

Submission on
Resource Consent Application



Form 13
Under Section 96 of the Resource Management Act 1991.

i A copy of your submission must also be given to the resource consent applicant as soon as possible.
All information provided in your submission is available to the public (on request).

1. Person making submission

Name in full: Callaghan Au-Tangihāere
Surname: First Name(s)

Address: 9575 State Highway 35 Raukokore
No. Street/Road Suburb

Opotiki 3199
Town/City Postcode

Mobile: 0225128054 Other phone: N/A

Email: h.atcallaghan9747@gmail.com

2. Submission on

Application No: CDC-DL-2023-112074-ODLR2023-112076-00,LL2023 BOPRC RM0508

Name of applicant: Te Ara Tipuna Charitable Trust (-AP ODC RC 2024-04)

Type of resource consent applied for: District + Regional Land Use Consent

Brief description of proposed activity: Contract operate, maintain, pedestrian track.

I support the application I oppose the application I am neutral to the application (neither support or oppose)

Clearly state which parts of the application you support or oppose or wish to have amended:

I oppose all parts of this application.

The reasons for making my submission are (briefly describe the reasons for your views, attach further pages if necessary):

- Supportive of landowner decisions.
- No prior consultation with land owners.
- No resources available at meetings I have attended eg. maps, updates + new informations, etc.
- unfair time-line eg at least 2/3 years to set up, + seven weeks for submissions to be in.

Office use only

Received date: Support Oppose W.T.B.H N.B.H

I wish the Gisborne District Council to make the following decision (give details, including the nature of any conditions sought):

The G.D.C to consider:
Access on to private property.

Please tick:

- I wish to speak at the hearing in support of my submission
- Would you consider presenting a joint case with others who have made a similar submission? Yes No
- I do not wish to speak at the hearing in support of my submission

3. Signature

Signature of person making submission or person authorised to sign on behalf of submitter

Callaghan

Date: 14.2.2025.

Postal address of person making submission (if different from previous page):

Name and phone number (if different from previous page):

Contact person:

Mobile: Other phone:

Email:

TE ARA TIPUNA SUBMISSION

To: Te Kaunihera o Te Tairāwhiti
Gisborne District Council

From: Horiana Petersen
611D Wainui Road
Gisborne 4010

Email: kevin.ana.611d@gmail.com

Date: 01 February 2025

Resource Consent numbers:

GDC: DL-2023-112074-00, LR-2023-112076-00, LL-2023-112077-00, LV-2023-112078-00
BOPRC: RM23-0508-AP ODC: RC2024-04

Owner/Beneficiary of Maraehako C3A BLOCK 34860 Ahu Whenua Trust and Trustee of the Makere Jones (Snr) Whānau Trust situated at 8663 State Highway 35 OPPOSE the notified resource consent application – TE ARA TIPUNA TRAIL

Introduction

I am opposing this resource consent application for the following reasons:

- (a) No direct notification
- (b) Status of the whenua – private and multiple owned Māori land blocks,
- (c) Archaeological sites
- (d) Respecting our privacy,
- (e) Risks to our children and mokopuna,
- (f) Kaitiaki and guardian responsibilities,
- (g) Health and safety issues to land owners and to prospective walkers,
- (h) Degradation of the whenua,
- (i) Proposed trail does not follow the old paper road,
- (j) Responsibilities and liabilities,
- (k) Easement rights and powers,
- (l) Rights and interests as land holders
- (m) What we request

Rational for opposing

No direct notification

1. I oppose the application on the basis that Maraehako C3A Block held in Trust by the Maraehako C3A Ahu Whenua Trust was not notified and are NOT listed on the TAT-Notification-report-Schedule-Notified-landowners-BOP Ōpōtiki.

Status of the whenua – private and multiple owned Māori land blocks

2. The enclosed submission considers the impact to the entire Maraehako land holdings that once formed one contiguous block owned by our tupuna – Hamiora Hei. The trail proposed will cross private and multiple owned Māori land blocks owned by our whānau. We oppose such action. Our whenua has been in our whānau for generations and is a taonga, we know our history and have a deep cultural connection to what we have inherited.

Archaeological Sites

3. I oppose the application as Maraehako C3A contains two identified archaeological sites (Y14/290 and Y14/292) and are in the vicinity of several other identified sites. The whānau on the neighbouring block being Te Anaputarua 2 are on the right-hand side of the creek that is under housing development. There is no bridge, track or trail that connects between Te Anaputarua and Maraehako A, C2 and C3A Blocks and I would like it to remain that way in perpetuity.

Respecting our privacy

4. We value our privacy and want to protect that. Where the proposed trail is intending to go will have a direct and detrimental impact on our privacy. This track runs directly beside a proposed build site that is consented for by the Māori Land Court and the Ōpōtiki District Council.

Risks to our children and mokopuna

5. We are fearful for the safety of our children and grandchildren, now and into the future should this trail go ahead. They have the freedom to roam this whenua, unobstructed, care free, knowing where they belong and they feel safe. In having other's walk across our whenua of whom we do not know their history, their character and their behaviours is unacceptable, and could potentially be a safety issue of which I am not willing to test.

Kaitiaki and guardian responsibilities

6. We are the kaitiaki and guardian to this whenua, the water ways, the moana and its resources. In being a kaitiaki we have taken care of this land alongside of our wider extensive whānau membership as noted in the submission support above. We want to ensure the sustainability of our kaimoana, we want to preserve the fishing beds and nurseries of our moki, crayfish and other species. No one sitting in an office somewhere else can guarantee that our resources will not be accessed.

Health and safety issues to land owners and to prospective walkers

7. This is our whenua. We want the freedom to act and do what we want, when we want to, how we want to without the added responsibility and pressure of knowing that someone may appear at any time and when we least expect it. Our concerns are who will be responsible for those walking this track if a trail walker or any biker or rider or other persons, becomes unwell or has a medical emergency, or is involved in a motor vehicle accident as this walkway transverses over our private access way to access our whenua that we use and have used for centuries as descendants of our tipuna Hamiora Hei.

Degradation of the whenua

8. You are proposing to change the nature of the whenua. We oppose. We do not want bridges, toilets, signs or other structures that will require maintenance and cleaning which will be a health and safety issue. We will not permit any of our whenua to be damaged through the construction of such structures.

Proposed trail does not follow the old paper road

9. We have been told that the track follows an old paper road, that is not the case. The old paper road is further west of the proposed walkway.

Responsibilities and liabilities

10. There are responsibilities and liabilities that we as land owners will incur if this trail goes ahead.
- i. What are the liabilities of a walker injuring themselves, will we be sued?
 - ii. What responsibilities will the GDC, ODC, AND BOPRC and the Te Ara Tipuna Charitable Trust take to compensate land owners if this is the case?
 - iii. What added costs will be incurred to our rates, insurances, and other hidden costs we may not be aware of?

Easement rights and powers

11. We oppose any easement rights and powers under the Walking Access act 2008, or the granting of an easement on our property, as this violates as owners our own existing easements and legal rights and status for the use and occupation of our whenua and or any accessway on our whenua.

Rights and interests as land holders

12. If this trail goes ahead without our agreement, this will affect our rights and interests under the treaty.

If this trail goes ahead without our agreement, this will be a clear attempt to usurp the rights and interests of us as land owners of which we will then need to seek legal action.

What we request

As trustee of the Māori block, we would like the Trust & Trustees namely Rei Kohere, Sir Selwyn Parata, Kylee Potae, and Hon Hekia Parata to explain to us as owners what your legal grounds are for violating our rights as Māori to build our family home in honour of our mum because the placement of this walkway is directly on and through her whenua. It is our position that you will desecrate the memory of our mother by allowing complete strangers to walk over her whenua and whare as per the attached court Occupation Order. Please provide an explanation to her descendants for such action?

As legal owners WE DO NOT GIVE OR GRANT LEGAL PERMISSION to the Te Ara Trust to bring your walkway through our Māori owned 1200sqm whenua and once we receive an explanation from Te Ara Trust, then we will kōrero or not.

Regards



Horiana Petersen (Mrs)

TO notifiedrc@gdc.govt.govt.nz

Submission on

Resource Consent Application

Under Section 96 of the Resource Management Act 1991.

Name in full: Agnes Walker

Address:82 Waiomatatini Road Ruatoria 4081

Mobile phone:021831368

Email: walkeragnes26@gmail.com

Application No:GDC:DL-2023-112074-00,LR-2023-112076-00,LL-2023-112077-00,LV-2023-112078-00

Name of applicant: Te Ara Tipuna Charitable Trust

Type of resource consent applied for: Discharge to Land, Land Use - Works in a River/Lakebed, Land Use - Land Disturbance, Land-Use - Vegetation Clearance

Brief description of proposed activity:

to enable the design and construction of Stage 1 of the Te Ara Tipuna Trail. The Stage 1 trail is a public walking trail only and runs for approximately 500km from Gisborne around the coast to Ōpōtiki.

Clearly state which parts of the application you support, oppose, or wish to have amended

I oppose the application on all paper roads in its entirety.

The reasons for making my submission are (briefly describe the reasons for your views)

Given the Crown has literally confiscated our whenua through the legislative process of creating unformed legal roads (paper Roads) in the mid-1800s in order to provide access to rural areas. Now 170 years later some entrepreneurial entity is proposing to use this antiquated law which provides for public access on paper roads to establish a commercial venture which will impact on the stability of our whenua and potentially expose our Incorporation to Health and Safety Issues when users wander off track and onto neighbouring private property.

The flipside of this Act is that it also provides the right of landowners to privacy and to not have their property or stock interfered with or damaged by users of unformed legal roads. Many of these roads are not fenced or clearly marked and are a maximum of 20m wide and through rugged terrain I cannot see how the applicant or the consent authority can ensure the track, and the users of the track will remain within the allocated area.

As a landowner, and as a shareholder in Kaimoho A3C who believes in the rule of law and property rights I find this resource consent an attack on our rangatiratanga and our rights and obligations as kaitiaki in relation to our whenua in accordance with section 7A of the RMA.

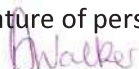
I wish the Gisborne District Council to make the following decision (give details, including the nature of any conditions sought):

GDC as the owner and manager of the paper roads under the Local Government act refuse this global resource consent. Secondly provide a process for the applicant to apply for a licence over any paper road this will ensure the legal liability will be carried by the local authority and not the neighbouring landowners. Ultimately the landowners will still carry major risks including users wandering off the designated areas, creating more stress on land which is already highly erodible, and the Council itself designates our land as high landslide susceptibility.

I wish to speak at the hearing in support of my submission

Would you consider presenting a joint case with others who have made a similar submission? Yes

Signature of person making submission



Date: 5/02/25

TE ARA TIPUNA SUBMISSION

To: Te Kaunihera o Te Tairāwhiti
Gisborne District Council

From: Waitai Jones
8 Jasmine street
Wakerley QLD 4154

Email: Waitaijones@outlook.com

Date: 01 February 2025

Resource Consent numbers:

GDC: DL-2023-112074-00, LR-2023-112076-00, LL-2023-112077-00, LV-2023-112078-00
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Regards



Waitai Jones (Miss)

MAHAKHAKO C3A, C3B & C3C.
 per Plan 1279.

AREAS OF

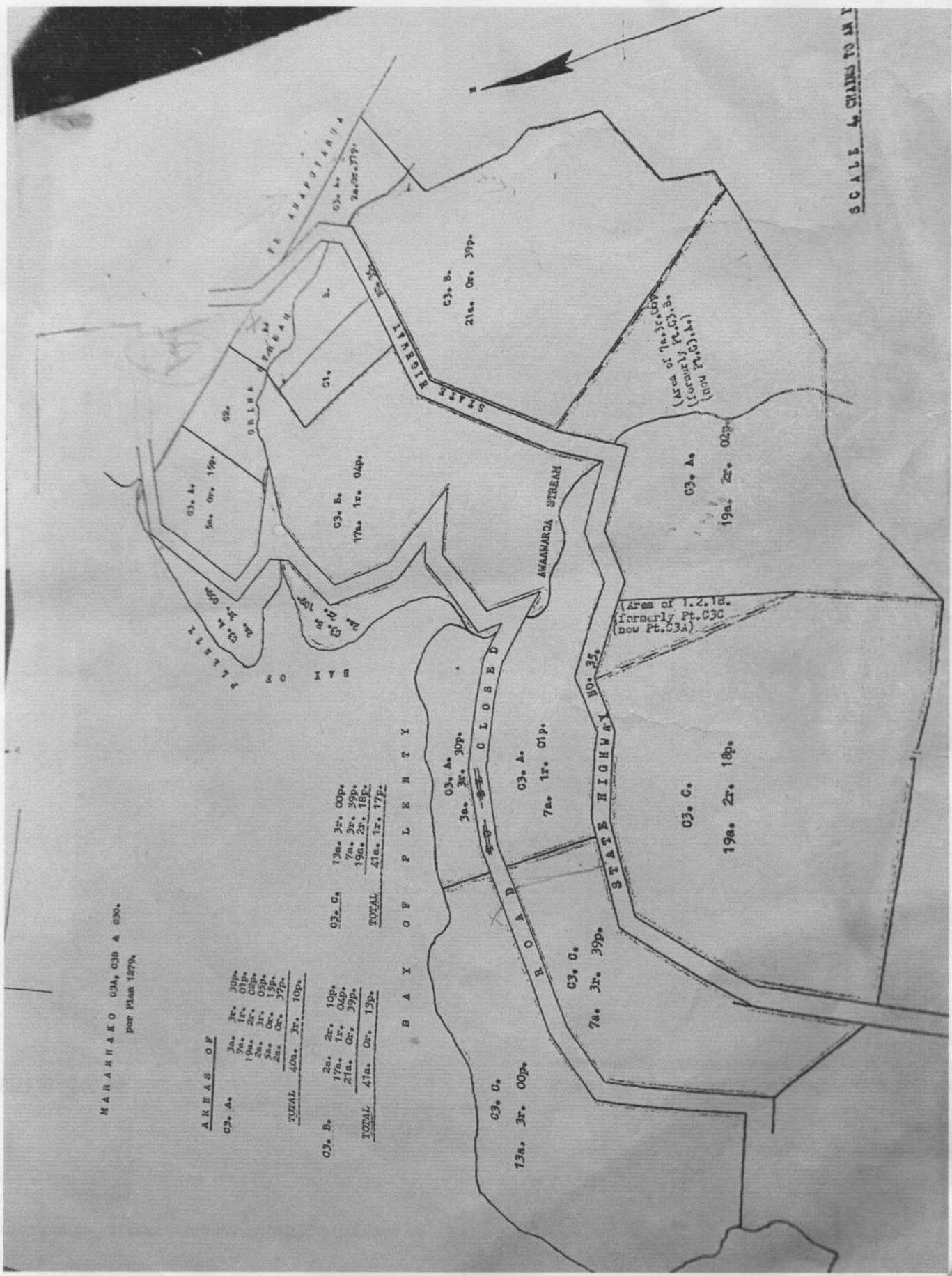
C3. A.	3a. 3p. 50p.
	17a. 1r. 01p.
	2a. 3r. 05p.
	2a. 3r. 15p.
	2a. 3r. 15p.
	2a. 3r. 15p.
TOTAL	40a. 3r. 10p.

C3. B.	2a. 2r. 10p.
	17a. 1r. 04p.
	21a. 0r. 39p.
TOTAL	41a. 0r. 13p.

C3. C.	13a. 3r. 00p.
	7a. 2r. 39p.
	19a. 2r. 18p.
TOTAL	41a. 1r. 17p.

B A Y O F P L E N T Y

C3. U.	13a. 3r. 00p.
	3a. 3r. 30p.
	7a. 1r. 01p.
C3. G.	7a. 3r. 39p.
	19a. 2r. 18p.



