

3 September 2023

Strategic Planning and Policy  
Far North District Council  
Private Bag 752  
Kaikohe 0400

**By email:** [pdp@fndc.govt.nz](mailto:pdp@fndc.govt.nz)

Tēnā koe

**Proposed Far North District Plan Further Submission**

We enclose the further submission of Haititaimarangai Marae Kaitiaki Trust on provisions of the Proposed Far North District Plan.

Please contact Troy Urlich if you wish to discuss any of the matters raised in this submissions.

Ngā mihi

A handwritten signature in black ink, appearing to read 'T. Urlich', written over a horizontal line.

Troy Urlich on behalf of Haititaimarangai Marae Kaitiaki Trust

## Proposed District Plan Further Submission

Further Submission on Proposed Far North District Plan (**Proposed Plan**)

**TO: Far North District Council**

**This is a further submission on the Proposed Plan**

### 1. Submitter details:

<b>Full Name:</b>	Troy Mary Urlich
<b>Organisation Name:</b>	Haititaimarangai Marae Kaitiaki Trust
<b>Contact person:</b>	Troy Mary Urlich
<b>Address:</b>	PO Box 339, Kaitaia
<b>Phone contact:</b>	021 261 6694
<b>Email:</b>	karikarikaitiaki@outlook.com

### 2.

- I **could not** gain an advantage in trade competition through this submission
- I **could** gain an advantage in trade competition through this submission

### 3.

- I **am** directly affected by an effect of the subject matter of the submission that:
- adversely affects the environment; and
  - does not relate to trade competition or the effect of trade competition.
- I **am not** directly affected by an effect of the subject matter of the submission that:
- adversely affects the environment; and
  - does not relate to trade competition or the effect of trade competition

**The specific provisions of the Proposed Plan that my further submissions relate to are:**

As attached Further Submission Table.

**Confirm your position:** Trustee

See **attached** Submission Table.

**My further submission is:**

A. generally, that the decisions sought are necessary to achieve the purpose and principles of the RMA and to give effect to higher order planning instruments. Haititaimarangai is particularly interested in ensuring the the Proposed Plan includes adequate and appropriate provisions for:

1. culture, traditions and ancestral relationships;
2. kaitiakitanga; and
3. Te Tiriti o Waitangi.

See **attached** Further Submission Table.

**I seek the following decision from the Council:**

- A. retention of the Proposed Plan provisions supported in the Further Submission Table;
- B. amendments, additions and deletion of Proposed Plan provisions, as identified in the Further Submission Table;
- C. further, consequential or alternative relief to give effect to the relief sought in the general submission and / or the Further Submission Table.

I **wish** to be heard in support of my submission

I **do not wish** to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

Yes     No

Do you wish to present your submission via Microsoft Teams?

Yes     No

**Signature of submitter:**



**Date:** 3 September 2023

## FURTHER SUBMISSION TABLE

Haititaimarangai Marae set out there position on provisions of the Proposed Plan below. The 'relief sought' column records proposed amendments – original wording is black, Amended wording propoposed by submitters is highlighted blue. Our further amendments are highlighted and ~~struck out~~ in red.

The request for further, consequential or alternattive relief to give effect to the relief sought in the general submission and / or the Submission Table applies to all submission points.

Submission	Position	Reason	Relief Sought
S351.001	Oppose in part	<p>We support retaining the CEZ, to the extent that it applies to established activities – the golf course, vineyard, constructed accommodation and the restaurant.</p> <p>Consistency with higher order planning documents is otherwise required.</p>	Reject in part.
S351.002	Oppose	Insufficient information is provided as to the purpose of a “mixed use” zone and whether such as zone is appropriate in the coastal (or other – this is not clear) environment.	Reject
S351.004	Oppose	There is insufficient infrastructure to support residential growth. Further growth will increase pervious surfaces and the current volume of waste water discharged to Waimango, and ultimately Karikari Beach. This is	Reject

