acknowledging our relationship with the land,
  - Protecting cultural values associated with the land, and
  - Ensuring continued access to significant cultural sites.

### 5.8d Methods

- a) Work with the OIO to engage directly with overseas investors, securing a first right of refusal for lands purchased within our rohe, and ensuring that tangata whenua are part of the decision-making process regarding land transactions.
- b) Collaborate with the OIO, local councils, and relevant agencies to require that Cultural Value Reports are prepared by TRP, to assess the cultural, environmental, and spiritual



importance of land and identify potential risks or concerns related to proposed land purchases.

- c) Advocate for the inclusion of cultural information in Land Information Memorandums (LIMs), Property Information Memorandums (PIMs), and land titles to ensure prospective buyers are aware of the cultural significance of the land.
- d) Work with councils and agencies to ensure that appropriate consent conditions are established for the protection, conservation, and restoration of cultural heritage sites, and that access to these sites for cultural purposes is maintained during development.

## 5.9 Waste Management

As our society increasingly focuses on sustainability, waste management plays a critical role in protecting environmental health and reducing strain on existing infrastructure. Communities such as Raglan, Kaitia, and Kaikoura have demonstrated that community-based waste management approaches can significantly reduce landfill waste by up to 70%, benefiting both the environment and local economies. Waste minimisation aligns directly with the cultural values we seek to protect in this plan. Reducing the volume of solid waste and wastewater will ease pressure on infrastructure and help preserve both our environmental and cultural values.

### 5.9a Challenges

- a) The excessive volume of waste produced in modern society is unsustainable and places a growing burden on ecosystems and resources.
- b) The state of sewage treatment and disposal in our rohe is a significant concern for Te Rūnanga o Patukeha. Many areas are vulnerable to contamination from inadequate sewage systems, leading to pollution of freshwater and coastal waterways. Current land-based sewage systems are insufficient for the effective treatment and disposal of wastewater.

### 5.9b Commitment

- a) Achieving a zero-waste rohe for future generations, making waste minimisation a core component of environmental protection and sustainability.
- b) Transitioning to zero-waste practices across marae, kohanga, kainga, and other communal spaces, with a focus on reducing landfill reliance.

### 5.9c Action

- a) Advocate for local authorities and agencies to adopt waste minimisation strategies and zero-waste policies in our rohe.
- b) Lead by example by implementing zero-waste practices at Patukeha marae, kohanga, kura, and papakainga, including composting, recycling, and waste diversion.
- c) Support community-driven initiatives that focus on sustainable waste management, particularly those that create local green businesses or promote waste-to-energy technologies.
- d) Promote and encourage local recycling initiatives to reduce landfill waste and increase awareness of sustainable practices.



#### 5.9d *Methods*

- a) Advocate for councils and agencies to adopt zero-waste policies that align with both environmental sustainability and cultural values.
- b) Lead by example, incorporating zero-waste practices in Patukeha communities, using composting, recycling, and other diversion techniques at marae, kohanga, kura, and papakainga.
- c) Work with local authorities and industry to explore innovative waste management solutions, such as:
  - Waste-to-energy systems that convert organic waste into energy.
  - Using treated wastewater for irrigation of non-food crops, reducing pressure on freshwater resources.
  - Promoting the use of native wetlands for natural wastewater filtration.
- d) Identify and promote composting sites to manage organic waste and encourage community participation in waste diversion.
- e) Work with local councils to identify areas that require waste bins, particularly in high-traffic or rural areas, to reduce fly-dumping.

#### 5.9e *Funding Contributions Proposal*

- a) Requiring commercial and industrial establishments without land-based sewage systems to contribute an annual sewage fee to FNDC, which will be dedicated to installing, maintaining, and upgrading land-based sewage systems in the rohe.
- b) Funds raised from the sewage contributions will be allocated transparently to improve local infrastructure, ensuring systems are effective, sustainable, and culturally appropriate.

### 5.10 Raweke Ira Tangata | Genetic Engineering

The decisions regarding genetic engineering (GE) have far-reaching and irreversible consequences on our environment, species, food systems, and future generations. Given the potential risks to Patukeha's cultural and environmental values, we will adopt a precautionary approach to avoid GE within our rohe. GE contamination can spread across regions, and therefore this issue should be managed at a national level. The current regulatory frameworks are inadequate in addressing the potential harm GE poses to the mauri of species, as well as Patukeha's cultural, social, and environmental well-being.

Patukeha opposes the introduction of GE due to its potential to undermine whakapapa, biodiversity, and the protection of Māori taonga. While we recognize the ongoing global debate surrounding GE and acknowledge the presence of genetically modified organisms in the global food supply, we assert that any use of GE within our rohe must be approached with extreme caution.

#### 5.10a *Challenges*

- a) Genetic engineering poses significant risks to Patukeha's cultural and environmental values, particularly in relation to whakapapa and the mauri of species. Current national and local regulatory frameworks are insufficient in managing these risks.
- b) Genetically modified crops, such as larger fruits and pest-resistant varieties, have been part of the agricultural landscape for years. However, the full scope of genetic



engineering's impact on the environment, native species, and food systems remains unclear.

- c) Patukeha has traditionally sourced native plants for environmental restoration from their own ngahere to maintain the integrity of the mauri of their ecosystems. The introduction of plants from commercial outlets or outside regions, which may be genetically altered, poses a potential threat to the native environment.

#### 5.10b *Commitment*

- a) Patukeha is committed to maintaining a GE-free rohe to safeguard the cultural, environmental, and spiritual integrity of our lands, waters, and ecosystems.
- b) Any proposal to introduce GE organisms within Patukeha's rohe must undergo a comprehensive consultation process that includes hapū, iwi, and the wider community, ensuring transparency and full participation in decision-making.
- c) Patukeha will actively oppose the introduction of GMOs within our rohe and advocate for the protection of our lands, waters, taonga, and future generations from the risks associated with genetic engineering.

#### 5.10c *Action*

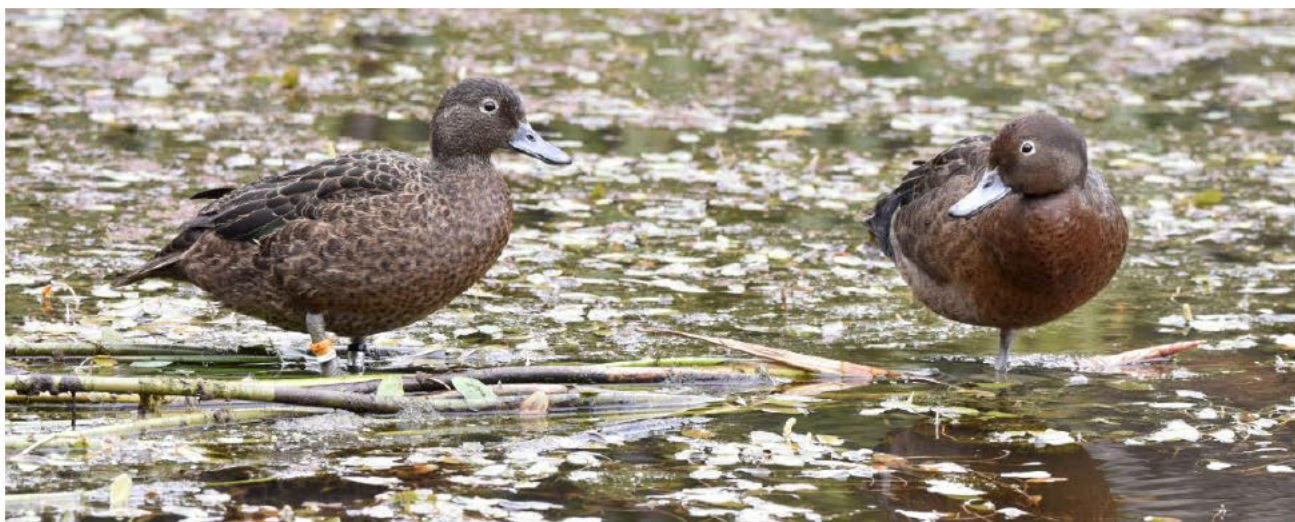
- a) Oppose the introduction or release of genetically modified organisms (GMOs) within our rohe due to the potential risks they pose to the environment, species mauri, and whakapapa.
- b) Advocate for Te Tai Tokerau to remain a GE-free zone.
- c) Ensure that any potential release of GMOs within our rohe undergoes full consultation with Te Rūnanga o Patukeha, as well as with other affected iwi and the wider public.
- d) Ensure that any changes to national policy that allow GMOs in our rohe are communicated to Te Rūnanga o Patukeha and require full consultation before any decisions are made.