SCALE 4 CHAINS TO AN INCH

Find address or place



284KM

+ |

way 35

ORDER VESTING AN OCCUPATION ORDER

Te Ture Whenua Māori Act 1993, Section 109A
The Māori Land Court Rules 2011, Rule 7.5(2)(b)

In the Māori Land Court
of New Zealand
Waiariki District

IN THE MATTER of Maraehako C3A Block
(GS5B/1491)

AT a sitting of the Court held at Ōpōtiki on the 14th day of November 2022 before Terena Marahi Wara, Judge

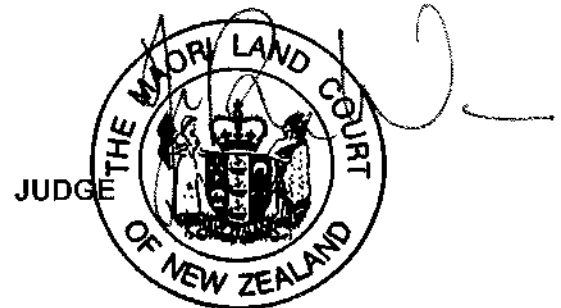
WHEREAS application has been filed by Makere Jones (Jnr) for succession to an occupation order granted to Makere Jones (Snr) on 6 July 2021 (258 Waiariki MB 283-287)

NOW THEREFORE the Court upon reading and hearing all evidence adduced in support thereof and being satisfied on all matters upon which it is required to be so satisfied

HEREBY ORDERS, pursuant to Section 109A(2) of Te Ture Whenua Māori Act 1993, vesting the occupation order granted to Makere Jones (Snr), for his exclusive use and occupation of that part of the said land described in the schedule hereto as a site for a house, in Makere Jones (Snr) Whānau Trust in both law and equity

AND IT IS HEREBY DECLARED, pursuant to Rule 7.5(2)(b) of the Māori Land Court Rules 2011, that this Order do ISSUE IMMEDIATELY from the office of the Court

AS WITNESS the hand of the Judge and the Seal of the Court.



SCHEDULE

All that area containing 1200 square metres more or less being part Maraehako C3A Block, as shown on the sketch plan referenced "J" attached hereto.

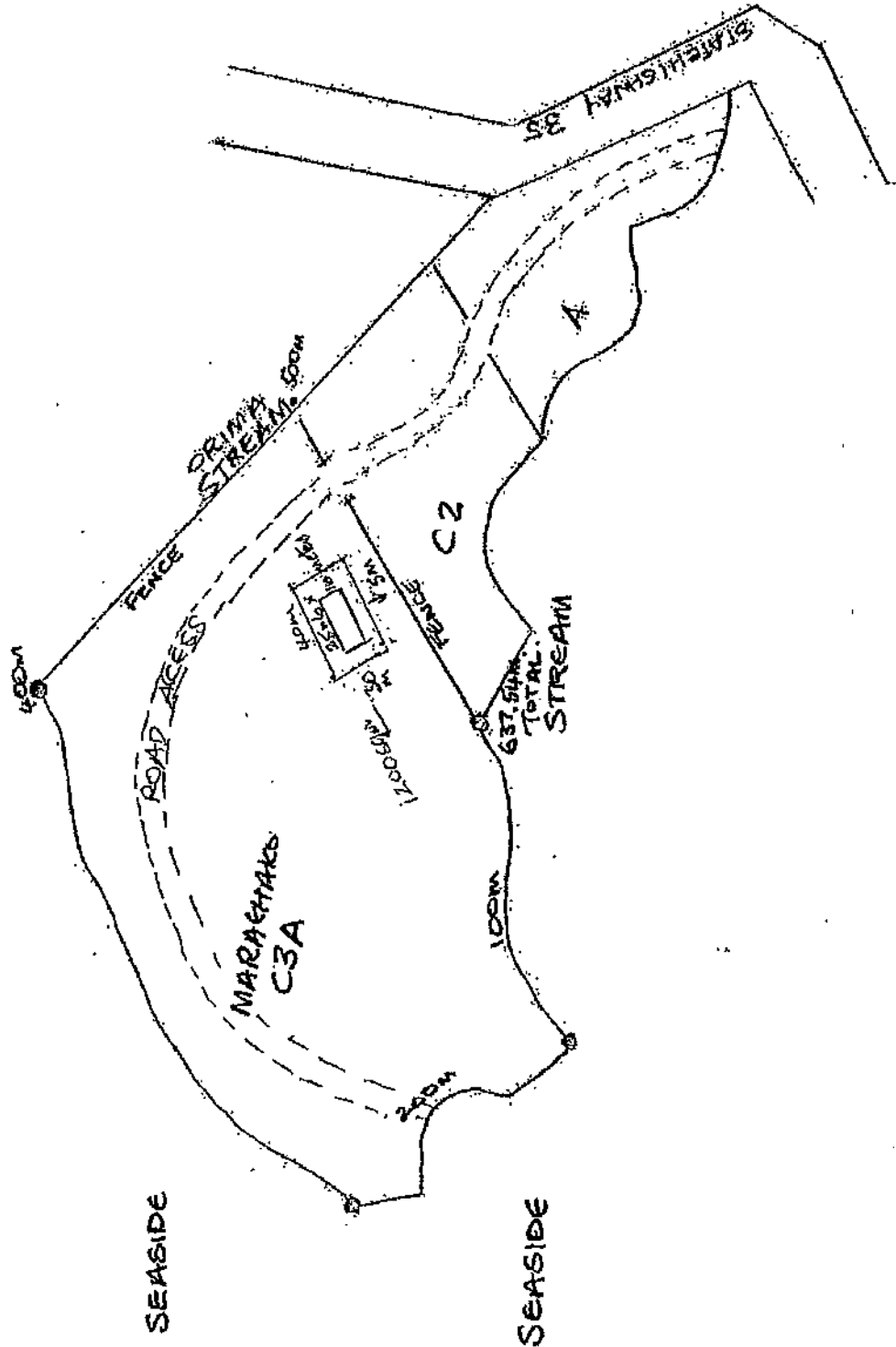
EXHIBIT "J"

Maraehako C3A Ahuwhenua Trust - Sketch Plan

ML 5804

7.9014 acres = 3.1975m²

SEASIDE



TMW

Mac Burgess

From: Rani Maaka <keiterere@gmail.com>
Sent: Thursday, 6 February 2025 10:29 pm
To: Te Ara Tipuna Notified
Cc: Mum
Subject: Te Ara Tipuna Trail ref TPGD-0340

To Whom It May Concern,

Hahau A11B Trust is not in a position to support this venture at this time.

Yours Sincerely
Secretary of Hahau A11B Trust



Hirani Maaka
0274 350966

The information contained in this communication is intended solely for the use of the individual or entity to whom it is addressed and others authorised to receive it. It may contain confidential or legally privileged information. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or taking of any action in reliance on the contents of this information is strictly prohibited and may be unlawful. Opinions, conclusions and other information in this message that do not relate to the official business of the above individual shall be understood as neither given nor endorsed by it. If you have received this message in error please notify us and destroy this message immediately.

Thank you.

*** Please consider the environment before printing this message ***

Mac Burgess

From: rakai ngarimu <rakaingarimu@gmail.com>
Sent: Thursday, 6 February 2025 8:03 pm
To: Te Ara Tipuna Notified
Subject: Attn: Awhina White

Kia ora, in regards to the email sent proposing the Te Ara tipuna trail potentially crossing through or near my property or affecting it, I strongly oppose this and do not consent. In the past I liked the idea, and initially was told it was a walkway just out of town, to connect towns via the roadside, but after reading all available information recently I have come to realize it is far more extensive than originally thought. Sorry this is in email form, it was confusing trying to navigate the forms online where I just wanted to say no thank you, I do not consent.

Thank you,

Rakairoa Ngarimu.

Mac Burgess

From: Kararaina Dobie <kararaina.dobie@xtra.co.nz>
Sent: Thursday, 6 February 2025 11:23 pm
To: Notified Resource Consents
Subject: My submission to the GRC opposing Te Ara Tipuna Trail

My submission to the Council on the Te Ara Tipuna Trail Email to NotifiedRC@gdc.govt.nz

I stand firmly against this proposition because it threatens to open our sacred ancestral lands along the coast (State Highway 35) to the public—lands that hold deep cultural and historical significance. I am of Te Whanau A Apanui and Ngati Porou descent. Through these whakapapa, our whanau are share-holders in many land blocks that this trail will cross over.

This proposed walkway poses serious risks, not only to the local environment but also to the rights of those who whakapapa to this whenua. Many landowners, who are directly affected, were never consulted—simply because through no fault of their own they no longer reside on the coast. This lack of engagement is unacceptable.

Our whenua is not just land—it is our identity, our heritage, and our responsibility to protect. I cannot support a proposal that disregards our people, our environment, and our tino rangatiratanga.

I am making this submission to ensure that the voices of us, the landowners, are heard and respected. Our perspectives must be taken into account, as decisions about our ancestral lands should not be made without us.

I strongly urge the councils (Opotiki District Council, Bay of Plenty Regional Council and Gisborne Regional and District Councils involved in this proposa, to reject the Te Ara Tipuna trails and prevent them from moving forward. Our ancestral lands and the voices of the rightful landowners must be respected.

Naku Noa
Kararaina Dobie

Sent from my iPhone
Kararaina Dobie
166 Wellington street
Opotiki 3122
New Zealand
Mobile: 0273373001
Email: kararaina.dobie@xtra.co.nz

Submission on Te Ara Tipuna Trail Proposal

Submitted by: Te Whānau a Hinetekahu

Date: 04-02-25

To: Gisborne District Council

Subject: Opposition to Te Ara Tipuna Trail Proposal

Kia ora,

We, Te Whānau a Hinetekahu, submit this opposition to the Te Ara Tipuna Trail proposal. Our hapū has carefully considered the potential impacts of this trail and wishes to express our concerns and reasons for opposing the project.

1. Support for Landowners: We stand in solidarity with the landowners within the tribal lands of Te Whānau a Hinetekahu who oppose this trail. The proposed trail crosses private and multiple-owned land blocks, which raises significant concerns about land use and access rights. These lands were gifted to our whānau from our tipuna Hakota, and it is essential that the rights and wishes of the landowners are respected and upheld.

2. Cultural and Environmental Impact: The construction and use of the trail could have detrimental effects on the cultural and environmental landscape of our hapū. The trail may disrupt sacred sites and cultural landmarks, which are of immense significance to Te Whānau a Hinetekahu. Additionally, the increased foot traffic and construction activities could lead to environmental degradation, including soil erosion, habitat disruption, and littering. It is crucial to protect our cultural heritage and natural environment for future generations.

3. Lack of Consultation: We believe that there has been insufficient consultation with our hapū and the affected landowners. Meaningful engagement and consultation are essential to ensure that the voices and concerns of Te Whānau a Hinetekahu are heard and considered. We urge the council to engage in thorough and respectful consultation with all stakeholders before making any decisions.

4. Alternative Routes: We propose that the council explores alternative routes for the trail that minimize the impact on private and multiple-owned land. Utilizing existing public land, road corridors, and reserves could be a more suitable option that respects the rights of landowners and reduces potential conflicts.

Conclusion: In conclusion, we oppose the Te Ara Tipuna Trail proposal due to the potential negative impacts on land use rights, cultural heritage, and the environment. We stand in support of the landowners within the tribal lands of Te Whānau a Hinetekahu and urge the council to consider our concerns and explore alternative routes for the trail.

Thank you for considering our submission.

Ngā mihi nui,

Geraldine Aramoana (On behalf of Te Whānau a Hinetekahu)

Mac Burgess

From: Dre Dre <dre172330@gmail.com>
Sent: Thursday, 6 February 2025 10:16 pm
To: Notified Resource Consents
Subject: Objection submission.

I am writing this email notifying you that I Shane Puru mana whenua to Te whanau a Apaunui oppose and object to the resource consent to build the 500km walking trail from Gisborne to Opotiki.

TE ARA TIPUNA SUBMISSION

To: Te Kaunihera o Te Tairāwhiti
Gisborne District Council

From: Lee Jones
8 Jasmine Street
Wakerley 4175
Brisbane, QLD
Australia

Email: ljonesy88@hotmail.com

Date: 01 February 2025

Resource Consent numbers:

GDC: DL-2023-112074-00, LR-2023-112076-00, LL-2023-112077-00, LV-2023-112078-00

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Easement rights and powers

11. We oppose any easement rights and powers under the Walking Access act 2008, or the granting of an easement on our property, as this violates as owners our own existing easements and legal rights and status for the use and occupation of our whenua.

Rights and interests as land holders

12. If this trail goes ahead without our agreement, this will affect our rights and interests under the treaty.

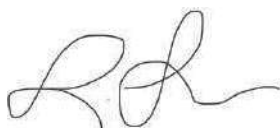
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Regards



Lee Jones (Miss)

ORDER VESTING AN OCCUPATION ORDER

Te Ture Whenua Māori Act 1993, Section 109A
The Māori Land Court Rules 2011, Rule 7.5(2)(b)

In the Māori Land Court
of New Zealand
Waiariki District

IN THE MATTER of Maraehako C3A Block
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NOW THEREFORE the Court upon reading and hearing all evidence adduced in support thereof and being satisfied on all matters upon which it is required to be so satisfied

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AND IT IS HEREBY DECLARED, pursuant to Rule 7.5(2)(b) of the Māori Land Court Rules 2011, that this Order do ISSUE IMMEDIATELY from the office of the Court

AS WITNESS the hand of the Judge and the Seal of the Court.



SCHEDULE

All that area containing 1200 square metres more or less being part Maraehako C3A Block, as shown on the sketch plan referenced "J" attached hereto.

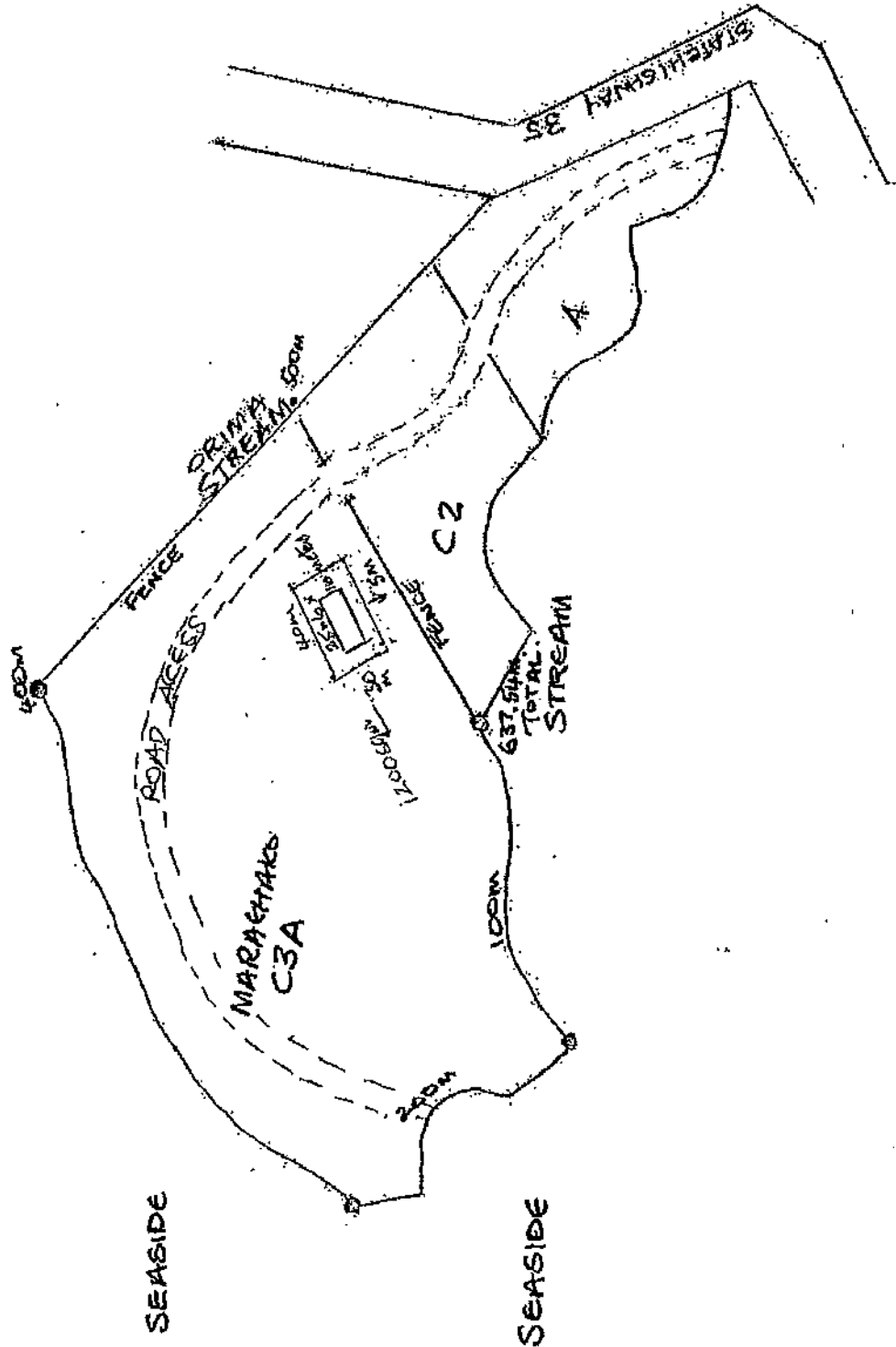
EXHIBIT "J"

Maraehako C3A Ahuwhenua Trust - Sketch Plan

ML 5804

7.9014 acres = 3.1975m²

SEASIDE



TMW

MANAHAKO 03A, 03B & 03C.
 per Plan 1279.