		culturally inappropriate and inconsistent with higher order planning instruments.	
S351.005	Oppose	Cementing the extraction of our whenua by way of overlay is inappropriate. This is an affront to the cultural values of Haititaimarangai Marae and does not factor in natural resilience against climate change.	Reject
S351.006	Oppose	The submitter does not identify the purpose or provisions that might apply. There is a high potential that industrial activities will not accord with directions contained in national and regional planning instruments.	Reject
S351.007	Oppose	Non-complying is the appropriate classification of pastoral and forestry activities within the CEZ. These activities have the potential to adversely affect surface water and the coastal environment. Such effects need to be identified and appropriate conditions imposed to ensure sustainable management.	Reject
S351.009	Oppose	The consents referred to are now outdated. Vegetation and earthworks provisions should ensure that the effects not contemplated 20 years ago are appropriately managed, including as they relate to cultural values.	Reject
S351.020	Oppose	The consent are now outdated. Fresh consents need to be obtained.	Reject
S390.001 - 2	Support	Ensuring tangata whenua are integrated and have capacity to effectively participate in matters concerning	Allow

		their rohe will assist with implementing s 6(e) RMA and ensuring matters are properly understood.	
S390.003	Support	It should be clear that assessing cultural effects is a mandatory requirement under the RMA, with respect to all resource consent and private plan changes.	Allow
S390.005	Support	Taking an inclusive and integrated approach to managing flora and fauna and providing resourcing to tangata whenua will assist with realising “high trust collaborative” relationships.	Allow
S390.007	Support	Including objectives and policies that focus on mātauranga Māori will assist with implementing s 6(e) RMA.	Allow
S390.001	Support	Resourcing tangata whenua to effectively participate in Council-led initiatives like identifying sites of significance (where culturally appropriate) will assist in achieving those initiatives.	Allow
S390.015	Support	It should be clear that assessing cultural effects is a mandatory requirement under the RMA, with respect to all resource consent and private plan changes.	Allow
S390.018	Support	Customary uses and places extend beyond land, buildings and marae activities.	Allow

S390.020	Support	The PFNDP must implement the freshwater policy to the extent that FNDC manages freshwater. Te mana o tew ai is the focal point of the NZPSFW.	Allow
S390.036	Support	Building relationships at both an iwi and hapū level is essential to achieving Council led initiatives.	Allow
S390.048	Support in part	Greater clarity is required of cultural impact assessments. All subdivisions and land uses have the potential to impact culture and ancestral relationships. Effects assessments of such are required by the RMA.	Amend new policy: TW-P7 Require:  (a) an assessment of cultural effects, which may include a cultural impact assessment for all activities, resource consents and / or private plan changes of <del>land use and subdivision proposals that have the potential for positive or adverse effects on the relationship of tangata whenua with their ancestral lands, water, sites, wahi tapu and other taonga.</del>  (b) any resource consent application that is incomplete in that it does not include an assessment of cultural effects assessment to be returned to the applicant.
S390.049	Support	Hapū should have the opportunity to enter into Mana Whakahono a Rohe agreements – not all hapū have mandated iwi entities to act on their behalf.	Allow
S390.052	Support	Appointing tangata whenua to Council planning committees and hearing panels will assist with ensuring	Allow

		cultural matters are properly understood and integrated in planning processes.	
S390.057	Support	Consideration of iwi / hapū management plans will assist in informing plan users of some of the cultural matters that they will need to address in terms of their effects assessments.	Allow
S390.063	Support	The NZCPS recognises that it may not be appropriate to disclose culturally sensitive information in all instances. Incorporating the proposed amendments assists in implementing this aspect of the NZCPS.	Allow
S339.025	Support in part	Mātauranga is relevant to identifying significant flora and the significant habitat of fauna.	Allow.
S399.001	Support	Identifying tribal boundaries will assist would-be applicants with understanding who they need to engage with.	Allow
S399.004	Support	All plan-users should have easy access to all hapū or iwi management plans.	Allow
S399.011	Support	Taking a holistic approach to cultural matters accords with s 6(e) RMA	Allow
S399.018	Support	Integrating consideration of climate change on an intergenerational basis accords with promoting sustainable management.	Allow