#### 5.10d *Methods*

- a) Collaborate with local authorities, including NRC and FNDC, to advocate for regional GMO prohibitions.
- b) Work with national networks such as the Māori National Network (MNN) and the Environmental Protection Agency (EPA) to ensure that Māori cultural values are respected in consultation processes related to GE.
- c) Stay informed on scientific research and policy changes related to GE and review our stance accordingly to adapt to any significant scientific advancements.
- d) Educate Patukeha community members on the risks of GE and encourage active participation in advocacy efforts to maintain a GE-free rohe.

Patukeha





## 6.0 Wai Māori

Freshwater is a taonga of paramount importance to Patukeha. Its quality and availability are essential for our cultural, social, economic, and environmental wellbeing. Our key waterways and their tributaries hold deep cultural significance and are vital for sustaining our practices as kaitiaki. We are committed to restoring the health of these freshwater resources to ensure their preservation for future generations.

However, ongoing degradation—driven by deforestation for pastoral use, poor land management, agricultural runoff, and industrial discharges—has led to the loss of vital mahinga kai such as tuna, inanga, koura, and watercress. These food sources are increasingly unsafe due to contamination. Our cultural health monitoring programme has shown that many kai sources are no longer suitable for gathering.

Water allocation remains another critical issue. Many water bodies, particularly in areas like [insert area], are over-allocated. Treating water permits as property rights, without regard for the finite nature of the resource or its cultural significance, exacerbates the problem. Patukeha has lost control over water resources, leading to their exploitation for economic gain, with little benefit returned to tangata whenua. The management of our waterways is fragmented, with multiple agencies (e.g., NRC, DOC, Fish and Game) involved in decision-making. This lack of coordination among stakeholders, coupled with limited Patukeha participation in decision-making processes under the National Policy Statement for Freshwater Management, results in a reactive and inadequate approach to addressing the root causes of environmental degradation.

### 6.0a Challenges

- a) Water has long been treated as a public resource, diminishing its sacredness as a taonga tuku iho and our collective responsibility to protect it. This has contributed to the erosion of our cultural relationship with water.
- b) The mauri of our freshwater resources is in serious decline, and the degradation of our waterways has severely impacted Patukeha's ability to gather traditional kai, such as tuna, inanga, and koura, essential for nourishing our whanau.



- c) Over-allocation and contamination are increasingly jeopardising mana whenua's access to clean drinking water, further undermining our control over freshwater resources and limiting our ability to maintain cultural practices, such as kai gathering and rituals.
- d) Patukeha has been inadequately represented in freshwater management decisions in Te Tai Tokerau, which has hindered our ability to advocate for the protection of our cultural values and sovereignty over water resources.
- e) We reject the notion of water as a "common resource" to be exploited for economic gain. While water resources have been commercially exploited, Patukeha has not benefited, as these resources have been historically controlled by external parties.

#### 6.0b *Commitment*

- a) Patukeha is committed to the restoration and protection of freshwater resources, recognising water as a sacred taonga that sustains the physical, spiritual, and cultural wellbeing of our whanau, hapū, and iwi. We will:
- b) Value and Restore Freshwater: Treat water as a taonga, committing to restore the mauri of our waterways to support the health of our whanau and ecosystems. This includes ensuring that all mahinga kai sites are managed and revitalized by Patukeha as kaitiaki, with culturally appropriate water quality standards developed and enforced.
- c) Ensure Integrated Management: Advocate for and implement freshwater management on an integrated catchment basis, led by Patukeha, to ensure long-term ecological, cultural, and social sustainability. This will involve working with councils and stakeholders to develop catchment management strategies, restore riparian margins, and address the root causes of water degradation, rather than temporary fixes.
- d) Ensure Full Involvement in Decision-Making: Actively participate in all decision-making processes relating to water management and allocation in our rohe, ensuring that the cultural values and ecological sustainability of Patukeha are prioritized. We will advocate for water quality standards that support future generations, so that they do not need treated water.
- e) Protect and Reclaim Water Rights: Defend Patukeha's customary ownership of water resources, ensuring the rights to access clean, safe water for our people, and assert that water allocation is managed sustainably.

#### 6.0c *Action*

- a) Advocate for Sustainable Water Use: Challenge over-allocation of water resources and advocate for policies that ensure sustainable use, with water allocation managed according to cultural values and resource availability. This includes opposing water extraction permits where sustainability is not guaranteed and pushing for strong regulatory measures to protect water quality from industrial, agricultural, and urban pollution.
- b) Ensure Effective Water Quality and Monitoring: Implement comprehensive monitoring of water quality across our rohe, including training kaitiaki to take regular water samples for contaminants. We will develop and maintain a waterway quality database and work with councils to restore waterways using cultural health indicators.
- c) Oppose Harmful Practices: Take a firm stance against practices that degrade water quality, such as the discharge of untreated or treated human effluent directly into water bodies. We will advocate for wastewater treatment to be directed through land-based systems and protect wetlands and natural systems that support healthy water quality.



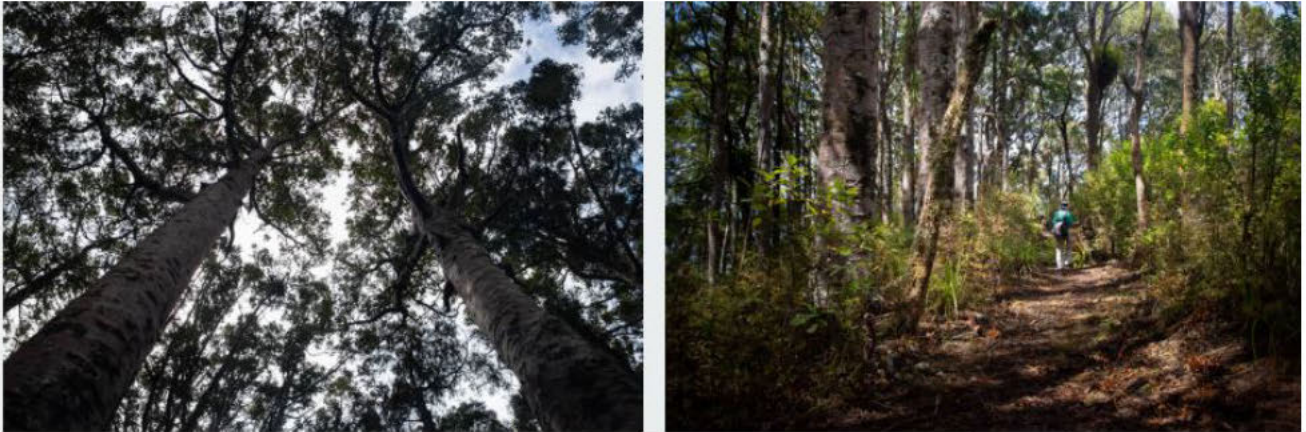
- d) **Defend Cultural Practices:** Ensure that the degradation of our freshwater resources does not prevent Patukeha from carrying out cultural practices, such as gathering kai and performing rituals. We will support policies that protect access to clean, safe water and enable Patukeha to practice kaitiakitanga.
- e) **Collaborate on Restoration Efforts:** Collaborate with local councils and agencies to restore the mauri of freshwater systems, with a focus on preventing further damage and restoring mahinga kai. This includes enhancing riparian margins, using indigenous plant species, and limiting stock access to waterways.