AREAS OF

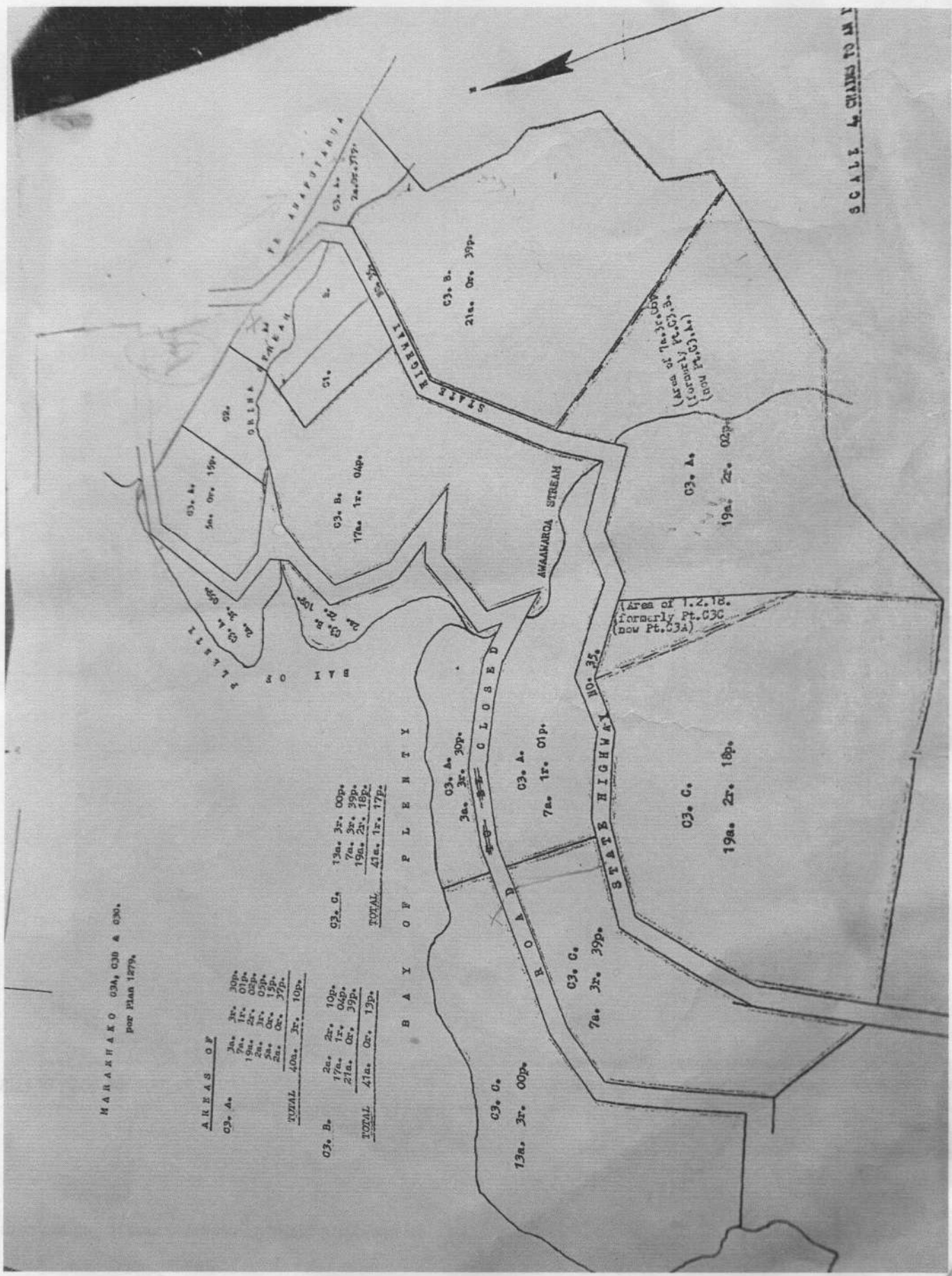
03. A.	2a. 3r. 30p.
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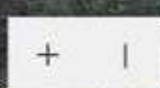
B A Y O F P L E N T Y

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SCALE 4 CHAINS TO AN INCH

Find address or place



284KM

way 35

TE ARA TIPUNA SUBMISSION

To: Te Kaunihera o Te Tairāwhiti
Gisborne District Council

From: Elizabeth Jones
436 Seaforth Rd
Bowentown 3177

Email: emjones86@hotmail.com

Date: 01 February 2025

Resource Consent numbers:

GDC: DL-2023-112074-00, LR-2023-112076-00, LL-2023-112077-00, LV-2023-112078-00
BOPRC: RM23-0508-AP ODC: RC2024-04

Owner/Beneficiary of Maraehako C3A BLOCK 34860 Ahu Whenua Trust and Makere Jones (Snr) Whānau Trust situated at 8663 State Highway 35 **OPPOSE the notified resource consent application – TE ARA TIPUNA TRAIL**

Introduction

I am opposing this resource consent application for the following reasons:

- (a) No direct notification
- (b) Status of the whenua – private and multiple owned Māori land blocks,
- (c) Archaeological sites
- (d) Respecting our privacy,
- (e) Risks to our children and mokopuna,
- (f) Kaitiaki and guardian responsibilities,
- (g) Health and safety issues to land owners and to prospective walkers,
- (h) Degradation of the whenua,
- (i) Proposed trail does not follow the old paper road,
- (j) Responsibilities and liabilities,
- (k) Easement rights and powers,
- (l) Rights and interests as land holders
- (m) What we request

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MANAHAKO 03A, 03B & 03C.
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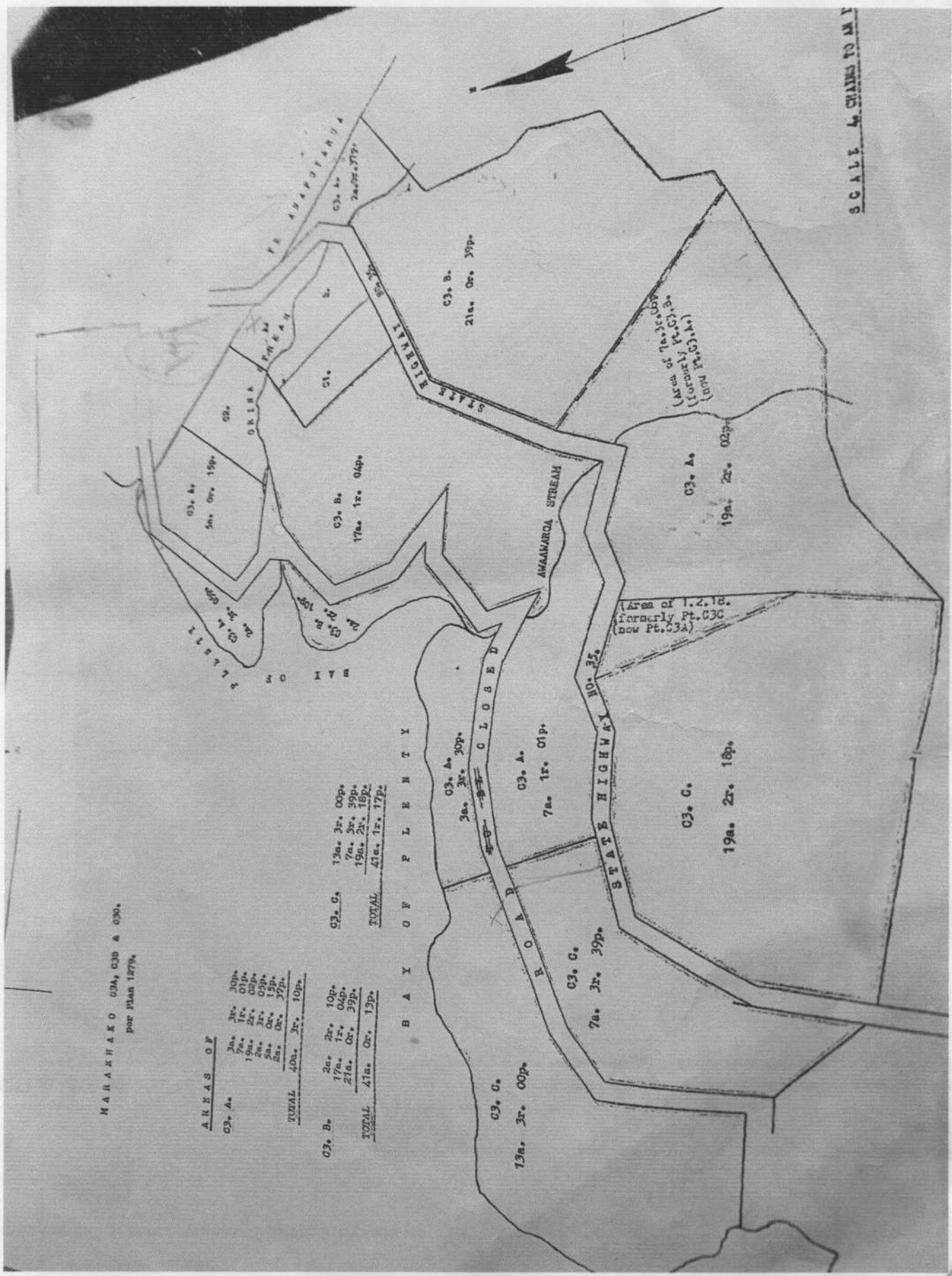
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+ |



284KM

way 35

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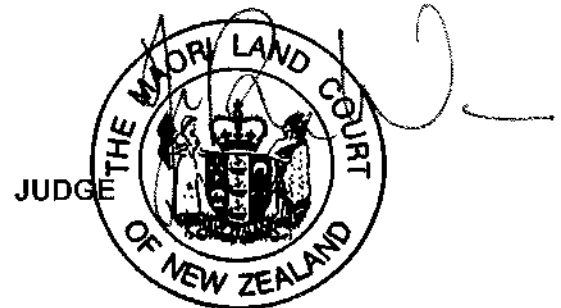
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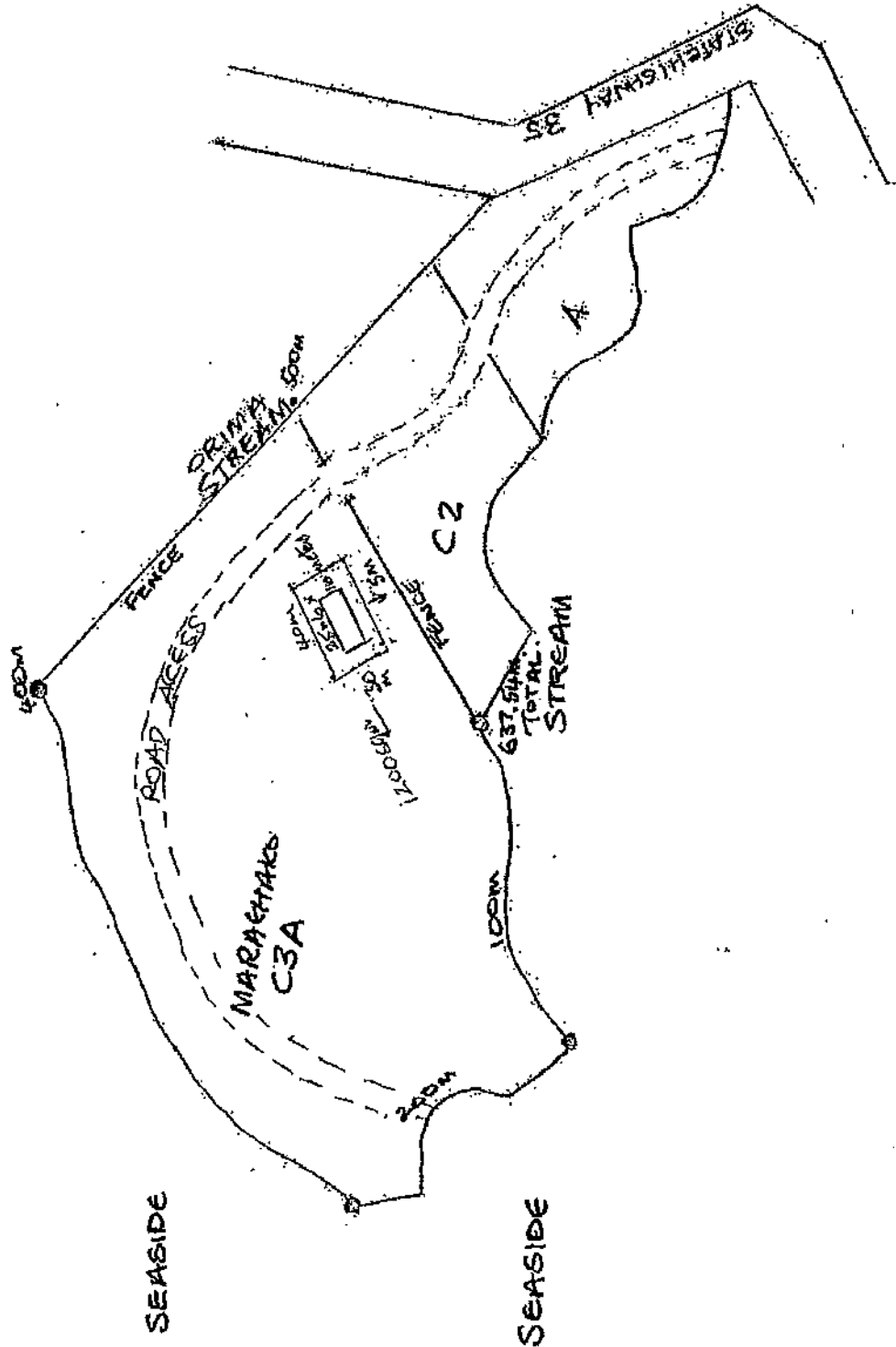
EXHIBIT "J"

Maraehako C3A Ahuwhenua Trust - Sketch Plan

ML 5804

7.9014 acres = 3.1975m²

SEASIDE



TMW

Mac Burgess

From: Anthony Kirikiri <anthony.kirikiri@gmail.com>
Sent: Friday, 7 February 2025 10:01 am
To: Notified Resource Consents
Cc: diana@thepec.co.nz; Moana Reedy; phyllis.lockwood@xtra.co.nz
Subject: Submission Opposing the Te Ara Tipuna Trail Proposal

To Te Ara Tipuna organizers.

Submission Opposing the Te Ara Tipuna Trail Proposal

Kia ora,

I write to formally oppose the proposed Te Ara Tipuna trail in its current form due to concerns regarding ongoing operational costs, environmental impact, and cultural sensitivity. While I appreciate the intention behind the initiative, I believe that a more suitable alternative exists that would minimize risks and provide greater benefits to local communities, iwi and hapu.

1. Ongoing Operational Costs and Maintenance

One of the primary concerns regarding Te Ara Tipuna is the long-term financial burden associated with maintaining the trail. Remote trails often require significant investment for upkeep, including:

- Regular grading and resurfacing due to erosion, particularly in exposed areas.
- Bridge and boardwalk maintenance where the trail crosses waterways or wetlands.
- Security and monitoring to ensure compliance with environmental and safety regulations.
- Emergency response measures in case of accidents or weather-related damages.

With limited funding available for infrastructure projects, the ongoing costs of maintaining a trail in remote and difficult to access locations could place an undue strain on ratepayers and local authorities assuming they would take responsibility for the ongoing maintenance. The financial sustainability of such an endeavour must be critically assessed before proceeding.

2. Environmental Threats in Remote Areas

The proposed route of the Te Ara Tipuna trail passes through areas of high environmental significance, many of which are ecologically fragile and home to native flora and fauna. Increased human activity in these remote locations presents several risks:

- Erosion and habitat disruption: The introduction of a new trail could lead to soil erosion, loss of vegetation, and disruption to wildlife habitats.
- Introduction of invasive species: Foot and bike traffic can inadvertently introduce weeds and pests that threaten indigenous biodiversity.
- Increased littering and waste management challenges: Areas currently untouched by tourism or recreational activities may struggle with increased waste if the trail proceeds as planned.
- The impact of increased foot and cycling traffic in these vulnerable environments must be taken into account, particularly in a time when conservation efforts are more critical than ever.

3. Potential Impact on Wāhi Tapu Sites

Another major concern is the potential for the trail to pass through, or near, sites of cultural and historical significance to tangata whenua. Many of these wāhi tapu (sacred places) may not be well-documented or widely known outside of iwi and hapū, and their disturbance whether intentional or not would be deeply problematic. The risk of unintentionally desecrating these areas, or failing to adequately consult with mana whenua, cannot be overlooked.