S399.034	Support	Cultural relationships with flora should be considered at all planning phases.	Allow
S399.035	Support	Setting clear directives as to what level of adverse effect is acceptable is vital to achieving sustainable management.	Allow
S399.058	Support	The proposed amendment assists with effecting the NZCPS.	Allow
S399.059	Support	Requiring no more than minor effects on threatened or at risk native flora or fauna assists in achieving s 6(c) RMA.	Allow
S399.065	Support	Including appropriate setbacks from wetlands is required under the NPSFNM and NES-FM.	Allow
S399.068	Support in part	We support the intention of requiring more than recognition.  Cultural relationships and practices associated with surface water must be recognised and provided for.	Amend:  Amend Policy ASW-P3 to read as follows: Recognise <del>and take into account</del> provide for tangata whenua's relationship with and cultural
S364.002 - 4	Support	Area that qualify as significant should be treated as such, whether scheduled or not.	Allow
S364.005	Support	Consistency with the NZSIB is required, noting it is now in force.	Allow

S364.011, 014	Support	The NZSIB provides clear definitions as to what constitutes a biodiversity offset. As above, it is now in force.	Allow
S364.012, 015	Support	Principles pertaining to offsets and compensation are critical to proper implementation.	Allow
S364.019	Support	Consistency in the definition of 'wetland' is required to properly implement the NPSFM.	Allow
S364.023	Support	Avoiding adverse effects on significant natural areas, outstanding natural landscapes and outstanding natural features and considering functional need aligns with the NZCPS.  Offsets and compensation relate to residual adverse effects.	Allow
S364.025	Support	Avoiding adverse effects on significant natural areas is one mechanism by which s 6(c) RMA can be implemented.	Allow
S364.032	Support	Protecting, maintaining and restoring indigenous biodiversity reflects sustainable management of ecosystems.	Allow

<p>S364.034, S364.002 S364.035</p>	<p>Support in part</p>	<p>Areas contained in the Wildlands report should be included as SNA's, however this report is not exhaustive.</p> <p>Identification of SNA's needs to be an iterative process if s 6(c) RMA is to be properly implemented. SNA should be treated as such whether identified or not.</p> <p>SNA identification is not dependent on landholder agreement.</p> <p>Since this submission was made, the NZPSIB has commenced.</p> <p>Resourcing hapū or iwi to identify SNA's will assist in identification of such areas</p>	<p>Amend in part:</p> <p>Identify Significant Natural Areas by:</p> <p>a. using the ecological significance criteria in Appendix 1 <del>5 of the RPS or in any more recent</del> National Policy Statement on Indigenous Biodiversity;</p> <p>b. including areas that meet the ecological significance criteria as Significant Natural Areas in Schedule 4 <del>of the District Plan and on the planning maps where this is agreed with the landowner and verified by physical inspection where practicable;</del></p> <p><del>e. encouraging landowners to include including identified Significant Natural Areas in Schedule 4 of the District Plan at the time of subdivision and development;</del></p> <p>d. providing assistance to landowners <b>and hapū or iwi</b> to add Significant Natural Areas to Schedule 4 of the District Plan; and</p> <p>e. requiring an assessment of the ecological significance for indigenous vegetation clearance to establish permitted activity thresholds in Rule IB R2-R4.</p>
<p>S364.036</p>	<p>Support in part</p>	<p>While we support the general intention of the proposed amendment, we consider recognition <u>and provision</u> for protection of significant areas is required. Levels of acceptable adverse effects should be certain.</p>	<p>Amend:</p> <p><b>Recognise and provide for the protection of scheduled and unscheduled SNAs by avoiding adverse effects on ensuring the characteristics</b></p>

			that contribute to their significance. <del>are not adversely affected</del>
S364.037	Support	The proposed amendments ensure the PFNDP implements NZCPS Policy 11.	Allow
S364.038	Support	The proposed amendments ensure the PFNDP implement NZCPS Policy 11.	Allow
S364.046	Support	Ensuring vegetation clearance is appropriately controlled is critical to protecting eco-systems and related cultural values.	Allow
S364.069	Support in part	<p>We support including specific mention of subdivision.</p> <p>The coastal environment's natural character should be protected, irrespective of whether it is classified as 'outstanding'.</p>	<p>Amend:</p> <p>Prohibit land use and <u>subdivision</u> that would result in any loss and/or destruction of <del>the characteristics and qualities in</del> outstanding natural character areas.</p>