#### 6.0d *Methods*

- a) **Integrated Catchment Management:** Patukeha will work with councils and local stakeholders to develop and implement integrated catchment management plans, ensuring a holistic approach to water quality and allocation that reflects Patukeha values.
- b) **Cultural Health Monitoring:** We will continue to monitor the cultural health of freshwater systems through active participation in groups ensuring that Patukeha perspectives and needs are included in all water management decisions.
- c) **Regulatory Advocacy:** Advocate for stronger regulations that prevent activities that harm water quality, such as intensive farming near waterways, industrial discharges, and land development. We will also ensure that the FNDC and NRC enforces stricter water quality standards and that all water extraction is done in accordance with sustainable and precautionary principles.
- d) **Training and Capacity Building:** Equip our kaitiaki with the tools, knowledge, and capacity to monitor water quality across our rohe. This includes regular sampling, developing a waterway quality database, and training kaitiaki to respond to contamination issues effectively.

Patukeha





## 7.0 Tāne Mahuta Native Forests

Patukeha's forests and waterways once formed a vital ecosystem, home to many species now threatened, endangered, or extinct in our rohe, such as the brown kiwi, longfin tuna, koura, kokopu, and kukupa. Today, only small remnants of secondary forests, mostly kanuka and manuka, remain, overrun by pests like possums, wild goats, pigs, and invasive plants. The once-dense lowland forests, rich with totara, kahikatea, kowhai, and other native trees, have largely been replaced by narrow strips, often grazed by cattle and infested with weeds like Chinese privet, Jerusalem cherry, and crack willow.

These forests were not only sources of kai but also essential for rongoā plants, weaving materials, and spiritual artefacts. Most wetlands have been drained, and much of the biodiversity we once relied on is now under threat. Indigenous plants and animals, shaped by generations of whakapapa from ngā Atua, formed a holistic system where humans played an integral role. Māori understood sustainability through active stewardship, not conservation as it is often viewed today. The survival of these taonga was intrinsically linked to the wellbeing of our people.

Before European settlement, Patukeha managed land and waterways using sophisticated ecological knowledge passed down through generations. Our ancestors understood the interdependence of all living things and practised sustainable harvesting and planting, such as rāhui, in alignment with the seasons. However, from the mid-19th century, the Crown began a period of land alienation and destructive practices, including deforestation, unregulated hunting, and the introduction of pests. These actions caused the degradation of vital ecosystems and the loss of many species.

From 1850 onward, much of Te Tai Tokerau's land and waterways were taken without consent or fair compensation, and Patukeha was excluded from decisions regarding the management of our resources. The Crown assumed responsibility for resource management, leading to mismanagement and the catastrophic loss of 80% of indigenous vegetation. Development further harmed mature native trees, often seen as expendable when in the way of housing, roads, or scenic views. Wetlands were drained for agriculture, and cattle grazed along riverbanks and in the remaining pockets of native bush.



The introduction of Kauri dieback disease has become a significant concern, especially in Kororareka (Russell), where kauri trees are not only an essential part of the natural environment but also hold cultural significance. Kauri dieback, caused by the *Phytophthora agathidicida* pathogen, threatens to devastate these taonga trees and the surrounding ecosystem. As part of our broader efforts to protect biodiversity, Patukeha is committed to supporting initiatives to prevent the spread of Kauri dieback. This includes working with agencies like Tiakina Kauri to ensure hygiene protocols are followed in our forests.

Patukeha has a history of collaboration with organisations such as DOC, FNDC, NRC, and local community groups like Island Birdsong, Guardians of the Bay, to restore and protect biodiversity. We recognise that biodiversity encompasses both land and waterways, which are deeply interconnected in sustaining healthy kai. The preservation of native species, including kauri, is critical to our cultural identity, with customary food gathering and rongoā practices relying on the health of these ecosystems. Sustainable management also presents economic opportunities, such as eco-tourism, sustainable forestry, and conservation work, all of which can help restore our taonga for future generations.

Given the threat of Kauri dieback, ongoing vigilance and cooperation are essential. We must ensure that iwi, government agencies, and environmental groups are aligned in their efforts to protect these iconic trees and our forests. Through collective action, Patukeha aims to safeguard the integrity of our ngāhere, prevent further environmental degradation, and honour the legacy of our ancestors in preserving these taonga for future generations.

#### 7.0a *Challenges*

- a) The mauri of indigenous flora and fauna is increasingly threatened by land use, development, disease, and pests, leading to significant biodiversity losses.
- b) All indigenous species are taonga tuku iho for Patukeha, and the decline of key species like tuna, kukupa, and kauri has cultural, social, health, and economic impacts.
- c) The loss of access to vital sites and resources, coupled with the erosion of traditional practices, threatens Mātauranga Māori and our ability to maintain kaitiakitanga.
- d) Effective weed and pest control is critical to restoring and protecting indigenous biodiversity.
- e) Current management systems often overlook the kaitiaki role in protecting indigenous species, especially when they are commercially exploited.

#### 7.0b *Commitment*

- a) To protect and enhance the mauri of indigenous ecosystems, ensuring Patukeha's physical, social, cultural, and economic wellbeing.
- b) To work towards a pest-free rohe for future generations.
- c) To restore and expand both natural and managed indigenous forests within our rohe.
- d) To sustain an abundance of kai and cultural materials from well-managed ecosystems.
- e) To maintain healthy mahinga kai, enabling Patukeha to harvest key species for sustenance and customary use, while ensuring these resources are sustainably managed and Patukeha are the decision-makers.

To support the use of Mātauranga Māori in the sustainable management of biodiversity.



### 7.0c *Action*

Patukeha will honour our role as kaitiaki of Atua Tāne Mahuta through practical expressions of kaitiakitanga.

- a) TRP will support initiatives that benefit indigenous biodiversity, focusing on those that:
  - Prioritise eradication over control or management.
  - Use a variety of tools and methods, avoiding a one-size-fits-all approach.
  - Encourage cross-agency collaboration for maximum success.
  - Minimise the use of hazardous substances and favour natural solutions.
  - Limit the impacts on mahinga kai and cultural values.
  - Consider cultural, environmental, and community costs on par with economic costs.
  - Follow the precautionary principle where risks are uncertain.
  -

Any proposed activity impacting indigenous flora or fauna must be preceded by a comprehensive biological audit to assess species and potential effects.

- b) Patukeha will only withdraw objections to activities once effective engagement, remediation, or mitigation measures have been agreed upon, with clear timelines for implementation.
- c) TRP will actively seek to involve kaitiaki in weed and pest management.
- d) Patukeha will not compromise our customary harvesting rights to meet Crown policies or objectives.
- e) Crown agencies and local authorities must uphold the kaitiaki relationship and protect Mātauranga Māori, as guaranteed by Te Tiriti o Waitangi.