4. Alternative Proposal: Route Along State Highway 35

Rather than pursuing a trail through remote and ecologically sensitive areas, I propose that the project be redirected to follow State Highway 35 (SH35). This alternative presents several advantages:

- **Minimized environmental impact:** By utilizing an existing transport corridor, the ecological footprint of the trail would be significantly reduced.
- **Better economic value:** SH35 passes through multiple rural communities, providing opportunities for local businesses to benefit from increased tourism and economic activity.
- **Improved accessibility and safety:** A trail adjacent to SH35 would be more accessible for emergency services, maintenance crews, and visitors, reducing long-term operational costs.
- **Fairer distribution of maintenance costs:** A trail adjoining SH35 would allow for maintenance costs to be covered by the taxpayer via NZTA, ensuring a more equitable funding approach given the broader public use of the trail.

Smaller sub-trails for localized value: At key points along SH35, smaller trails could branch off, leading to specific areas of interest. These sub-trails could include parking and informational boards about local history, ecology, and culture, and could be managed by district councils or local groups. This would allow for better maintenance oversight and ensure that cultural and environmental values are preserved while still offering the immersive experience of the original proposal.

By prioritizing a route along SH35, the project could still achieve its goals while mitigating the risks associated with remote trail development.

While the Te Ara Tipuna trail is an ambitious initiative, the concerns outlined above; operational sustainability, environmental risks, and cultural sensitivity - necessitate a reconsideration of its current proposed route. I urge decision-makers to explore alternatives that minimize these risks while maximizing benefits for both people and the environment. Specifically, routing the trail along SH35 with carefully managed sub-trails would provide a more practical, cost-effective, and community-focused solution.

Thank you for considering this submission. I appreciate your time and commitment to making the best possible decision for our regions.

Nga mihi,

Anthony Kirikiri
98 Wellington Street, Opotiki 3122
Trustee, Heta Te Kani Kirikiri Whanau Trust (Anaura Bay)

Submission on
Resource Consent Application



Form 13
Under Section 96 of the Resource Management Act 1991.

i A copy of your submission must also be given to the resource consent applicant as soon as possible.
All information provided in your submission is available to the public (on request).

1. Person making submission

Name in full: Goldsmith Eddie
Surname: First Name(s)

Address:
4859 SH35 Whitianga Bay
No. Street/Road Suburb
Omaio 3199
Town/City Postcode

Mobile: 0210433788 Other phone:

Email: ejg@uenukugroup.com

2. Submission on

Application No: ODC: RC2024-04

Name of applicant: Te Ara Tipuna Charitable Trust

Type of resource consent applied for: Notified Resource Consent

Brief description of proposed activity: Te Ara Tipuna Trail

I support the application I oppose the application I am neutral to the application (neither support or oppose)

Clearly state which parts of the application you support or oppose or wish to have amended:

The application in whole.
Refer attached written submission.

The reasons for making my submission are (briefly describe the reasons for your views, attach further pages if necessary):

Refer attached written submission.

Office use only

Received date: Support Oppose W.T.B H N.B.H

I wish the Gisborne District Council to make the following decision (give details, including the nature of any conditions sought):

Refer attached written submission.

Please tick:

I wish to speak at the hearing in support of my submission

Would you consider presenting a joint case with others who have made a similar submission?

Yes No

I do not wish to speak at the hearing in support of my submission

3. Signature

Signature of person making submission or person authorised to sign on behalf of submitter



Date: 06/02/2025

Postal address of person making submission (if different from previous page):

c/- 17 Macville Road, Mount Maunganui, 3116

Name and phone number (if different from previous page):

Contact person:

Mobile:

Other phone:

Email:

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of an application by Te Ara Tipuna Charitable
Trust for land use consents for Te Ara Tipuna
Trail

**SUBMISSION BY EDDIE GOLDSMITH
ON BEHALF OF 4859 SH35, WHITIANGA BAY, OMAIO**

Eddie Goldsmith
ejg@uenukugroup.com
Cell: 021-0433788

1.0 INTRODUCTION

- 1.1** This submission requires that the consenting authorities decline the subject notified resource consent on the basis that the application fails to meet statutory considerations of the Act. The Application is inconsistent with the purpose and provisions of the Resource Management Act 1991.

2.0 STATUTORY CONSIDERATIONS

- 2.1** The RMA (Fourth Schedule to the Act) requires the following:

INFORMATION MUST BE SPECIFIED IN SUFFICIENT DETAIL

- *Any information required by this schedule, including an assessment under clause 2(1)(f) or (g), must be specified in sufficient detail to satisfy the purpose for which it is required.*

INFORMATION REQUIRED IN ALL APPLICATIONS

- *(1) An application for a resource consent for an activity (the activity) must include the following:*
 - *(a) a description of the activity:*
 - *(b) a description of the site at which the activity is to occur:*
 - *(c) the full name and address of each owner or occupier of the site:*
 - *(d) a description of any other activities that are part of the proposal to which the application relates:*
 - *(e) a description of any other resource consents required for the proposal to which the application relates:*
 - *(f) an assessment of the activity against the matters set out in Part 2:*
 - *(g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b).*

(2) The assessment under subclause (1)(g) must include an assessment of the activity against—

- (a) any relevant objectives, policies, or rules in a document; and*
- (b) any relevant requirements, conditions, or permissions in any rules in a document; and*
- (c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).*

(3) An application must also include an assessment of the activity's effects on the environment that—

- (a) includes the information required by clause 6; and*
- (b) addresses the matters specified in clause 7; and*
- (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.*

ADDITIONAL INFORMATION REQUIRED IN SOME APPLICATIONS

- An application must also include any of the following that apply:*
- (a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1));*
- (b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A));*

ASSESSMENT OF ENVIRONMENTAL EFFECTS

Clause 6: Information required in assessment of environmental effects

- (1) An assessment of the activity's effects on the environment must include the following information:*

- *(a) if it is likely that the activity will result in any significant adverse effect on the environment,*

a description of any possible alternative locations or methods for undertaking the activity:

- *(b) an assessment of the actual or potential effect on the environment of the activity:*

- *(c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use:*

- *(d) if the activity includes the discharge of any contaminant, a description of—*

- *(i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and*

- *(ii) any possible alternative methods of discharge, including discharge into any other receiving environment:*

- *(e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect:*

- *(f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:*

- *(g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:*

- *(h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).*

(2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

(3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not—

- (a) oblige the applicant to consult any person; or*
- (b) create any ground for expecting that the applicant will consult any person.*

CLAUSE 7: MATTERS THAT MUST BE ADDRESSED BY ASSESSMENT OF ENVIRONMENTAL EFFECTS

• (1) An assessment of the activity's effects on the environment must address the following matters:

- (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:*
- (b) any physical effect on the locality, including any landscape and visual effects:*
- (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:*
- (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:*
- (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:*
- (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.*

(2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions

UNDER THE FOURTH SCHEDULE TO THE ACT:

- *An application for a subdivision consent must also include information that adequately defines the following:*
 - *(a) the position of all new boundaries:*
 - *(b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan:*
 - *(c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips:*
 - *(d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips:*
 - *(e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A:*
 - *(f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A):*
 - *(g) the locations and areas of land to be set aside as new roads.*

4.0 OMAIO TO HAWAI LEG OF TRAIL

- 4.1** The Applicants have notified the Submitter via email that the trail is to be located within road reserve that passes by Whitianga Bay.
- 4.2** The Submitter has seen contrary e-mail advice, however, that the Omaio to Hawaii leg has been removed from the trail and that a taxi system is being proposed.
- 4.3** Despite attempts to seek clarification from the Applicants no response or reply has been received to date.
- 4.4** The Application and supporting documents do not assist in gaining clarity. Contradicting statements include:
- (a) "Omaio maybe an area where a taxi service is being considered".*
 - (b) "The option of taking a water taxi to cover the Day 23 section is in discussion."*

5.0 CONCLUSION

- 5.1** The Application / Applicants fails to clearly confirm what is proposed for the Omaio to Hawaii leg of the trail, therefore fails to meet the requirements of S2 of the fourth schedule of the Act.
- 5.2** The assessment of environmental effects fails to satisfy clause 6 of the Act. A detailed and proper assessment must be made under S104 but what is actually proposed for the Omaio to Hawaii leg of the trail is unclear.
- 5.3** The Application should not proceed in its current proposal and be declined.

DATED 6 February, 2025



Eddie Goldsmith

Submission on Resource Consent Application

Form 13
Under Section 96 of the Resource Management Act 1991.



i A copy of your submission must also be given to the resource consent applicant as soon as possible.
All information provided in your submission is available to the public (on request).

1. Person making submission

Name in full:	Ratapu Aria Raukokore		
	Surname:	First Name(s)	
Address:			
75	Huxley Road,	Kaiti,	
No.	Street/Road	Suburb	
Gisborne.		4010	
Town/City		Postcode	
Mobile:	02102422337	Other phone:	
Email:	arialelievre@yahoo.nz		

2. Submission on

Application No: GDC: DL 2023-11207400. LR-2023-112076-00. LL-2023-112077-00. LV-2023-112078-00. B)PRC: RM23-0508-AP. 0DC:

Name of applicant: Te Ara Tipuna Charitable Trust.

Type of resource consent applied for: To build a 500 mile walkway.

Brief description of proposed activity: To build a 500 mile walkway.

I support the application I oppose the application I am neutral to the application (neither support or oppose)

Clearly state which parts of the application you support or oppose or wish to have amended:

I am clearly stating for all the parts of this application that I/WE oppose this application. This is another fast track that needs to be stopped. Te Ara Tipuna Trust is a contradictive, and a very hypocritical Trust. The ways of our Ancestors was not to go and build walkways. Our Tupuna/Tipuna did not progress us to believe that progress was made by using some-one else whakapapa, as there is missing whakapapa to this land. This is another ploy to the inroads of getting more land that does not belong to Te Ara Tipuna. Not only that, stated in Te Ara Tipuna, is that paper roads are legal!!!! NO THEY ARE NOT LEGAL. Keep your connections to Highway 35, that already drives through our FARMS.. We are already connected to Uri, noho kainga and kei te whenua, and pa kainga, whereby we are anchored to our Whanau, that are the hapu and iwi, except when it comes to doing the RIGHT KAUPAPA. They need to stop telling half truths. That means they are telling LIES.

The reasons for making my submission are (briefly describe the reasons for your views, attach further pages if necessary):

They have the wrong Whakapapa to the Land. To much funding, more rubbish, more ablution blocks and most of all FIRE devastates everything.

Office use only

Received date: Support Oppose W.T.B H N.B.H

I wish the Gisborne District Council to make the following decision (give details, including the nature of any conditions sought):

What does NO mean? There are no details or conditions sought, except to tread respectfully over our LANDS, and respect my Whakapapa that is not mentioned in these consultations, that I have not had the privilege of attending, and stay to Highway 35, and stay off those paper roads.

Please tick:

I wish to speak at the hearing in support of my submission

Would you consider presenting a joint case with others who have made a similar submission?

Yes No

I do not wish to speak at the hearing in support of my submission

3. Signature

Signature of person making submission or person authorised to sign on behalf of submitter

Date: 6th February 2025

Postal address of person making submission (if different from previous page):

Name and phone number (if different from previous page):

Contact person:

Mobile:

Other phone:

Email:

TE ARA TIPUNA SUBMISSION

To: Te Kaunihera o Te Tairāwhiti
Gisborne District Council

From: Makere Tuihana Jones
61 toongabbie road
Toongabbie NSW 2146

Email: Makeretuihana@gmail.com

Date: 01 February 2025

Resource Consent numbers:

GDC: DL-2023-112074-00, LR-2023-112076-00, LL-2023-112077-00, LV-2023-112078-00
BOPRC: RM23-0508-AP ODC: RC2024-04

Owner/Beneficiary of Maraehako C3A BLOCK 34860 Ahu Whenua Trust and Makere Jones (Snr) Whānau Trust situated at 8663 State Highway 35 **OPPOSE the notified resource consent application – TE ARA TIPUNA TRAIL**

Introduction

I am opposing this resource consent application for the following reasons:

- (a) No direct notification
- (b) Status of the whenua – private and multiple owned Māori land blocks,
- (c) Archaeological sites
- (d) Respecting our privacy,
- (e) Risks to our children and mokopuna,
- (f) Kaitiaki and guardian responsibilities,
- (g) Health and safety issues to land owners and to prospective walkers,
- (h) Degradation of the whenua,
- (i) Proposed trail does not follow the old paper road,
- (j) Responsibilities and liabilities,
- (k) Easement rights and powers,
- (l) Rights and interests as land holders
- (m) What we request

Rational for opposing

No direct notification

1. I oppose the application on the basis that Maraehako C3A Block held in Trust by the Maraehako C3A Ahu Whenua Trust was not notified and are NOT listed on the TAT-Notification-report-Schedule-Notified-landowners-BOP Ōpōtiki.

Status of the whenua – private and multiple owned Māori land blocks

2. The enclosed submission considers the impact to the entire Maraehako land holdings that once formed one contiguous block owned by our tupuna – Hamiora Hei. The trail proposed will cross private and multiple owned Māori land blocks owned by our whānau. We oppose such action. Our whenua has been in our whānau for generations and is a taonga, we know our history and have a deep cultural connection to what we have inherited.

Archaeological Sites

3. I oppose the application as Maraehako C3A contains two identified archaeological sites (Y14/290 and Y14/292) and are in the vicinity of several other identified sites. The whānau on the neighbouring block being Te Anaputarua 2 are on the right-hand side of the creek that is under housing development. There is no bridge, track or trail that connects between Te Anaputarua and Maraehako A, C2 and C3A Blocks and I would like it to remain that way in perpetuity.

Respecting our privacy

4. We value our privacy and want to protect that. Where the proposed trail is intending to go will have a direct and detrimental impact on our privacy. This track runs directly beside a proposed build site that is consented for by the Māori Land Court and the Ōpōtiki District Council.

Risks to our children and mokopuna

5. We are fearful for the safety of our children and grandchildren, now and into the future should this trail go ahead. They have the freedom to roam this whenua, unobstructed, care free, knowing where they belong and they feel safe. In having other's walk across our whenua of whom we do not know their history, their character and their behaviours is unacceptable, and could potentially be a safety issue of which I am not willing to test.

Kaitiaki and guardian responsibilities

6. We are the kaitiaki and guardian to this whenua, the water ways, the moana and its resources. In being a kaitiaki we have taken care of this land alongside of our wider extensive whānau membership as noted in the submission support above. We want to ensure the sustainability of our kaimoana, we want to preserve the fishing beds and nurseries of our moki, crayfish and other species. No one sitting in an office somewhere else can guarantee that our resources will not be accessed.

Health and safety issues to land owners and to prospective walkers

7. This is our whenua. We want the freedom to act and do what we want, when we want to, how we want to without the added responsibility and pressure of knowing that someone may appear at any time and when we least expect it. Our concerns are who will be responsible for those walking this track if a trail walker or any biker or rider or other persons, becomes unwell or has a medical emergency, or is involved in a motor vehicle accident as this walkway transverses over our private access way to access our whenua that we use and have used for centuries as descendants of our tipuna Hamiora Hei.

Degradation of the whenua

8. You are proposing to change the nature of the whenua. We oppose. We do not want bridges, toilets, signs or other structures that will require maintenance and cleaning which will be a health and safety issue. We will not permit any of our whenua to be damaged through the construction of such structures.

Proposed trail does not follow the old paper road

9. We have been told that the track follows an old paper road, that is not the case. The old paper road is further west of the proposed walkway.

Responsibilities and liabilities

10. There are responsibilities and liabilities that we as land owners will incur if this trail goes ahead.
- i. What are the liabilities of a walker injuring themselves, will we be sued?
 - ii. What responsibilities will the GDC, ODC, AND BOPRC and the Te Ara Tipuna Charitable Trust take to compensate land owners if this is the case?
 - iii. What added costs will be incurred to our rates, insurances, and other hidden costs we may not be aware of?

Easement rights and powers

11. We oppose any easement rights and powers under the Walking Access act 2008, or the granting of an easement on our property, as this violates as owners our own existing easements and legal rights and status for the use and occupation of our whenua.

Rights and interests as land holders

12. If this trail goes ahead without our agreement, this will affect our rights and interests under the treaty.

If this trail goes ahead without our agreement, this will be a clear attempt to usurp the rights and interests of us as land owners of which we will then need to seek legal action.

What we request

As trustee of the Māori block, we would like the Trust & Trustees namely Rei Kohere, Sir Selwyn Parata, Kylee Potae, and Hon Hekia Parata to explain to us as owners what your legal grounds are for violating our rights as Māori to build our family home in honour of our mum because the placement of this walkway is directly on and through her whenua. It is our position that you will desecrate the memory of our mother by allowing complete strangers to walk over her whenua and whare as per the attached court Occupation Order. Please provide an explanation to her descendants for such action?

As legal owners WE DO NOT GIVE OR GRANT LEGAL PERMISSION to the Te Ara Trust to bring your walkway through our Māori owned 1200sqm whenua and once we receive an explanation from Te Ara Trust, then we will kōrero or not.

Regards



Makere Tuihana Jones (Miss)

Find address or place



MANAHAKO 03A, 03B & 03C.
 per Plan 1279.

AREAS OF

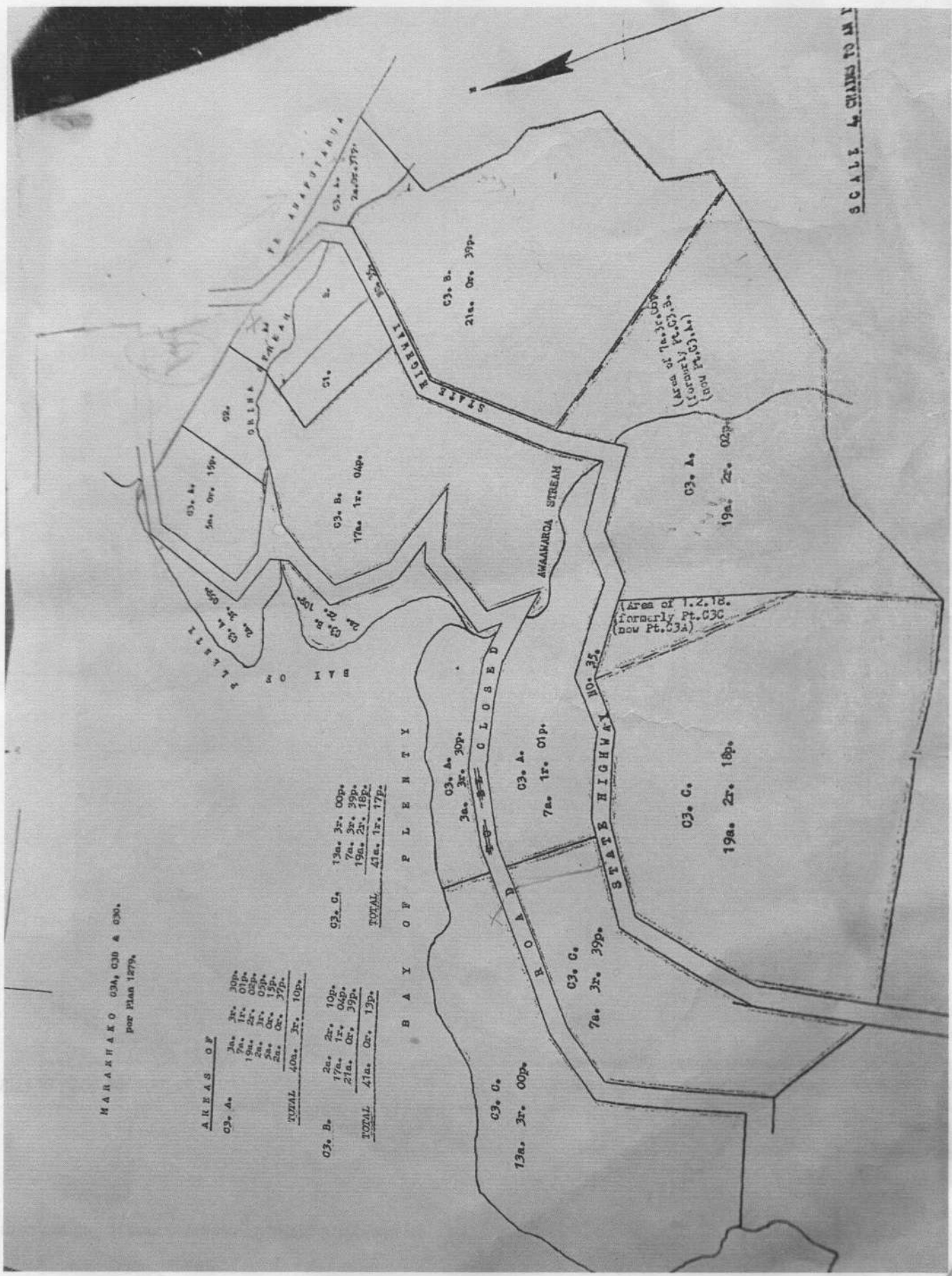
03. A.	2a. 3r. 30p.
	1r. 01p.
	2a. 3r. 05p.
	2a. 3r. 15p.
	2a. 0r. 15p.
	2a. 0r. 27p.
<u>TOTAL</u>	<u>40a. 3r. 10p.</u>

03. B.	2a. 2r. 10p.
	17a. 2r. 04p.
	21a. 0r. 39p.
<u>TOTAL</u>	<u>41a. 0r. 13p.</u>

03. C.	13a. 3r. 00p.
	7a. 2r. 59p.
	19a. 2r. 16p.
<u>TOTAL</u>	<u>41a. 1r. 17p.</u>

B A Y O F P L E N T Y

03. U.	13a. 3r. 00p.
03. V.	7a. 3r. 39p.
03. W.	7a. 1r. 01p.
03. X.	3a. 3r. 30p.
03. Y.	19a. 2r. 18p.



SCALE 4 CHAINS TO AN INCH

ORDER VESTING AN OCCUPATION ORDER

Te Ture Whenua Māori Act 1993, Section 109A
The Māori Land Court Rules 2011, Rule 7.5(2)(b)

In the Māori Land Court
of New Zealand
Waiariki District

IN THE MATTER of Maraehako C3A Block
(GS5B/1491)

AT a sitting of the Court held at Ōpōtiki on the 14th day of November 2022 before Terena Marahi Wara, Judge

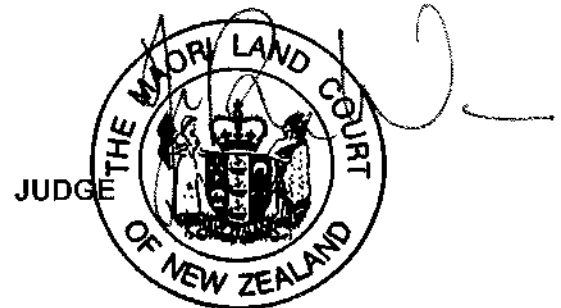
WHEREAS application has been filed by Makere Jones (Jnr) for succession to an occupation order granted to Makere Jones (Snr) on 6 July 2021 (258 Waiariki MB 283-287)

NOW THEREFORE the Court upon reading and hearing all evidence adduced in support thereof and being satisfied on all matters upon which it is required to be so satisfied

HEREBY ORDERS, pursuant to Section 109A(2) of Te Ture Whenua Māori Act 1993, vesting the occupation order granted to Makere Jones (Snr), for his exclusive use and occupation of that part of the said land described in the schedule hereto as a site for a house, in Makere Jones (Snr) Whānau Trust in both law and equity

AND IT IS HEREBY DECLARED, pursuant to Rule 7.5(2)(b) of the Māori Land Court Rules 2011, that this Order do ISSUE IMMEDIATELY from the office of the Court

AS WITNESS the hand of the Judge and the Seal of the Court.



SCHEDULE

All that area containing 1200 square metres more or less being part Maraehako C3A Block, as shown on the sketch plan referenced "J" attached hereto.

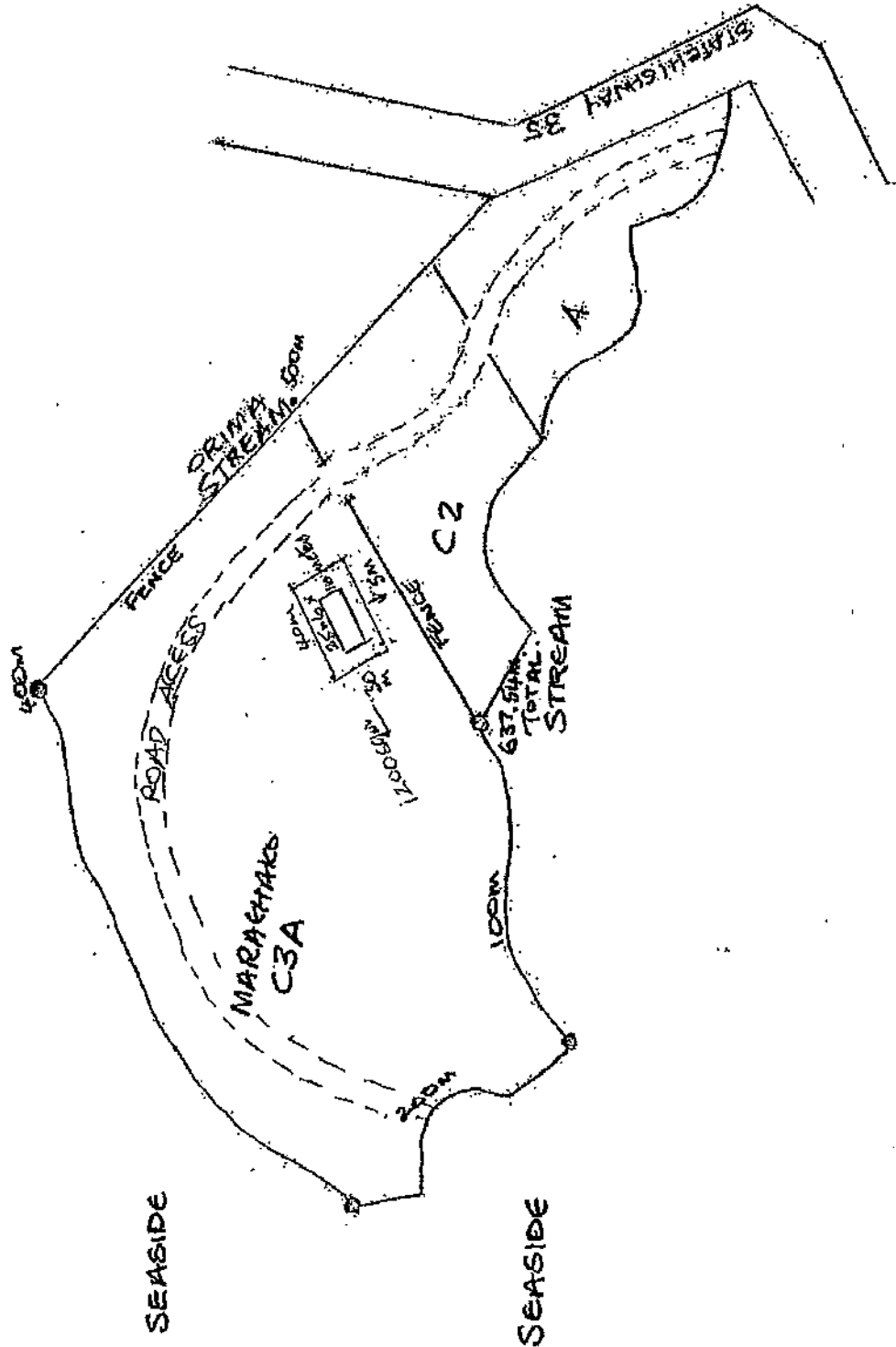
EXHIBIT "J"

Maraehako C3A Ahuwhenua Trust - Sketch Plan

ML 5804

7.9014 acres = 3.1975m²

SEASIDE



TMW

TE ARA TIPUNA SUBMISSION

To: Te Kaunihera o Te Tairāwhiti
Gisborne District Council

From: Tangiarua Jones
8 Jasmine street
Wakerley QLD 4154

Email: tangiaruajones@bigpond.com

Date: 01 February 2025

Resource Consent numbers:

GDC: DL-2023-112074-00, LR-2023-112076-00, LL-2023-112077-00, LV-2023-112078-00
BOPRC: RM23-0508-AP ODC: RC2024-04

**Owner/Beneficiary of Maraehako C3A BLOCK 34860 Ahu Whenua Trust and Trustee of
Makere Jones (Snr) Whānau Trust situated at 8663 State Highway 35 **OPPOSE** the notified
resource consent application – TE ARA TIPUNA TRAIL**

Introduction

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- (b) Status of the whenua – private and multiple owned Māori land blocks,
- (c) Archaeological sites
- (d) Respecting our privacy,
- (e) Risks to our children and mokopuna,
- (f) Kaitiaki and guardian responsibilities,
- (g) Health and safety issues to land owners and to prospective walkers,
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- (l) Rights and interests as land holders
- (m) What we request

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As legal owners WE DO NOT GIVE OR GRANT LEGAL PERMISSION to the Te Ara Trust to bring your walkway through our Māori owned 1200sqm whenua and once we receive an explanation from Te Ara Trust, then we will kōrero or not.

Regards



Tangiarua Jones (Mr)

Find address or place



+ |



284KM

way 35

MANAHAKO 03A, 03B & 03C.
 per Plan 1279.

AREAS OF

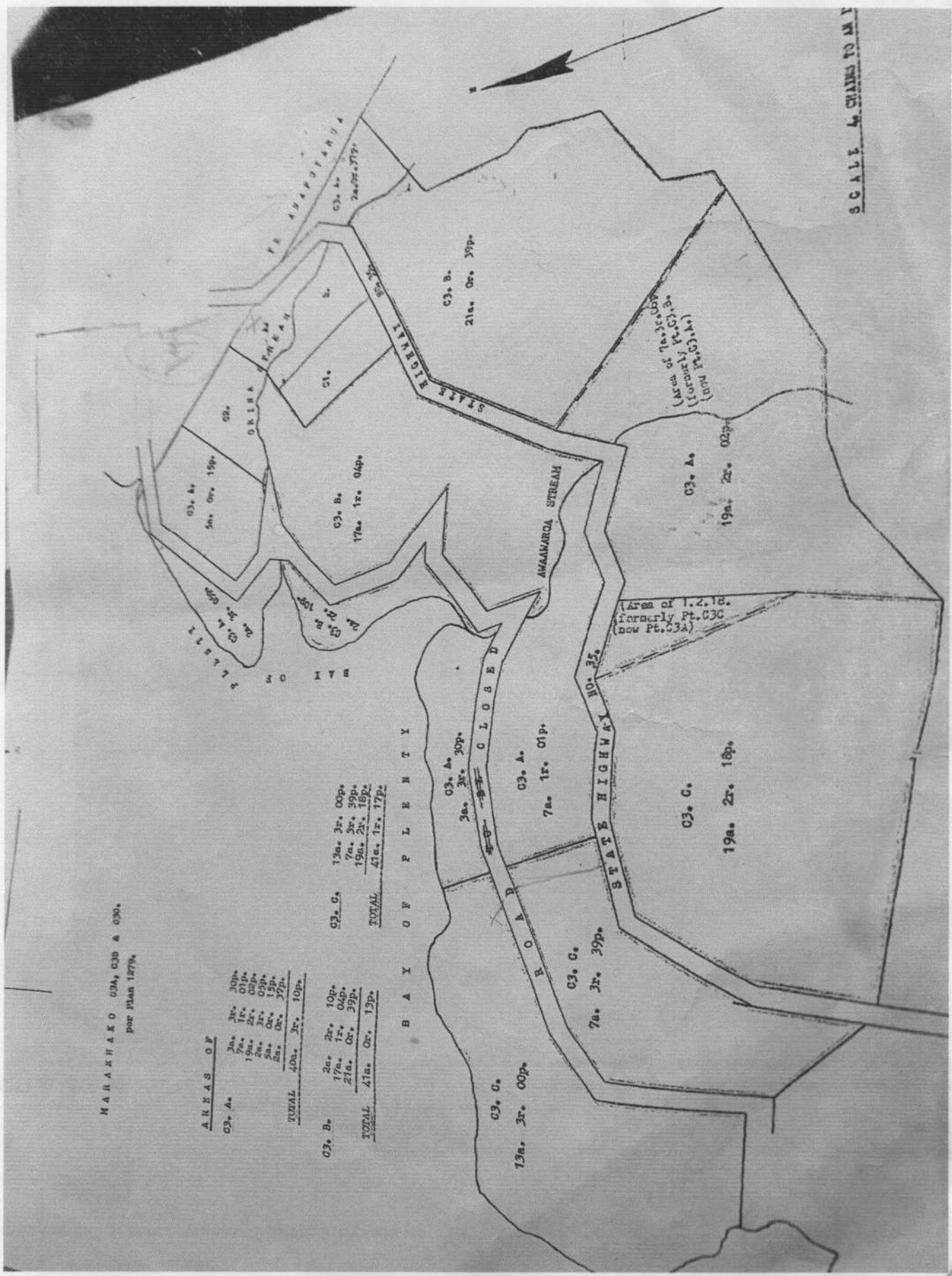
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SCALE 4 CHAINS TO AN INCH

ORDER VESTING AN OCCUPATION ORDER

Te Ture Whenua Māori Act 1993, Section 109A
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In the Māori Land Court
of New Zealand
Waiariki District

IN THE MATTER of Maraehako C3A Block
(GS5B/1491)

AT a sitting of the Court held at Ōpōtiki on the 14th day of November 2022 before Terena Marahi Wara, Judge

WHEREAS application has been filed by Makere Jones (Jnr) for succession to an occupation order granted to Makere Jones (Snr) on 6 July 2021 (258 Waiariki MB 283-287)

NOW THEREFORE the Court upon reading and hearing all evidence adduced in support thereof and being satisfied on all matters upon which it is required to be so satisfied

HEREBY ORDERS, pursuant to Section 109A(2) of Te Ture Whenua Māori Act 1993, vesting the occupation order granted to Makere Jones (Snr), for his exclusive use and occupation of that part of the said land described in the schedule hereto as a site for a house, in Makere Jones (Snr) Whānau Trust in both law and equity

AND IT IS HEREBY DECLARED, pursuant to Rule 7.5(2)(b) of the Māori Land Court Rules 2011, that this Order do ISSUE IMMEDIATELY from the office of the Court

AS WITNESS the hand of the Judge and the Seal of the Court.