### 7.0d *Commercial Use of Indigenous Species*

- a) Researchers and bio-prospectors must seek Patukeha's consent before using Mātauranga Māori or indigenous species.
- b) Commercial use of taonga species or Mātauranga Māori must result in tangible benefits for Patukeha.

### 7.0e *Methods for Biodiversity and Pest Management*

- a) Patukeha will promote a pest-free rohe and collaborate with others to control predators and pests in our rohe.
- b) Patukeha will advocate for the use of locally sourced seeds and plants in revegetation and landscaping.
- c) TRP will prioritise the enhancement of indigenous flora and fauna and work with parties advancing habitat restoration.

TRP requests that statutory authorities:

- Provide incentives for landowners who protect and enhance indigenous biodiversity.
- Require new subdivisions and land use consents to include conditions that protect indigenous biodiversity, such as using locally sourced plants and protecting wildlife corridors.
- Ensure pest control is coordinated at the community level for maximum efficiency.
- Allow Patukeha to use indigenous trees felled due to natural causes or development for customary purposes, such as carving.

- d) Patukeha will continue and expand our cultural health monitoring programme, including:
- Conducting audits of waterways, ngahere, mahinga kai, and other sites to track habitat improvements.
  - Identifying innovative approaches to enhance habitats.
  - Using Mātauranga Māori and cultural indicators in monitoring.
  - Offering education and training for kaitiaki to strengthen the programme.
  - Seeking support from Crown partners to fund and implement the programme.
  - Monitoring national and regional biosecurity programmes, such as the Kauri Dieback Joint Agency Response.
- e) TRP will seek to integrate customary practices into planning and sustainable management.
- f) TRP will pursue decision-making authority over key biological resources and their habitats through mechanisms such as s.33 transfers under the RMA and relevant sections of the Reserves Act 1977.





## 8.0 Ahuatanga mō ngā Wahi Tapu | Cultural | Spiritual | Historical | Archaeology

This section addresses Patukeha's cultural heritage, including waahi tapu, mahinga kai, and other sacred sites, alongside both traditional and contemporary landscapes. These elements are integral to our identity and connected to the whenua, resources, and knowledge of our ancestors.

This policy applies to all sites, including those unregistered with the Heritage NZ Pouherehese places are repositories of stories, whakapapa, and spiritual significance. Colonisation led to widespread destruction and loss of access to these sites, severing our spiritual connections and ancestral ties - a loss that continues today, as much of the knowledge about these places has been diminished.

While the large-scale destruction of waahi tapu ceased with the enactment of the RMA and HPA in 1993, these laws do not fully recognise the broader cultural significance of our ancestral landscapes. Many sites are defined in narrow Western terms, overlooking their deeper cultural and spiritual meanings. Current protections focus on individual archaeological sites, often neglecting the cultural landscape as a whole. The expertise of kaitiaki and tangata whenua, who maintain the ahi kaa, should be central to the protection and management of these places, rather than relying solely on external experts.

Patukeha also recognises that many sites are at risk due to inadequate supervision during development, with contractors often unaware of their significance. Our tupuna were intimately familiar with all aspects of our rohe, from homes and gardens to battle sites, fishing grounds, and burial places. These places were named and imbued with cultural and spiritual significance. Many of these names were altered or erased during colonisation, severing the connection between the land and its original meaning.

Restoring these names is vital for preserving our identity and connection to the land. Traditional place names and other cultural expressions must be used only with consultation



and approval from Patukeha, ensuring they are honoured in accordance with our tikanga. We are also committed to working with developers and local councils to prevent damage to waahi tapu sites and to ensure that any archaeological or cultural assessments are conducted in consultation with Patukeha. The RMU will work with responsible landowners and developers to ensure the adequate and appropriate protection of waahi tapu and other sites of significance when these sites are threatened with disturbance or harm.

The RMU should be contacted at the earliest opportunity if any development or activity can or may impact the cultural and spiritual values of Patukeha. Where there is an actual or potential impact, the RMU is responsible for further consultation within the structures of Te Rūnanga o Patukeha on these issues.

Patukeha requests that all work cease immediately if any activity results in the disturbance of a site. All relevant authorities, including the RMU, should be contacted, and work or activities causing the disturbance should not recommence until appropriate action has been agreed upon by all relevant parties, including Te Rūnanga o Patukeha.

#### 8.0a Challenges

Issue	Description
<b>Ongoing damage and mismanagement</b>	Continued destruction and mismanagement of waahi tapu and sites of cultural significance in our rohe.
<b>Narrow definitions of cultural sites</b>	Cultural sites are often defined in narrow, Western terms (e.g., "archaeological"), excluding broader cultural contexts.
<b>Need for comprehensive mapping</b>	There is a need for accurate mapping and data to document and protect significant sites.
<b>Access restrictions</b>	Changes in land ownership and use have restricted Patukeha's access to waahi tapu and culturally significant sites.
<b>Lack of consultation on place names</b>	Patukeha have rarely been consulted regarding the naming of places within our rohe.
<b>Misuse of Māori cultural elements</b>	The use and interpretation of Māori traditions, tikanga, values, and symbols within the rohe often lack consultation and cultural accuracy.

#### 8.0b Commitment to Protecting Cultural Heritage

Commitment	Description
<b>Protection of cultural sites</b>	Protect and enhance areas and sites of cultural value, including cultural landscapes.
<b>Collaboration with agencies</b>	Councils, DOC, and Heritage New Zealand (HPT) must work with Patukeha to prioritise the protection and management of cultural landscapes and waahi tapu.
<b>Completion of mapping project</b>	Complete the Patukeha Sites of Significance Mapping (SOSM) project and ensure it is integrated into planning and protection frameworks.
<b>Continued access to cultural sites</b>	Patukeha must have ongoing access to culturally significant sites within our rohe.
<b>Integration with RMA and Building Act</b>	Councils should establish linkages between the Building Act and RMA to prevent accidental damage to cultural landscapes.



#### 8.0c *Actions to Protect Cultural Heritage*

- a) Recording and support: Councils will support the recording of cultural landscapes and seascapes.
- b) Advocacy and education: Councils will advocate for landowners and developers to understand the value of sites of customary significance, in consultation with TRP RMU.
- c) Cultural landscape prioritisation: Cultural landscapes should be given equal priority to other landscape values in resource management processes.
- d) Collaborative landscape assessments: Resource consent applications will include cultural landscape assessments in collaboration with TRP RMU to ensure cultural aspects are properly considered.
- e) Monitoring responsibilities: Ahi kaa and kaitiaki will be responsible for monitoring cultural landscapes and waahi tapu. This responsibility should be formally transferred to TRP RMU with appropriate resourcing.

The RMU will work with relevant groups to develop:

- a) A register of all digger/earthwork owners/operators residing or operating within the area.
- b) An archaeological information fact sheet to distribute to all residents and earthwork operators within Taumarere.
- c) An archaeological site record manual for the Q05 area for local earthwork owners/operators.
- d) The development and promotion of guidelines for all earthwork operations to ensure sufficient supervision.
- e) Developing and initiating assessment and monitoring processes before, during, and after development. These assessments will be carried out by Te Rūnanga o Patukeha, or in collaboration with NZHPT and/or independent archaeologists.

#### 8.0d *Objectives for Managing Cultural Heritage*

Objective	Action
<b>Naming places</b>	The original names given by our tupuna must be used in maps, charts, plans, and other records. Consultation with Patukeha is required when naming new places or features.
<b>Cultural interpretation</b>	Interpretation of Patukeha's values and history will be managed by TRP RMU, with appropriate resourcing.
<b>Cultural symbols</b>	Encourage the use of Māori cultural symbols in public spaces, including markers, designs, and naming of buildings or features.