SCHEDULE

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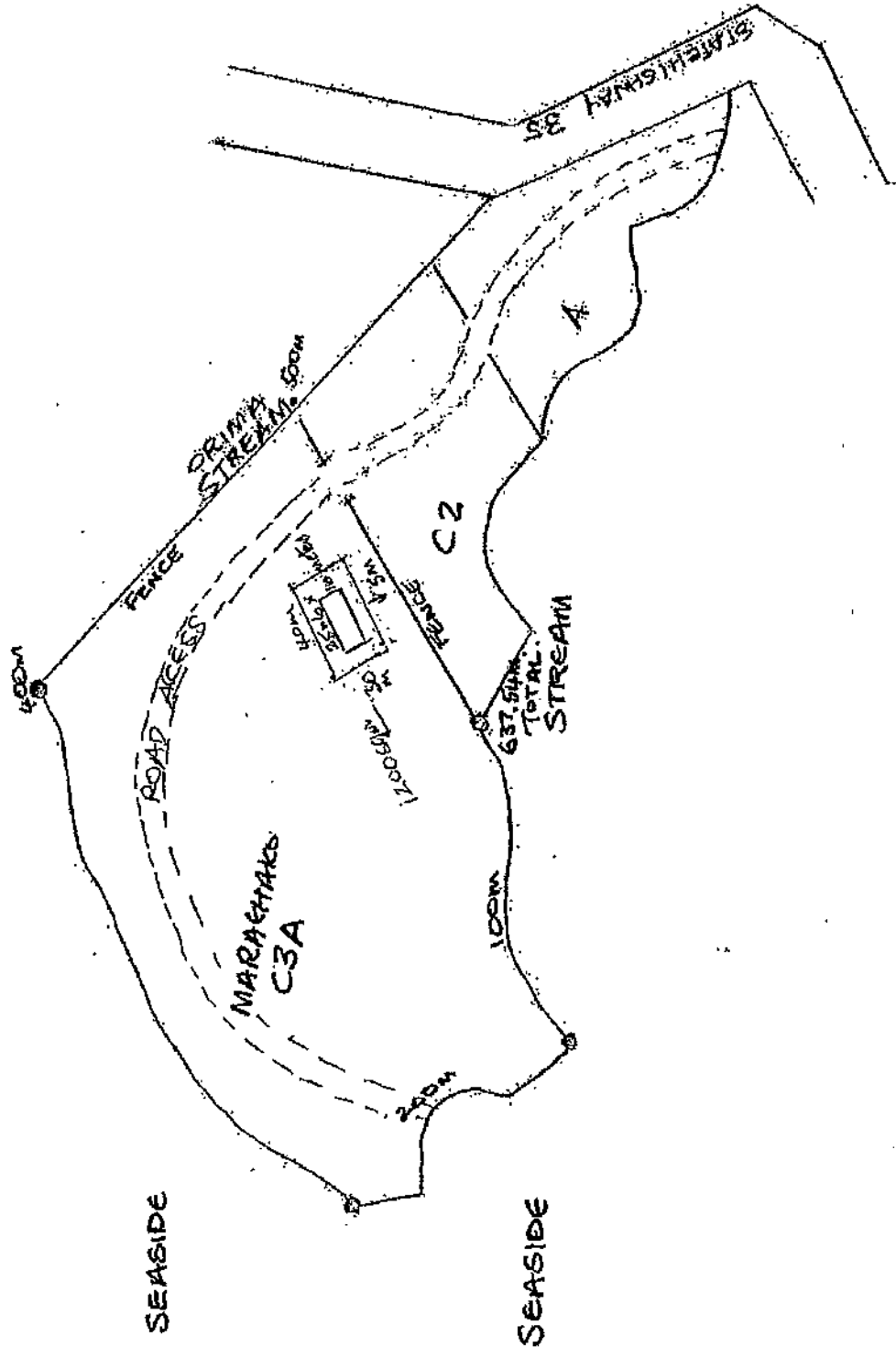
EXHIBIT "J"

Maraehako C3A Ahuwhenua Trust - Sketch Plan

ML 5804

7.9014 acres = 3.1975m²

SEASIDE



TMW

Submission on Resource Consent Application

Form 13
Under Section 96 of the Resource Management Act 1991.



i A copy of your submission must also be given to the resource consent applicant as soon as possible.
All information provided in your submission is available to the public (on request).

1. Person making submission

Name in full:	Craig Stafford Gibbs		
	Surname:	First Name(s)	
Address:			
370	Waiapu Road	Tolaga Bay	
No.	Street/Road	Suburb	
Gisborne		4077	
Town/City		Postcode	
Mobile:		Other phone:	
Email:	craig.s.gibbs@gmail.com		

2. Submission on

Application No:	DL-2023-112074-00, LR-2023-112076-00, LL-2023-112077-00, LV-2023-112078-00, RM23-058-AP, RC2024-04
Name of applicant:	Te Ara Tipuna Charitable Trust
Type of resource consent applied for:	Discharge to Land and Land Use
Brief description of proposed activity:	Design and Construction of Stage 1 of Te Ara Tipuna Trail

I support the application I oppose the application I am neutral to the application (neither support or oppose)

Clearly state which parts of the application you support or oppose or wish to have amended:

Please see attached submission.

The reasons for making my submission are (briefly describe the reasons for your views, attach further pages if necessary):

Please see attached submission.

Office use only

Received date: Support Oppose W.T.B.H N.B.H

I wish the Gisborne District Council to make the following decision (give details, including the nature of any conditions sought):

Please see attached submission.

Please tick:

I wish to speak at the hearing in support of my submission

Would you consider presenting a joint case with others who have made a similar submission?

Yes No

I do not wish to speak at the hearing in support of my submission

3. Signature

Signature of person making submission or person authorised to sign on behalf of submitter

Date:

Postal address of person making submission (if different from previous page):

CR Law - Level 1/227 Broadway Avenue
Palmerston North, 4410

Name and phone number (if different from previous page):

Contact person: Shannon Johnston - CR Law

Mobile:

Other phone:

Email:

Submission on Te Ara Tipuna Trail

1. This submission is made in opposition of the application made by Te Ara Tipuna Charitable Trust (**the Trust** or **applicant**) for resource consents to construct and operate the Te Ara Tipuna Trail (**the Trail**). The submission relates to the application in its entirety, but in particular those parts that relate to the proposed alignment of the Trail along Karaka Bay.
2. I confirm that I am not a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (**the RMA**).
3. The current proposed alignment of the Trail is along the Karaka Bay beach in front of my property at 370 Waiapu Road which is about 15 minutes from Tolaga Bay. The Trail would utilise the 10m wide esplanade strip that traverses my property which is approximately 10-20m from my house (photo 1 in **Appendix A** shows this). This strip was created at the time my property was subdivided from my neighbours' land in 2014. Its purpose is to enable public access and recreation, along with maintaining or enhancing aquatic habitats.
4. There were several reasons why I purchased this property back in 2014. The main one being its isolated and private nature (access is via a locked, private road on my neighbour's land known as Karaka Bay Station), with no properties surrounding me. While I enjoy the isolation, I have no issue with the public using the beach in Karaka Bay, and will occasionally see visitors on the beach. Those who do visit the beach mostly arrive via boat or via private farm road with landowner permission, and come during good tides and weather, for fishing and other specific purposes.
5. We also chose this location due to our views of the beautiful coastal environment which we enjoy from most rooms of the house, and the direct beach access. The sand dunes along the front of my property are a key feature, and I have undertaken removal of invasive exotic plants and extensive native replanting in this area to help stabilise them (see photo 2 in **Appendix A**). I consider this work important for the benefit of the fragile (and important) sand dunes and beach over the long-term. The covenants on the property title require me to maintain these. I have noticed that since this planting, there has been some success in stabilising the dunes and there have been increases in bird nests, birdlife and native butterflies in the area.
6. I was not aware of the proposed Trail until I received notification from the Gisborne District Council (**the Council**) in December 2024 that I may be a potentially affected party. I understand that the Trust previously held meetings for landowners in 2023 and these were by invitation only. I did not receive any notification of these meetings and to my knowledge neither did the neighbouring property owners.

General Comment – Process

7. I very recently became aware of a Minute issued by the Hearing Commissioners. This was only discovered on 5 February 2025 when confirming lodgement details for my submission. I understand from the Minute that the Commissioners raise issues regarding the sufficiency of information, which is a significant issue for me, as set out in this submission. I understand the

applicant is to provide further information by 14 February 2024 to assist the Councils with commenting on the application. I am concerned that this information will be provided after I have needed to submit my submission. This may impact on my ability to comment further on any new information. The public website also does not appear to have all the material referred to in the Minute (e.g. the information Council officers were to provide by 31 January). For now, my submission has been prepared in light of the information available to me at this stage.

General Comment - Sufficiency of Information

8. The application explains that Council needs to make a decision on the Trail as a discretionary activity, and that matters such as any actual and potential effects on the environment, and relevant objectives and policies of the planning documents must be considered.
9. The applicant has concluded that *“any adverse effects on the wider environment will be less than minor and can be appropriately managed through the conditions of consent”*. I do not believe that the assessment of effects is good enough to inform such a statement. Given the large scale of the Project, I understand that the alignment of the Trail and its design and the placement of toilets and other structures are not settled, and assessments are incomplete. Furthermore it is not clear how some proposed mitigations such as the passport system will be implemented and enforced. This is all to be determined at a later date during the ‘detailed design stage’.
10. The technical assessments accompanying the application are explicitly described as “desktop” studies or ‘high-level’ given the large scale of the Project. This means that very few experts have been on site, along the proposed Trail route, and may not have visited Karaka Bay specifically to assess the concerns I raise in this submission. This must impact on the weight that can be placed on those assessments.
11. There are also multiple mentions of further information being provided at a later date as to the effects of the Trail. To list a few examples:
 - a. Pre-Construction Works Ecological Survey is proposed in Condition 11 which is when ecological values identified in the Ecological Assessment will be confirmed, along with any others that exist.
 - b. The Cultural Impact Assessment (CIA) states that it does *“not delve deep into the actual cultural impacts for each specific site”* and only informs the basis of other detailed CIA reports.
 - c. The Geotechnical Assessment begins by stating *“further geotechnical mapping and investigations will be required during the detailed design stage of the project to assess the constructability of the proposed route”*.
12. I come onto this later in my submission, but the draft conditions reflect the shortage of information provided to date on the application. It is not clear that the ‘avoidance’ and management measures proposed to manage effects (discussed in the application documents) are reflected in the conditions. The conditions only include the requirement for management

plans to be prepared in the future and lists the objectives of them. I have serious concerns with this approach. By the time this occurs, consent would already have been granted and there is little I can do to influence this process as an affected party. This does not give me a fair chance to question the information, let alone being comfortable that effects I am concerned about will be addressed at all.

13. I have found it difficult to understand the nature and extent of effects of the Trail from the limited information provided with the application. The public notice also did not assist by setting out the particular resource consents required. There may be other matters which I should have input into when considering the location of my property, and the Karaka Bay area more generally.
14. It seems unreasonable for there to be so much uncertainty at this stage as to what effects are predicted to result from the Trail, and particularly in Karaka Bay. I do not see how the consent authorities can be confident that potential adverse effects from the Trail have been adequately identified, or therefore, whether effects should be allowed or how these should be managed.

Specific Issues

15. In addition to the above, I have some specific concerns with the current proposal for the Trail, and the application documents submitted to the Council. These are, in summary:
 - a. The potential for adverse environmental impacts to the coastal area, sand dune system, and birdlife habitat in Karaka Bay;
 - b. Proposed access to the part of the Trail along Karaka Bay;
 - c. The increased trespass and security risk to my property, and associated loss of privacy;
 - d. The reliance on the “passport” system to manage potential effects from trail users;
 - e. The management of discovery of archaeological human remains in the Karaka Bay sand dunes and potential digression onto a recognised urupā immediately adjacent to the proposed Trail; and
 - f. The proposed conditions if the resource consents are granted.

Environmental impact to the coastal environment

16. The Karaka Bay part of the Trail is an area that is susceptible to erosion and coastal hazards. This is identified by the Council in its Tairāwhiti Resource Management Plan (**TRMP**), with my property being within the ‘Area Sensitive to Coastal Hazards (**ASCH**)’ overlay.
17. The ASCH overlay is discussed in the applicant’s Coastal Hazards Assessment, and acknowledges at page 8 that *“inappropriate positioning, construction or management of the trail could exacerbate the existing coastal risk, including damage to dunes and coastal margins from increased pedestrian and horse access”*. It also says on page 8 that *“the location and*

design of the trail should also be managed to mitigate the physical disturbance associated with pedestrians and horses accessing the beach”.

18. In my experience from living at the property for several years, storm events and high tides reach as far as the sand dunes that line the beach. The beach can be inaccessible when the tide is high. Following storm events, there have also been large amounts of forestry logs and slash deposited along the beach. See photos 3 and 4 at **Appendix A** for reference. This will be contributing to the coastal erosion in this area, and I am concerned that increased foot traffic (and potentially cycles and horses in the future) will exacerbate this and that vague wayfaring signage and the proposed passports are insufficient to prevent this.
19. These matters are also relevant to the health and safety of the Trail users when crossing the beach at high tides, and when debris has been deposited. As I discuss later, there is limited discussion of health and safety in the application. The Recreation Impact Assessment (**RIA**) notes that if there is damage or slips on the Trail making them unsafe, then the authorities will assess and may decide to temporarily close the Trail. Otherwise, information is to be provided to the users about adequate preparation, and recommendations to postpone in certain circumstances.¹ As I note below, I have reservations that this system will be effective.
20. During high tide and in times of poor weather, I am concerned that Trail users will inevitably traverse the sand dunes to move along the Trail. The esplanade strip is not marked, and its location will move landward over time depending on the Mean High-Water Springs (the 10m width of the strip is measured from this point). It is not clear to me how the Trail will manage this natural process, and, given it is a ‘wayfinding’ trail, how users will know where they are allowed to pass. The integrity of the delicate sand dunes will be at risk resulting in erosion and damage to native plantings. This runs contrary to statements in the application where it is suggested that the path has been located to avoid sensitive environments. Furthermore, Trail users may feel entitled take easier and safer routes through paddocks and along farm roads on our private property given the lack of signage, and wayfaring nature of the Trail, with associated risks to farming operations and compromise to our security and privacy.
21. The coastal hazards assessment also acknowledges at page 8 that:

In some environments the coast cannot adjust landward as it would naturally in response to sea level rise. This may be due to coastal protection structures, existing infrastructure or development, or natural geomorphology (erosion resistant and/or steeply rising land). In these cases, accessible beaches may become pinched out over time. This will threaten the sustainability of the beach sections of the walk at higher stages of the tide and alternative solutions may be required.
22. In my experience Karaka Bay beach is already ‘pinched out’ and inaccessible at times of high tide and in weather events, due to the location of the sand dunes. If it was further impacted in response to sea level rise, then the issues will only be exacerbated. In my view, this supports the Karaka Bay area being avoided now, as opposed to in the future. Altering the Trail route

¹ This is found in Tables 1 and 2 of the RIA.

would also be a way to avoid the effects of increased pedestrian use on the existing coastal erosion in this area, and to this end, I have offered an alternative route in my submission.

23. Given the dune system, birdlife nesting, and the purpose of the esplanade strip to maintain and enhance aquatic habitats, it seems to me that further investigation is also required of the area surrounding my property, from an ecological point of view. My own experience and observations of the area suggests that it is appropriate to avoid this part of the Karaka Bay to protect the ecological value of the dunes and native bird life. These include the presence of several breeding pairs of the rare Black Oystercatcher (*toreapango*) and the endangered New Zealand Dotterel (*tutuiwhatu pukunui*). Both of these birds nest in the dunes and become very agitated when humans approach.
24. The ecological assessment states at page 10 that the design of the proposed route will “... *avoid ecological value where practicable*”. As far as I can tell from the application, there has been no assessment of the extent of ecological value in Karaka Bay or its surrounds. The ecological assessment does not assess the area as it a “desktop analysis” and instead focuses on the areas of significant conservation value under the TRMP. Only a brief field trip occurred along approximately 50km of the Trail and the draft Ecological Survey and Management Plan at section 9.4 indicates that during the detailed design stage the route will be reviewed, and a site visit *might* occur. Given this, I am concerned that there is insufficient information regarding the ecological values associated with the area over which the Trail will traverse, the effects on those ecological values, and how adverse effects will be avoided. Further, it is not clear to me whether it is appropriate for effects to be avoided only where practicable. What does that mean? And should there not be further work to inform the appropriateness of that approach?
25. I also highlight the potential geotechnical risks at my property. The geotechnical assessment provided by the applicant assesses the Day 5 section of the Trail (at Table 5-1, page 2), which would include Karaka Bay. However, given this is a ‘high-level desktop study’, it is not clear to me whether this area has been investigated by experts as no mention is made of the area. A requirement of the consent notice registered on my property title is that geotechnical assessments are required if new buildings are placed on the site. While I do not understand buildings to be proposed, this still indicates that geotechnical risks may exist here and could be exacerbated by having increased users on the beach (and inevitably along the sand dunes).
26. Overall, the coastal environment in Karaka Bay includes many fragile elements and I am concerned that the Trail cannot proceed here without risk for adverse effects.

Access to the Trail

27. Accessing this part of the Trail will not be easy. To access the esplanade strip over my property, users would need to cross parts of the neighbouring Karaka Bay Station. The topography of this land is varied, and access could be difficult, particularly during poor weather conditions. It is also a working farm and there may be dangers and risks associated with this including disruption of stock especially during lambing and calving, hazards associated with farm equipment and infrastructure, risk of fire and theft. I understand these matters have been highlighted by the owners of Karaka Bay Station and the owner of adjacent property to ours.

28. These issues, coupled with the difficulties with accessing the beach at times (which I have discussed above), mean that the health and safety of the Trail users, as well as adjoining landowners is a real concern. This has not been fully considered by the applicant, other than brief acknowledgement in the Social Impact Assessment (**SIA**) that health and safety is a concern raised by the community, and comments in the RIA that there are a range of health and safety risks that will occur (and specifically hazards such as isolated areas, waterways and extreme changes in weather).² I acknowledge that there is the table appended to the RIA that outlines risks and solutions which identifies the risk of injury and stray animals. However, it mainly relies on information being provided to users as the solution. For reasons I come onto later in my submission, this does not address my concern.
29. The esplanade strip is also not continuous along this beach. There is no strip immediately adjacent to my section, but one further up the beach, where the Trail proposes to move inland. Gaining access to these parts of the beach is going to be reliant on the landowners providing their support to the Trust, and I understand this has not been received. If this is not given, I do not see how the Trail can be viable in the location proposed in the application.

Trespass and security risks

30. I am particularly concerned that there will be trespass and security risks at my property, as well as a reduction in the privacy I enjoy. The proposed wayfinding approach lacks sufficient specificity to ensure Trail users stay on the proposed route within the esplanade strip. The issues with accessibility along the beach due to high tide, storm surge and slash could mean Trail users are often needing to or choosing to walk up onto the sand dunes and there is nothing to prevent them from wandering further across paddocks or along farm roads on our private property or towards the house which is very close to the proposed Trail (as shown in Photo 1 in **Appendix A**). Therefore, we would incur a loss of privacy, peace and quiet and enjoyment of our property.
31. There are often times when no one is at the property, and I am aware of the previous owner having experienced vandalism given how isolated the house is from the Tolaga Bay township. I am concerned about theft, vandalism and damage to the property while we are away and I would not be comfortable with my family members being in the house alone if the Trail goes ahead here.
32. As a landowner that will be in extremely close proximity to the Trail, these are impacts which have not been assessed with any particularity (or even generally) by the applicant. The SIA and RIA are very clearly “desktop” reviews that focus on the impacts at a regional scale.
33. The SIA in particular is explicit when it describes its limitations, being only a “*preliminary evidence-based report*” that “*is not comprehensive or final*”.³ I appreciate that the scale of the Project is extensive, however there has been no assessment at the smaller property scale (and

² This is at page 29 of the RIA.

³ See page 6 of the SIA.

there are many along the proposed Trail route). This is important as the effects on communities and individuals will differ given the varied design and route alignment of the Trail.

34. Most importantly, engagement with the directly affected landowners has not occurred yet. If this Trail goes ahead, we will be key stakeholders in the project. Our input is vital to understanding the potential effects we will experience, and recommendations as to what are appropriate methods to managing effects. For reasons I discuss below, I do not believe that the applicant's proposed "passport" system will be effective in managing some of the concerns raised by the community (for example, trespass, privacy, and health and safety).

The "passport" system

35. The application makes several references to the "passport" system to manage certain adverse effects. I understand this means Trail users will be informed of risks they may encounter along the Trail and given information on appropriate behaviour. For example, of how to respect the coastal margin given the erosion risks that exist in this environment.
36. I have serious doubts that the "passport" system will be sufficient at managing adverse effects such as coastal erosion, or the security risk and trespass at my property (and potentially others). It does not seem practicable for the applicant to just trust that users abide by the passport system and follow the guidelines with which they are provided which will likely be high level and non-specific to a particular location.
37. The proposed "passport system" condition of consent does not shed any light on how the passport will work in practice, or how it is to be developed and enforced. Condition 15 states that "The Consent Holder shall prepare, and implement, a user management plan to guide user behaviour." This is too vague in my view. There are no details of how the plan will be developed and whether affected landowners are involved with this, what information will be included in this management plan, the standards which must be met by way of the "passport", or how the applicant will enforce its requirements with Trail users. The approach also assumes that all of the effects (which are not yet identified) will be able to be managed by the "passport system". As my submission notes I do not consider there is sufficient information to identify the effects.

Management of discovery of human remains

38. My property is located within the 'Heritage Alert' layer under the TRMP, and a consent notice is registered on my property title which requires activities on my property to be in accordance with the approved archaeological response plan which addresses the discovery of any archaeological sites.
39. In my experience, I encounter human remains in the sand dunes outside my property about once a year typically after a storm. When this occurs, I report this to one of the kaumatua in our community, who then works with the local iwi to manage this. My understanding is that the local iwi re-bury the remains at an urupā that is just by the beach to the north of our

property and very close to the proposed route. I am concerned that disturbance of the dunes by regular use will result in more discoveries, and if so, these need to be well managed.

40. It is not clear from the application documents whether the iwi in my rohe support the proposal. The application included a Cultural Impact Assessment (**CIA**), but this is very high-level and only sets out a framework of principles to inform further CIAs in the process. While it will be for iwi to speak for themselves, I highlight that it is important to me that their support is prioritised, and archaeological discoveries managed appropriately.

Conditions

41. The conditions proposed for the Trail look to be very brief for a project of this scale.
42. The conditions lack detail or direction as to the management of effects associated with the Trail. There is no direction as to the standards the proposal must meet in order to avoid, remedy, or mitigate effects. It is not clear exactly what effects will be managed, where and how they will be managed, to what standard, and how they will be measured. Without this information the conditions are not sufficiently clear, certain, or enforceable.
43. The applicant instead relies on future management plans to manage the various effects from the project (including key effects such as construction, ecological, historic heritage, and community engagement). As I have noted, I have concerns with this approach given the information available at this time.
44. I understand that the conditions should set standards for the management of effects, with management plans then relied on for explaining how these standards will be met. I also understand that management plans should not be used for the identification and assessment of effects at a later date. Instead, there needs to be enough evidence to show that adverse effects can be appropriately managed.
45. This does not seem to be the case here. As I have highlighted above, the assessments provided from the applicant are not robust enough at this stage given their high-level nature. For some types of effects (such as ecological and historic heritage), the applicant has said that further assessments will identify the effects to be managed at a later stage. Some conditions also require an assessment of whether there are ecological areas and values impacted by the Trail and whether they can be appropriately managed at a later date. It all feels too uncertain.
46. Deferring this type of assessment to management plan processes is too late in my view. At that time, people with interests in this application will not be able to test the assessments of the applicant, or provide input on proposed management. This does not seem fair, in the circumstances of a notified consent application, with many affected parties.
47. In my view, where there are limits placed on the construction and use of the Trail, the conditions should set these out. Any limits or performance standards should be enforceable through the use of specific and measurable conditions, rather than through the exercise of discretion at a later date through the use of management plans. I would also expect to be able to understand and have input into those conditions. I am also concerned with the ability of

the applicant to make (to the management plans) “*minor or administrative changes in design, construction methods, or management of effects without further process*”.

48. I also consider that the community engagement conditions could be developed further. Key decisions (such as trail alignment and design) should involve affected landowners such as myself and our feedback factored into the applicant’s decision-making. This is important given that the social impact assessment is preliminary, without any detailed consideration of individual landowners’ concerns to inform the social effects of the project at this stage.
49. I note further that some conditions have not been included in the draft condition set – with “standard wording to be provided”.
50. I suspect that I will have many other comments on conditions, but I do not believe I have enough information at this time.

Alternative route proposal

51. The applicant seems very open to considering alternatives for the Trail alignment as shown from the outset of their application at page 5 where it says “the design of the track is provided at a high level, to allow for refinements in the detailed design stage in response to specific site/context issues, and to provide for further input to the design as it progresses from iwi, hapū, landowners and trustees, and the wider Te Ara Tipuna community.”
52. I have highlighted earlier the coastal hazards and ecological assessments which included similar statements about altering the Trail alignment to address adverse effects. Another example is seen in the geotechnical assessment where the writer concludes that “geotechnical site mapping and assessment will be required throughout the design stage to refine the track alignment and mitigate geotechnical risks”.
53. In light of these comments, I have proposed an alternative route for the Trail. This is to address my concerns with the application in relation to my property (although many of those would also apply to the Trail generally) and the surrounding landholdings over which access is required. The alternative route would also avoid the vulnerable coastal area in Karaka Bay.
54. The map outlining the route is provided at Appendix B. The purple highlighted section shows a route that turns off in Tolaga Bay along Uawa Road to follow the Uawa River before connecting up with State Highway 35. Alternatively, the Trail could continue through Tolaga Bay, and connect up to State Highway 35. Both routes would continue along Kaiaua Road which leads to Kaiaua Beach.
55. These options would provide users of the trail to experience the Uawa River scenery and there could be the opportunity for connection with Puketawai Marae which is located along this route. This appears to align well with the Trust’s objectives for the Trail.

Relief sought

56. I seek that the application for resource consents be declined by the consent authorities unless the matters raised in this submission have been suitably addressed through amendments to the Trail proposal and conditions, including (but not limited to):
- a. Amendments to the Trail alignment as outlined in **Appendix B** to this submission; and
 - b. Other, further, consequential, or alternative amendments to the proposal as may be appropriate to address my concerns.
57. As the design of the Trail or other conditions may be amended as part of this process, other relief may be necessary to address the general matters raised in these submissions.

Submission at Hearing

58. I request to be heard in support of this submission at a hearing.
59. If others make a similar submission, I will consider presenting a joint case with them at the hearing.



Craig Gibbs

Owner of 370 Waiapu Road

Appendix A – photos of Karaka Bay beach



Photo 1: proximity of proposed Trail to property



Photo 2: sand dunes along beach with ongoing erosion despite extensive native planting



Photo 3: slash deposits along beach



Photo 4: beach inaccessible during storm events

Appendix B – Alternative Trail Alignment



Mac Burgess

From: Henare Porou <anrii60@gmail.com>
Sent: Friday, 7 February 2025 4:49 pm
To: Mac Burgess
Cc: Wikitoria Gilvray; Tina Porou; Lilian Baldwin; hilton.collier@taiao-connect.co.nz
Subject: Te Ara Tipuna Track

Kia ora Mac,

I am a trustee on a landblock Akuaku A 11 B, like Wiki & Tina that i've included in this email , they also being trustees .

I've also included Lilian Tangaere Baldwin & Hilton Collier, they being trustees, shareholders in Te Horo Marae , Waioamatatini block, of which i'm a shareholder/trustee

Also member's of my immediate whanau (our tamariki)

The reason i've done this is because i belong to both -& several other block's AND felt it was saving a lot of time by doing this collectively , my apologies to all if this is not ok

This is a very challenging kaupapa , however, it's arrived .

The following are my whakaaro on this kaupapa keeping in mind who i am , no whea

1. I endorse such a whakaaro, however, this is conditional on several thing's
2. Our whenua (Akuaku A 11 B) has a tenant , a forestry coy, to allow public access with short or no notice term to visit, hikoi all over it, is not an option , our forestry has value & to allow "uncontrolled" access is a np
3. Health & Safety (H&S) is paramount for me, DEATH, injury when allowing uncontrolled access is a definite concern , however, accident's happen no matter what/where is going on , sooo, removing this threat in all aspect's of this initiative is crucial for me
4. I've faced people that believe they have the right to have open access, should this proposal go forward, who is going to train worker's (Guide's) to monitor how visitors are to be looked after, who pay's for this , we the shareholder's/trustees will not be paying this , what/which govt departments are involved.....
5. The fee/rate charged to these visitors is set by the coy involved(?), at what point do we as shareholder's, get a % of this "profit"
6. The notice that customer's are going to visit a block is promoted where, radio, internet etc, such event's as tangihanga, marae booking's etc will be a challenge & is this going to be provided by this coy @ no cost to the land/marae owners ?
7. The worker's that take our visitor's around & give our history to them are trained/selected by whom ?
8. The global promotion of this initiative has i believe enormous potential to promote Ngatiporou rohe , getting this/our head's around this whakaaro in a transparent, honest, collective way amongst ourselves utilising every single possibility with all the power's that be within our Te Tairawhiti , this could work
9. There are other whakaaro but, i'm sure they will arise when the bus get's into 2nd gear....

Rest assured everyone, i've been pulling my bloody hair out, gone to korero with our Tupuna that rest back home asking for advice, guidanceand there hasn't been a no, however....there is a but....

No reira, tena ra tatou, koutou katoa , nga mihinui

Noho ora mai

Kia ora ano Mac

Henare Porou
0211755329

Mac Burgess

From: ArohaMaru@proton.me
Sent: Friday, 7 February 2025 10:32 pm
To: Notified Resource Consents
Subject: OBJECTION TO WALKWAY LU-2023-112074-00,
DL-2023-112075-00LR-2023-112076-00LL-2023-112077-00LV-2023-112078-00obje
ction to walkway

Kiaora,

I am a land owner of Mangaharei A1D6c in Ruatoria and one of several owners to an adjoining section

I am writing to object to any proposed walkway through my section of which I am the sole owner of, and partowner of adjoining block.

This whenua is precious to myself and family, where our tipuna lived, where our whanau pito are buried.

I am upset that such a proposal is made without a Hui a Hapu , hui a iwi, and we suddenly find ourselves having to make a ' submission' in order to protect the Mauri and Mana of that which is held precious to stop this invasive action, forever changing the Mauri of what is held dear.

How is any of this respectful to we as People, to our Ancestors, to our descendants.

I wholeheartedly OBJECT.

I am appalled that whomever made this proposal have done so in such a way that none of this in my view holds any place in our world as is certainly disrespectful because, in essence usage of the tools of the Pakeha world to USE and TAKE our Land for COMMERCIAL ideology and gain is acceptable ?

Our Mana is undermined in the process as this ' idea' is presented as if already accepted, and those who either know about it AND have the skills to enquire as to how to object, may do so.
So disrespectful. My opinion.

My whenua is my TURANGAWAEWAE

My place of belonging, as that of my whakapapa.