#### 8.0e *Methods to Protect and Manage Sites of Significance*

- a) **Cultural Landscapes and Seascapes Priority:** TRP RMU will ensure that councils and relevant agencies prioritise cultural landscape and seascape values when preparing plans, policies, and considering resource consent applications.
- b) **Patukeha Sites of Significance Mapping:** TRP RMU will complete the mapping of cultural landscapes and waahi tapu, including marine cultural heritage, as part of the Sites of Significance Mapping Project (SOSM). Councils will adopt this mapping in their planning maps.

#### 8.0f Protection of Waahi Tapu

For any proposal affecting waahi tapu or culturally significant sites (especially those identified in the SOSM), the following actions are required:

Required Actions	Details
<b>Cultural Impact Assessment (CIA)</b>	A CIA or Cultural Values Assessment (CVA) is required.
<b>Site visit</b>	A site visit to assess the potential impact on the site.
<b>Archaeological assessment</b>	An archaeological assessment must involve both a qualified archaeologist and tangata whenua representative.
<b>Cultural monitoring</b>	Cultural monitoring is required during excavation to oversee tikanga for handling cultural materials.
<b>Contractor inductions</b>	Contractors undertaking earthworks must undergo cultural inductions.
<b>Accidental Discovery Protocol (ADP)</b>	An ADP agreement must be in place.
<b>Archaeological Authority</b>	An Archaeological Authority from the New Zealand Historic Places Trust is required.

#### 8.0g Response to Unforeseen Discoveries

If any of the following occur, relevant activities must cease, and the site manager must notify TRP RMU:

Scenario	Action
<b>Unrecorded archaeological sites discovered</b>	All activities in the area must stop immediately.
<b>Koivi (human remains) or death during construction</b>	The area must remain undisturbed until TRP RMU is notified.

#### 8.0h Archaeological Authority Applications

- Engagement with TRP RMU: Any application for an Archaeological Authority to damage or modify a waahi tapu site must involve consultation with TRP RMU.
- Authority conditions: If granted, TRP RMU will set conditions, including cultural monitoring and induction training for contractors.

#### 8.0i Access to Sites of Significance

Patukeha must have unrestricted access to waahi tapu and other culturally significant places, particularly on Crown land within our rohe. Efforts to increase access to sites on private land may include:

Access Strategies	Details
Engage with landowners	Work with landowners to develop access arrangements.
Management plans	Develop management plans to protect sites while ensuring access.



Access Strategies	Details
Oppose restrictive development	Oppose developments that restrict access to culturally significant sites.
Site registration	Register sites with the NZHPT or create reserves to protect them.

### 8.0.1 Assessment For Applications To Destroy Damage or Modify Archaeological Sites

To enable tangata whenua to process applications to Heritage New Zealand Pouhere Taonga (the Historic Places Trust) to destroy, damage, or modify archaeological sites, please complete every section. Please ensure that each site is clearly identified and states what type of activity will affect each site. A separate form must be used for each application.

<b>APPLICANT DETAILS</b>
<input type="checkbox"/> <b>Applicant Name:</b>
<input type="checkbox"/> <b>Contact Details:</b>
- Phone:
- Email:
- Postal Address:
<b>HERITAGE NEW ZEALAND APPLICATION NUMBER:</b>
(Please provide the reference number for your application to Heritage New Zealand Pouhere Taonga.)
<b>SITE ONE</b>
<input type="checkbox"/> <b>NZAA Site No: 005</b>
<input type="checkbox"/> <b>Property Legal Description:</b> (Please provide the legal description of the property where the site is located, e.g., Lot 12, DP 123456.)
<input type="checkbox"/> <b>Description of Activity Likely to Affect the Site:</b> (Please describe the proposed activity, e.g., excavation, construction, development, that will impact the site.)
<input type="checkbox"/> <b>Has this site already been disturbed?</b>
- Yes / No (circle one)
<input type="checkbox"/> <b>If Yes, please describe how the site has been disturbed:</b> (E.g., modified, damaged, or destroyed – please provide details of previous impacts.)
<b>SITE TWO</b>
<input type="checkbox"/> <b>NZAA Site No: 005</b>
<input type="checkbox"/> <b>Property Legal Description:</b> (Please provide the legal description of the property where the site is located, e.g., Lot 12, DP 123456.)
<input type="checkbox"/> <b>Description of Activity Likely to Affect the Site:</b> (Please describe the proposed activity that will affect the site.)
<input type="checkbox"/> <b>Has this site already been disturbed?</b>
- Yes / No (circle one)
<input type="checkbox"/> <b>If Yes, please describe how the site has been disturbed:</b> (E.g., modified, damaged, or destroyed – please provide details of previous impacts.)
<b>SITE THREE</b>
<input type="checkbox"/> <b>NZAA Site No: 005</b>
<input type="checkbox"/> <b>Property Legal Description:</b> (Please provide the legal description of the property where the site is located.)

<input type="checkbox"/> <b>Description of Activity Likely to Affect the Site:</b> (Please describe the proposed activity that will affect the site.)
<input type="checkbox"/> <b>Has this site already been disturbed?</b>
- Yes / No (circle one)
<input type="checkbox"/> If Yes, please describe how the site has been disturbed: (E.g., modified, damaged, or destroyed – please provide details of previous impacts.)
<b>SITE FOUR</b>
<input type="checkbox"/> <b>NZAA Site No: 005</b>
<input type="checkbox"/> <b>Property Legal Description:</b> (Please provide the legal description of the property where the site is located.)
<input type="checkbox"/> <b>Description of Activity Likely to Affect the Site:</b> (Please describe the proposed activity that will affect the site.)
<input type="checkbox"/> <b>Has this site already been disturbed?</b>
- Yes / No (circle one)
<input type="checkbox"/> If Yes, please describe how the site has been disturbed: (E.g., modified, damaged, or destroyed – please provide details of previous impacts.)
<b>ADDITIONAL INFORMATION</b>
(Please include any further details that may assist in processing your application, such as potential mitigation measures, or the cultural significance of the sites involved.)
<b>Applicant's Signature:</b> (Please sign to confirm the accuracy of the information provided.)
<b>Date:</b> (Please enter the date of application.)
Please ensure that the completed form is submitted to the appropriate local authority or Heritage New Zealand Pouhere Taonga for review. If you have any questions or need further assistance, feel free to contact us.





## 9.0 Tangaroa – Coastal Water Quality

Te Runanga o Patukeha (TRP) and Ngāti Kuta, in collaboration with the Far North District Council (FNDC) and Northland Regional Council (NRC), have been actively working to address the Caulerpa infestation in Omakiwi Bay of the Bay of Islands. This effort, which has been ongoing since the discovery of Caulerpa in 2023, is part of a larger initiative focused on restoring the health of our waters and safeguarding the taonga that sustain our community.

For generations, Patukeha have been kaitiaki of the waters around Ipipiri, a region central to our cultural and spiritual practices. These waters have long been a source of kaimoana and mahinga kai, but their health has deteriorated over time due to both natural and human impacts. The arrival of Caulerpa in Omakiwi Bay in 2023 underscores the urgent need for action.

### 9.0a Challenges

- a) Contaminant discharges including untreated wastewater and stormwater, as well as agricultural runoff.
- b) Sedimentation and coastal reclamation, which have smothered vital habitats like seagrass beds and reduced species diversity.
- c) Pollution from industrial and urban activities, which continues to degrade water quality. Encroachment of mud and mangroves, which has displaced traditional shellfish beds and further compromised the mauri of our moana.
- d) These issues, compounded by invasive species like Caulerpa, have significantly disrupted our relationship with the land and sea.
- e) Our ability to sustain ourselves from these resources has been eroded, and as tangata whenua, we have been excluded from key decision-making processes related to coastal management.



### 9.0b *Commitment: Restoring the Mauri of Our Waters*

Patukeha are committed to restoring the health of our coastal waters and ensuring the ongoing protection of our taonga. This commitment is underpinned by the following principles:

- a) **Cultural Value:** The Bay of Islands and its estuaries are taonga that must be protected not just for their ecological value, but for their cultural significance. The health of these waters is fundamental to our wellbeing and connection to the land.
- b) **Kaitiaki Leadership:** As kaitiaki, Patukeha must play a central role in the management, monitoring, and restoration of coastal water quality. Our expertise and traditional knowledge must be recognised and integrated into the management of these resources.
- c) **Sustainable Water Management:** The development and implementation of water quality standards must be guided by the principles of sustainability and intergenerational care. These standards should reflect the elevated quality of water that we seek, not settle for the bare minimum.

### 9.0c *Action: Collaborative Efforts to Eradicate Caulerpa*

The discovery of Caulerpa in Omakiwi Bay has sparked an immediate, coordinated response. Over the past year, TRP and Te Rawhiti Works Trust, alongside FNDC and NRC, have been working together to find ways to eradicate this invasive species while ensuring the long-term health of the broader marine environment.

- a) **Monitoring and Surveillance:** Regular surveys of Caulerpa populations to track their spread and assess the effectiveness of eradication efforts.
- b) **Public Engagement:** Educating the local community, including tangata whenua, landowners, and the wider public, about the risks associated with Caulerpa and the importance of preventing its spread.
- c) **Eradication Techniques:** Collaborating with marine scientists to explore and implement appropriate methods for removing Caulerpa, including physical removal and potential chemical treatments.
- d) **Regulatory Measures:** Advocating for stronger controls on activities that contribute to the spread of Caulerpa and other invasive species, while calling for policies that support the restoration of native ecosystems.

### 9.0d *Methods: Long-Term Restoration of the Moana*

In addition to addressing the immediate threat of Caulerpa, Patukeha, FNDC, and NRC are focused on implementing long-term methods to restore the health of our coastal waters and ecosystems. This includes:

- a) **Cultural Health Monitoring:** Developing and using cultural health indicators to assess water quality, habitat health, and the status of kaimoana species. Tools like the Cultural Health Index (CHI) and GIS mapping will be used to track the state of our waters and identify areas that require restoration.
- b) **Integrated Catchment Management:** TRP, FNDC, and NRC are working together to develop integrated catchment management strategies that consider the full range of activities impacting water quality across our rohe. These strategies will focus on improving water quality and mitigating the effects of sedimentation and nutrient pollution.
- c) **Pollution Prevention:** We are committed to reducing the sources of pollution entering our waters. This includes advocating for the elimination of direct discharges of wastewater,



agricultural effluent, and stormwater into coastal waters, as well as enforcing stronger controls on sewage disposal from boats and other vessels.

- d) Public Education and Collaboration: Ongoing community outreach will play a key role in ensuring that local residents and businesses understand the importance of protecting our moana. This includes informing landowners and developers of their responsibility to prevent the spread of invasive species like Caulerpa and to take steps to reduce pollution.

## 9.1 Caulerpa | Pioneering the Eradication of Caulerpa

In April 2024, Viki Heta and Arana Rewha from Ngā Hapū o Te Rāwhiti, Ngāti Kuta, and Patukeha were awarded the Te Uru Kahika Māori Award and the Supreme Award at the Supreme New Zealand Biodiversity Awards, held at Parliament. These prestigious awards recognised over a decade of environmental restoration and pest eradication work across Te Tai Tokerau. Their efforts, which have included reintroducing native species, eradicating invasive pests, and tackling environmental threats such as myrtle rust, have had a profound impact on the region.

A significant achievement has been their leadership in addressing the spread of Caulerpa, an invasive seaweed, which threatens the health of local waterways and the marine environment. The discovery of Caulerpa in Omākiwi Bay in May 2023 was made by local resident Arana Rewha, who promptly notified Biosecurity New Zealand. This swift response led to immediate action from Northland Regional Council (NRC), mana whenua, and local authorities, marking the beginning of a collaborative effort to mitigate and eventually eradicate the threat.

By June 2023, a response team had been formed to assess the scope of the infestation. In July, a delegation travelled to Wellington to meet with government officials, where a commitment was made to support technology trials for eradication and education initiatives. A Controlled Area Notice (CAN) and Rahui were implemented to restrict access to affected areas, and divers were deployed to assess the extent of the outbreak.

Recognising the importance of a technological solution, NRC tendered for a dredging system capable of removing the seaweed from the seafloor. Johnson Brothers of Opuā won the tender to develop the mechanical dredge, which has shown promising results in early trials. The dredge uses a suction method to remove Caulerpa, with ongoing improvements being made to enhance its effectiveness.

In parallel with technological efforts, an education programme was launched, where mana whenua, including Viki and Arana, played an active role in educating the community. Ambassadors were stationed at boat ramps and on the water to inform boat skippers and visitors to the Bay of Islands about the CAN and Rahui, ensuring they understood the importance of the restrictions in place.

Given the scale of the infestation and the limitations of government funding, mana whenua and the local community established a community-driven team to ensure the continuation of the eradication efforts. In April 2024, the government announced \$5 million in funding to accelerate the eradication work, which will be used to scale up the dredging operation and refine the technology.



The mechanical suction dredge developed by Johnson Brothers is seen as a groundbreaking solution. With the funding boost, the dredging operation is set to expand, initially focusing on Omākiwi Cove, but with plans to scale the technology for use in other affected areas, such as Aotea (Great Barrier Island), where *Caulerpa* has also been found. The technology is expected to be scalable and transferable to other regions, positioning New Zealand as a leader in the global fight against *Caulerpa* and similar marine pests.

This collaboration between mana whenua, local councils, government agencies, and the community is a prime example of how partnerships can drive meaningful change. The successful development of the mechanical dredge marks the first time such technology has been created specifically to address *Caulerpa* in New Zealand, and it could become the world's first solution to eradicate the invasive seaweed at scale.

Viki, Arana, and their team's leadership exemplifies how traditional knowledge, community involvement, and modern technology can work together to protect and restore the environment. As the dredging technology continues to evolve, it has the potential not only to restore the health of the Bay of Islands but also to provide a model for addressing marine invasive species worldwide.

This initiative serves as a beacon for future generations, demonstrating the critical role of kaitiaki in ensuring the health of the moana and protecting the taonga of Te Tai Tokerau for years to come.

## 9.2 Foreshore and Seabed

Patukeha hold manawhenua, manamoana, and mana takutaimoana over the foreshore and seabed in Ipipiri, from Kororareka to Tikitiki, across to Motukokako, and down to Taupiri Bay. Despite this inalienable right, successive local governments have continually overlooked Patukeha's authority, a situation further entrenched by the Marine and Coastal Area (Takutai Moana) Act 2011. This ongoing neglect has resulted in the degradation of our foreshore, seabed, harbour, and waterways, diminishing the wellbeing of these areas for both Patukeha and the wider community. Most importantly, it has hindered our ability to fulfil our responsibilities as tangata whenua and kaitiaki, leading to the destruction of vital kaimoana beds, bird roosting sites, tauranga waka, waahi tapu, and nohoanga sites due to industrialisation and reclamation.

While the Takutai Moana Act 2011 offers some progress compared to the Foreshore and Seabed Act 2004, it still fails to adequately recognise Patukeha's longstanding rights and interests over these lands and waters. We assert that we are the rightful owners of the foreshore and seabed within our rohe, as we were before 6th February 1840, a title we have never relinquished. The Crown's position suggests that the Act's mechanisms - such as iwi management plans and customary interests - are a basis for partnerships. However, these tools have not resulted in genuine partnerships or allowed Patukeha to meaningfully exercise our rights, particularly within the frameworks of the Resource Management Act (RMA 1991) and the Local Government Act (LGA 2004).



Furthermore, the notion of ‘public domain’ effectively cloaks Crown ownership, with the Crown controlling these areas as if it were the owner, while areas in private ownership, largely by non-Māori, remain untouched. Although the reinstatement of the right to claim customary title in the High Court represents progress, the burden of proof should lie with the Crown to disprove our claims, rather than requiring tangata whenua to prove the existence of our rights. The criteria for proving territorial or non-territorial interests remain impractical, particularly when the "exclusive use and occupancy" of our lands and waters has been undermined by breaches of Te Tiriti o Waitangi.

### 9.2a *Historical Impact and Continuing Challenges*

The historical loss of our foreshore and seabed rights has had profound cultural, environmental, social, and economic consequences for Patukeha, many of which persist today due to the failure to formally recognise our customary rights. This erosion of rights has directly impacted our ability to uphold traditional practices and sustainably manage resources. Moving forward, we seek formal recognition and a genuine partnership in managing the foreshore and seabed, particularly in relation to port activities, reclamation, and other developments within our takutai moana.

### 9.2b *Action*

Patukeha will continue to pursue just outcomes through the Waitangi claims process, advocating for equitable partnership arrangements that reaffirm our role as kaitiaki. We will advocate for adequate resource allocation to ensure we can manage and protect our rohe, addressing ongoing challenges such as industrialisation, pollution, and invasive species. We will also assert our customary rights over specific sites and areas within our takutai moana, ensuring that our traditions, cultural practices, and environmental responsibilities are acknowledged and respected. These rights must be reflected in both local and national policies, particularly regarding land use, port activities, and reclamation projects.

### 9.2c *Methods*

Action Point	Description	Action Steps
<b>1. Development of a Comprehensive Foreshore and Seabed Management Plan</b>	Develop a hapu-led management plan for the foreshore and seabed that integrates traditional ecological knowledge with contemporary environmental science.	Establish a working group involving environmental experts, iwi leaders, and local stakeholders to develop the management plan.
<b>2. Partnerships for Restoration Projects</b>	Partner with government agencies, local councils, NGOs, and private sector groups to restore damaged areas such as kaimoana beds and bird roosting sites.	Seek funding and resources for large-scale restoration projects, leveraging government grants, philanthropic organisations, or community fundraising.
<b>3. Advocacy for Legal Reform</b>	Advocate for legal reforms to better reflect Patukeha's ownership and kaitiaki responsibilities over the foreshore and seabed.	Engage with legal experts and political leaders to propose amendments to existing laws or create new legislation that protects Patukeha's rights.



Action Point	Description	Action Steps
<b>4. Cultural Impact Assessments for Development Projects</b>	Establish a proactive system to assess the cultural and environmental impacts of developments within the takutai moana.	Set up a formal protocol for conducting cultural impact assessments in collaboration with other iwi and environmental organisations.
<b>5. Promotion of Māori Leadership in Local Governance</b>	Advocate for increased representation of Patukeha in local governance bodies, particularly those affecting the foreshore and seabed.	Advocate for a Patukeha representative or a Māori advisory body within local governance structures, particularly in port authorities and environmental management boards.
<b>6. Engagement with the Private Sector on Sustainable Development</b>	Work with private landowners, developers, and businesses to ensure sustainable practices in the rohe.	Establish a working group to engage with private sector stakeholders and develop guidelines for sustainable development within the rohe.
<b>7. Ongoing Education and Awareness Campaigns</b>	Educate the wider public about Patukeha's rights and responsibilities as kaitiaki, highlighting the cultural and environmental significance of the foreshore and seabed.	Launch an awareness campaign using media, public events, and community outreach to highlight Patukeha's role and educate the public on preserving the foreshore and seabed.
<b>8. Collaborative Marine Conservation Initiatives</b>	Partner with other iwi and conservation groups to create a regional marine conservation programme addressing overfishing, pollution, and invasive species.	Join or form a regional marine conservation group that includes iwi, local councils, NGOs, and other stakeholders to coordinate conservation efforts.
<b>9. Developing Monitoring and Enforcement Systems</b>	Establish monitoring systems for the health of the foreshore, seabed, and waterways, particularly in culturally significant areas.	Set up a community-led monitoring network and work with local authorities to enforce environmental protections.
<b>10. Encourage Sustainable Tourism Practices</b>	Develop a sustainable tourism framework to ensure tourism supports the health of the foreshore and seabed while respecting cultural values.	Collaborate with local tourism operators to implement sustainable tourism practices that protect the environment and promote cultural awareness.

### 9.3 Kaupapa mō te Taha Moana me te Taiwhenua | Coastal and Rural Management

Over the past 170 years, Patukeha's access to the coastal environment for gathering mahinga kai and fulfilling kaitiaki responsibilities has been significantly reduced. This has been caused by the degradation of sites, loss of mahinga kai resources, physical access restrictions, and competing uses. Customary access is a right, not a privilege, meaning that tangata whenua



must have unimpeded physical access to the coastal marine area. This right includes ensuring that public and recreational access is balanced with our need to carry out our customary practices, such as the collection of kai and the maintenance of cultural sites.

While there are valid reasons to restrict public access to sensitive areas to protect habitats and breeding grounds for indigenous species, it is crucial that customary access is not unduly limited. There must be a balance between protecting the environment and ensuring that Patukeha can carry out our responsibilities as kaitiaki. This means that Patukeha's right to access sites and resources in the coastal environment for customary and kaitiaki purposes must be recognised and provided for, independent of general public access. Further, land purchasers adjacent to the coast should not be able to claim ownership of the foreshore, whether real or perceived, to block access.

Te Runanga O Patukeha acknowledges the importance of providing assurance to everyone with an interest, particularly ensuring that both public and customary access is secured for current and future generations. There is also a need for compulsory esplanade areas to be created along the coast through mechanisms such as esplanade reserves, strips, or conservation areas. These should apply to all coastal properties upon subdivision consent, ensuring appropriate public access to these areas.

A disconnect between the agencies responsible for managing the coastal marine area (such as DOC, FNDC, NRC, MPI, and the Police) has made it difficult to create cohesive policies, set effective bylaws, and enforce them. Collaborative management between these agencies, Patukeha, and the community is essential to protect our coastal resources, natural character, landscape values, and public amenity. This approach will help address current access issues while safeguarding the environment for future generations.

#### *9.3a Challenges*

- a) Over time, Patukeha's access to the coastal marine area and customary resources has been severely restricted and degraded.
- b) Unrestricted public access, including by vehicles and horses, can negatively impact kaimoana, taonga species, waahi tapu, and public safety and amenity values.

#### *9.3b Commitment*

- a) Patukeha is committed to promoting the health of dune and beach ecosystems, ensuring public safety, and protecting significant sites, natural character, and amenity values through collaborative management with relevant agencies.
- b) Customary access to coastal resources will be protected and enhanced.
- c) Vehicular access to the beach will be limited to the following purposes:
  - Customary management and kaitiaki monitoring (e.g., mahinga kai and policing of bylaws) by Patukeha
  - Emergency and lifeguard services
  - Scientific or ecological research or monitoring in conjunction with Patukeha.

#### *9.3c Action*

- a) Customary access to the coastal environment is a right, not a privilege, and must be recognised and provided for independently of general public access.



- b) Policies and plans developed by statutory agencies must recognise Patukeha's rights to access:
  - All waahi tapu
  - Kai harvesting and collection
  - Taonga for traditional, customary, and cultural uses
  - Kaitiaki and cultural health monitoring.
- c) Te Runanga O Patukeha will continue to collaborate with relevant agencies to find practical solutions to public access issues in our rohe.
- d) TRP will oppose any coastal land use or development that leads to further loss of customary access to the coastal marine area, including any activities that result in the private ownership of the foreshore.

#### 9.3d *Methods*

- a) Patukeha will continue to advocate for the recognition of these policies by the relevant agencies.
- b) TRP will work closely with agencies involved in public access policies to ensure Patukeha is fully engaged in decision-making processes.
- c) Patukeha will seize opportunities to educate the community about our cultural values related to the coast and encourage positive attitudinal change.
- d) Councils issuing consents that could affect customary access will include conditions that protect and enhance customary access.
- e) TRP will continue to advocate for the appointment of a kaitiaki monitor to patrol beaches and other significant areas on a full-time basis. The kaitiaki monitor would perform the following activities:
  - Monitoring kaimoana beds and adherence to fishing restrictions
  - Coastal cultural health surveys
  - Monitoring sites of cultural significance
  - Monitoring wildlife
  - Observing dog and horse bylaws; and
  - Engaging in education and advocacy with the general public.

## 9.4 Offshore Oil Exploration and Mining

The past century of reliance on oil has now reached a turning point, demanding urgent attention. The 2010 BP Deepwater Horizon oil spill in the Gulf of Mexico starkly highlighted the devastating consequences of our ongoing dependence on oil. As easily accessible oil sources deplete, companies are increasingly turning to more remote and risky areas that were previously considered too difficult or dangerous to exploit. Our coastlines have now become a focus for these efforts, with the government appearing intent on accommodating large oil and mining interests.

The current regulatory regime, including the Crown Minerals Act 1991 and the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (EEZ Act), is overly complex, difficult for iwi to engage with, and ineffective. While prospecting and exploration for petroleum and minerals are classified as "permitted activities," drilling requires a permit. However, decisions made by the Environmental Protection Authority (EPA) have proceeded despite significant gaps in key information, particularly regarding oil spill modelling and



emergency response capabilities. For these activities to proceed in our waters, the highest environmental standards, full liability coverage, and guaranteed cleanup capacity must be in place - none of which are currently assured. Furthermore, recent government legislation has restricted opposition at sea, further undermining our civil rights and tino rangatiratanga.

Patukeha supports the position of Te Whānau ā Apanui in their resolute defence of our ancestral lands and waters from the destructive practice of deep-sea oil drilling. As they have said, this issue is not only for us but for all New Zealanders: “We are resolute in our defence of our ancestral lands and waters, and we call on all those who support our opposition to stand with us in defence of what we all treasure.”

#### 9.4a *Challenges*

- a) The lack of appropriate environmental policy to protect Tangaroa’s realm from the harmful effects of offshore petroleum exploration and mining.

#### 9.4b *Commitment*

- a) Offshore petroleum exploration and mining will not be permitted within the boundaries of Patukeha’s gazetted rohe moana, extending eastward from our landward coastal boundaries to the outer limits of New Zealand’s Exclusive Economic Zone (EEZ).

#### 9.4c *Action*

- a) Patukeha will oppose any offshore petroleum exploration and mining proposals within our gazetted rohe moana, extending eastward to the limit of New Zealand’s EEZ.
- b) The Crown and petroleum or mining companies must engage in early and good faith consultation with Patukeha before seeking any prospecting, exploration, or drilling licenses within our rohe moana or extending eastward to the EEZ.

#### 9.4d *Methods:*

- a) TRP will collaborate with hapū and iwi to continue opposing these activities and advocate for statutory changes to protect our coastline.
- b) TRP will explore the use of Section 15(3) of the Crown Minerals Act 1991 and provisions within the Minerals Programme for Petroleum (2005) to protect culturally significant areas from being included in offshore exploration permit blocks or mineral programs.

## 9.5 Customary Fisheries

The waters of Ipipiri and our estuaries are taonga gifted by our tūpuna. As kaitiaki, we are responsible for protecting and restoring this taonga for our mokopuna. These waters once teemed with kaimoana such as kuku, tipa, kina, paua, tuatua, kokota, huwai, pipi, pupu, papaka, kumukumu, pioke, kahawai, tuna, kanae, wheke, whai, tamure, aua, patiki, and parore. However, poor management over the past century has caused a significant decline in marine species due to degraded water quality, habitat loss, and over-harvesting. This decline is compounded by the erosion of traditional knowledge and cultural practices that once sustained these resources.



Our mana as tangata whenua is diminished when we cannot practise manaakitanga—our traditional practice of gathering kaimoana for our families and visitors. This not only affects our cultural wellbeing but also has economic consequences, as we are unable to provide kaimoana to support our whānau. Historically, this practice supplemented low incomes and provided essential nutritional benefits.

The current fisheries model has failed to protect or sustain our mahinga kai and taonga species. Despite the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 (TOWFSA), the benefits have not flowed effectively to Patukeha through Mandated Iwi Organisations (MIOs). Today, we rely on customary management and recreational harvests for whānau sustenance. Overfishing, pollution, bycatch, and the over-allocation of fishing rights continue to make customary harvesting unsustainable. In the past five years, only a handful of customary take permits have been issued by our Rohe Moana Committee due to the depletion of kaimoana resources.

The Roopu Moana team works alongside other agencies, such as NIWA, to monitor the health of our mahinga kai using cultural health indicators (CHI). However, implementing fisheries management tools like Taiapure and Mataitai Reserves remains a challenge. Establishing these reserves is a time-consuming and resource-intensive process, which highlights the need for a more unified and integrated approach to fisheries management.

Our rohe moana and tangata kaitiaki were gazetted in May 2009 under the Kaimoana Fisheries Regulations 1998. Although our traditional interests extend further, limited resources have slowed our progress in establishing more mataitai reserves. Our focus is on finding solutions to protect our coastal ecosystems, including improving land-based management and ensuring water quality standards are met for customary rights to be exercised safely.

#### *9.5a Challenges | Concerns Regarding Marine Reserves*

As a Treaty partner, Te Rūnanga o Patukeha reserves the right to have the first option at implementing a customary management tool that allows for the gathering of kaimoana for customary and food gathering purposes. We view marine reserves as a confiscation of potential sites for implementing customary Māori management tools such as mataitai, taiapure, and rahui.

As tangata whenua, we believe we should not have our choices limited by the Department of Conservation (DOC) locking up prime fishing areas within our rohe as no-take marine reserves forever. Until all of our customary areas have been identified and suitable tools applied to achieve our objectives, we do not accept the Crown imposing area controls within our rohe that could prevent, or limit customary take, or our choice of areas for this take.

If, after a reasonable amount of time, a marine reserve fails to achieve its stated objectives, it should revert to normal status to provide for the needs of Patukeha hapū. The markers for this baseline must be developed in collaboration with stakeholders, and we welcome feedback and input to assist in this process.

Our rohe faces several challenges:

- a) Discharges from industrial activities, biosecurity risks, and over-harvesting further threaten our mahinga kai.