To invite anyone to my turangawaewae is personal to me, and only to be afforded by me on behalf of my Whakapapa as caretaker.

It also means that it will restrict my proposed personal usage of my own whenua.

Absolutely proposterous!

Furthermore I object for the same reasons above to the whole concept of the walkway throughout the entire Coast!!

My whenua is our MAURI our Mana
Our Tipuna shed blood and lives to keep this for our future generations.

Ti that end, It is not up for Commercialism, for strangers to openly traverse, as determined by someone else.

Please lodge my objection.

Nga mihi

Rawinia tau Aroha Wilson

Sent from Proton Mail Android

Mac Burgess

From: David Mataira <davidmataira04@gmail.com>
Sent: Friday, 7 February 2025 7:12 pm
To: Notified Resource Consents

I oppose the,te ara tipuna trail

Mac Burgess

From: Kiri Schindler <kirischindler@gmail.com>
Sent: Friday, 7 February 2025 6:46 pm
To: Notified Resource Consents
Cc: Pat Makiri
Subject: Submission Opposing Te Ara Tipuna Trail

Kia Ora koutou

Ko Maungakaka te Maunga

Ko Orutua te Awa

Ko Horouta te Waka

Ko Matahi o te Tau te Wharenui

Ko Tokorarangi te Whare Kai

Ko Matahi o te Tau te Marae

Ko te Whanau a Hunaara te Hapu

Ko Ngati Porou te Iwi

Ko Orutua te Whenua

Ko Kiri Toku ingoa

Ko au tetahi uri o Peehi Wanoa no matou te manawhenua Marangairoa B3

As a trust representing the interests of our whanau, we wish to formally oppose the proposed Te Ara Tipuna Trail that is planned to traverse our Whenua. Our opposition is rooted in significant concerns regarding both cultural and environmental impacts, particularly concerning our Awa that flows through our Whenua Orutua

Cultural Impact

The establishment of the Te Ara Tipuna Trail poses a direct threat to our cultural heritage and identity as Māori. The trail's route intersects with sites of historical and spiritual significance to our iwi. These sites are not merely landmarks; they are integral to our stories, traditions, and practices. The potential for increased foot traffic could lead to degradation of these sacred areas, undermining their sanctity and disrupting the connection between our people and their ancestors.

Furthermore, the trail may inadvertently promote activities that are inconsistent with our values and beliefs. The commercialisation of these spaces can dilute their meaning and significance, leading to a loss of cultural integrity. It is essential that any development respects and honors the relationship we have with our land and waterways.

Environmental Impact

The environmental implications of constructing the Te Ara Tipuna Trail cannot be overlooked. Our awa is not only a vital source of sustenance but also a lifeline for biodiversity within our ecosystem. The introduction of infrastructure along its banks could result in habitat destruction, pollution, and disruption of natural water flow patterns.

Moreover, increased human activity along the trail could lead to littering, soil erosion, and disturbances to wildlife habitats. Our awa has sustained us for generations; it is crucial that we protect it from any developments that threaten its health and vitality.

Rights as Māori

As Māori, we have inherent rights recognised under both domestic law and international frameworks such as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). These rights include stewardship over our lands and waters, as well as participation in decision-making processes regarding developments that affect us.

The proposed trail does not adequately consider these rights nor does it engage meaningfully with our community in consultation processes. It is imperative that any project affecting Māori land respects our sovereignty and acknowledges our role as kaitiaki of this environment.

Conclusion

In light of these considerations—cultural integrity, environmental sustainability, and recognition of Māori rights—we strongly oppose the Te Ara Tipuna Trail traversing through our Whenua Orutua and our Hapu at Horoera. We urge decision-makers to reconsider this proposal in favour of solutions that honour both our heritage and the ecological balance of our environment.

Nga mihi maioha

Kiri Schindler

Mac Burgess

From: Awhina Isles <ataahuahair@hotmail.com>
Sent: Friday, 7 February 2025 6:46 pm
To: Notified Resource Consents
Subject: Formal Objection to Resource Consent Application LU-2020-112074 by Te Ara Tipuna Charitable Trust

Dear Sir/Madam,

I, Awhina Snowden, Awarau Snowden, Zion Snowden, Boaz Snowden, Analia Snowden, Ezekiel Snowden, Kaitaha Snowden, a beneficiary of the Putiputi Mhirangi Mahuika Whānau Trust and the Nepia Mahuika Whanau Trust, write to formally object to the resource consent application referenced above (LU-2020-112074) submitted by Te Ara Tipuna Charitable Trust. This application seeks permission to construct, operate, and maintain a recreational pathway, known as 'Te Ara Tipuna,' around Tairāwhiti, from Gisborne to Ōpōtiki.

I base my objection on the following key points:

Whakapapa and Ownership of Whenua

The whenua in question—HERENGA A9, KAKARIKI A6, PUKEMANUKA A4, TAWHITI 1C, 1E4, 1F1, 2B, 2D-2H, 2J AND 2K, MANGAHAUINI 1B-1H & 1J-1L (aggregated), TIKAPA B1, TOKAROA A1, MANGAWHARIKI 3E, MANGAWHARIKI no 1C, MANGAWHARIKI no 6, MATARAU B10, OHINEPOUTEA B, PARAUMU A1, RAHUI A11, RAHUI A12J, TAPUAEROA A3A, TAPUAEROA C, and TIKAPA A3—holds deep significance to me. It is whenua tapu, a sacred part of my whakapapa, and is intertwined with my identity, history, and culture. This land has been passed down through generations, and as Māori, I maintain Mana and Kaitiakitanga over it. I assert that any developments impacting this whenua require my explicit consent and approval. Without my agreement, this proposal is unacceptable.

Legal Authority to Apply for Consent

Te Ara Tipuna Charitable Trust does not hold the title or authority over my whenua. As such, it lacks the legal standing to submit a resource consent application for activities impacting my land, particularly without my prior consultation. The Te Ture Whenua Māori Act 1993 and the Resource Management Act (RMA) 1991 uphold my right as a landowner to determine the fate of my land. Specifically, the RMA clearly stipulates that any application on Māori land must receive the consent of the landowners or trustees. The absence of such consultation or consent in this instance is a direct violation of my rights as a landholder.

Failure of Consultation and Disregard for Tino Rangatiratanga (Sovereignty)

The principle of consultation, as outlined in both the RMA and Article 2 of the Treaty of Waitangi, obliges the Crown and any entities making proposals on Māori land to engage with me. By bypassing me and failing to consult, Te Ara Tipuna Charitable Trust has disregarded my tino rangatiratanga—my sovereignty and self-determination over my ancestral lands. This is a breach of my sacred right to make decisions about my whenua, as guaranteed by the Treaty of Waitangi and affirmed through subsequent legal frameworks.

My mana and rangatiratanga are enshrined in the founding documents of Aotearoa, and as a Māori landowner, I continue to hold the rights granted under the Treaty. Therefore, the trust's failure to involve me in this process violates not only my cultural authority but also my constitutional rights under Te Tiriti o Waitangi, which guarantees Māori the rights to determine the use of our land.

The Inadequacy of Government Action on Critical Issues

The government's historical failure to adequately address basic issues such as infrastructure, roads, and water management in our communities reflects its inability to safeguard the wellbeing of our whenua. The lack of effective action in these essential areas only underscores why I must take proactive steps to protect my lands. It is unacceptable for outside entities to further erode my rights, especially when the government has proven itself unable to properly care for our natural resources.

The Protection of Māori Land and its Cultural Importance

The RMA and Te Ture Whenua Māori Act provide critical protections to Māori land, ensuring it cannot be developed without my informed consent. These laws were designed to uphold my right to safeguard my taonga (treasures), including whenua. By submitting this application without my consultation, Te Ara Tipuna Charitable Trust is undermining the integrity of these protections and dismissing my rights as a Māori landowner.

As a guardian of the whenua, I hold a responsibility to ensure that no development proceeds without my express consent. This is a responsibility I take seriously, as the future of my whenua is not just about land use today but also about safeguarding my cultural legacy for future generations.

Request for Immediate Withdrawal and Reconsideration

I formally demand that the resource consent application LU-2020-112074 be immediately withdrawn. Furthermore, any future applications involving my whenua must include genuine consultation, with my full consent obtained as required by both law and my cultural obligations.

I request that you respect my sovereignty, tino rangatiratanga, and rights as a Māori landowner. The future of my whenua must be determined by me, in line with the spirit of the Treaty of Waitangi, the Te Ture Whenua Māori Act 1993, and all other relevant legal frameworks that protect the interests of Māori people and their land.

Conclusion

This letter serves as my official objection to the application. I trust that you will fully consider my rights and request, and that the necessary steps will be taken to ensure that the consent process is in line with both the legal requirements and the cultural importance of my whenua.

Ngā mihi nui,

Awhina Snowden

0273541791.

Sent from [Outlook](#)

Mac Burgess

From: Analia Snowden <analiasnowden@gmail.com>
Sent: Friday, 7 February 2025 6:42 pm
To: Notified Resource Consents
Subject: Formal Objection to Resource Consent Application LU-2020-112074 by Te Ara Tipuna Charitable Trust

Dear Sir/Madam,

I, Analia Snowden and Kaizen Tupa'i, a beneficiary of the Putiputi Mhirangi Mahuika Whānau Trust and the Nepia Mahuika Whanau Trust, write to formally object to the resource consent application referenced above (LU-2020-112074) submitted by Te Ara Tipuna Charitable Trust. This application seeks permission to construct, operate, and maintain a recreational pathway, known as 'Te Ara Tipuna,' around Tairāwhiti, from Gisborne to Ōpōtiki.

I base my objection on the following key points:

Whakapapa and Ownership of Whenua

The whenua in question—HERENGA A9, KAKARIKI A6, PUKEMANUKA A4, TAWHITI 1C, 1E4, 1F1, 2B, 2D-2H, 2J AND 2K, MANGAHAUINI 1B-1H & 1J-1L (aggregated), TIKAPA B1, TOKAROA A1, MANGAWHARIKI 3E, MANGAWHARIKI no 1C, MANGAWHARIKI no 6, MATARAU B10, OHINEPOUTEA B, PARAUMU A1, RAHUI A11, RAHUI A12J, TAPUAEROA A3A, TAPUAEROA C, and TIKAPA A3—holds deep significance to me. It is whenua tapu, a sacred part of my whakapapa, and is intertwined with my identity, history, and culture. This land has been passed down through generations, and as Māori, I maintain Mana and Kaitiakitanga over it. I assert that any developments impacting this whenua require my explicit consent and approval. Without my agreement, this proposal is unacceptable.

Legal Authority to Apply for Consent

Te Ara Tipuna Charitable Trust does not hold the title or authority over my whenua. As such, it lacks the legal standing to submit a resource consent application for activities impacting my land, particularly without my prior consultation. The Te Ture Whenua Māori Act 1993 and the Resource Management Act (RMA) 1991 uphold my right as a landowner to determine the fate of my land. Specifically, the RMA clearly stipulates that any application on Māori land must receive the consent of the landowners or trustees. The absence of such consultation or consent in this instance is a direct violation of my rights as a landholder.

Failure of Consultation and Disregard for Tino Rangatiratanga (Sovereignty) The principle of consultation, as outlined in both the RMA and Article 2 of the Treaty of Waitangi, obliges the Crown and any entities making proposals on Māori land to engage with me. By bypassing me and failing to consult, Te Ara Tipuna Charitable Trust has disregarded my tino rangatiratanga—my sovereignty and self-determination over my ancestral lands. This is a breach of my sacred right to make decisions about my whenua, as guaranteed by the Treaty of Waitangi and affirmed through subsequent legal frameworks.

My mana and rangatiratanga are enshrined in the founding documents of Aotearoa, and as a Māori landowner, I continue to hold the rights granted under the Treaty. Therefore, the trust's failure to involve me in this process violates not only my cultural authority but also my constitutional rights under Te Tiriti o Waitangi, which guarantees Māori the rights to determine the use of our land.

The Inadequacy of Government Action on Critical Issues The government's historical failure to adequately address basic issues such as infrastructure, roads, and water management in our communities reflects its inability to safeguard the wellbeing of our whenua. The lack of effective action in these essential areas only underscores why I must take proactive steps to protect my lands. It is unacceptable for outside entities to further erode my rights, especially when the government has proven itself unable to properly care for our natural resources.

The Protection of Māori Land and its Cultural Importance The RMA and Te Ture Whenua Māori Act provide critical protections to Māori land, ensuring it cannot be developed without my informed consent. These laws were designed to uphold my right to safeguard my taonga (treasures), including whenua. By submitting this application without my consultation, Te Ara Tipuna Charitable Trust is undermining the integrity of these protections and dismissing my rights as a Māori landowner.

As a guardian of the whenua, I hold a responsibility to ensure that no development proceeds without my express consent. This is a responsibility I take seriously, as the future of my whenua is not just about land use today but also about safeguarding my cultural legacy for future generations.

Request for Immediate Withdrawal and Reconsideration I formally demand that the resource consent application LU-2020-112074 be immediately withdrawn. Furthermore, any future applications involving my

whenua must include genuine consultation, with my full consent obtained as required by both law and my cultural obligations.

I request that you respect my sovereignty, tino rangatiratanga, and rights as a Māori landowner. The future of my whenua must be determined by me, in line with the spirit of the Treaty of Waitangi, the Te Ture Whenua Māori Act 1993, and all other relevant legal frameworks that protect the interests of Māori people and their land.

Conclusion

This letter serves as my official objection to the application. I trust that you will fully consider my rights and request, and that the necessary steps will be taken to ensure that the consent process is in line with both the legal requirements and the cultural importance of my whenua.

Ngā mihi nui,

Analia Snowden and Kaizen Tupa'i

0226543629.

7th February 2025

Gisborne District Council
15 Fitzherbert Street
Gisborne 4010

Submission on Te Ara Tipuna Trail consent application

Tēnā koutou e ngā kaimahi o te kaunihera,

Name of applicant: The Te Ara Tipuna Charitable Trust

Application Nos: GDC: DL-2023-112074-00, LR-2023-112076-00, LL-2023-112077-00, LV-2023-112078-00/ BOPRC: RM23-0508-AP / ODC: RC2024-04

Type of resource consent applied for: Discharge to land, land use - works in a river/lakebed, land use - land disturbance, land-use - vegetation clearance.

Brief description of proposed activity: The Te Ara Tipuna Charitable Trust has lodged an application for multiple resource consents to enable the design and construction of Stage 1 of the Te Ara Tipuna Trail. The Stage 1 trail is a public walking trail only and runs for approximately 500km from Gisborne around the coast to Ōpōtiki.

We oppose the application ✓

- *Clearly state which parts of the application you oppose or wish to have amended:*

All of it.

- *The reasons for making our submission are:*

The activity for which consent is needed spans across much of the East Cape. In the BOP/Ōpōtiki region, there were 19 pages of parties that were notified about the proposal and the AEE sets out efforts that were made to bring the project to the attention of communities. According to the AEE: *the consultation and engagement team... met with iwi and hapu representatives, community leaders and members, marae trustees, Māori freehold and general landowners and trustees, and whānau and family that live both within, and have connections to, the three territorial authorities.*

Despite these efforts, at no stage was any direct consultation undertaken with the land entity **Motuaruhe 3B1**.

The proposal has potential to cause significant adverse effects on our property around where SH35 traverses our land. For example, there are waterfalls on our land that could be promoted as a visitor site if the trail goes ahead. These waterfalls are wāhi tapu and trespassing to see them would cause significant

cultural impacts. There would be environmental impacts because people would be walking over an untracked area, and due to the health and safety issues we would have to install signage at our own cost.

As the application stands, we are not convinced the applicants can address the consequences of such a path along a road corridor without first negotiating with adjacent landowners, including us.

We want to be included in the consent process going forward.

- *We wish the Gisborne District Council to make the following decision:*

That GDC decline this application due to incomplete and insufficient engagement, and require the application be resubmitted only after proper consultation with us (and all affected landowners) and the resolution of outstanding issues.

Person making submission:

Name in full: Nick Tūroa on behalf of land entity Te Motuaruhe 3B1.

Surname: Tūroa

First Name(s): Nick

Address: 22 Thomas Ave, Te Atatu Peninsula

Mobile: 029 770 2747

Email: nickturoa@hotmail.com

Kind regards



Belinda McFadgen

Senior environment consultant

Representing Nick Tūroa

Mac Burgess

From: Pia Pohatu <pia@poipoia.co.nz>
Sent: Friday, 7 February 2025 4:44 pm
To: Notified Resource Consents
Cc: linnae pohatu (linnaep@gmail.com); Rangitaa Pohatu; Taina Pohatu (tainawhakaatere@gmail.com); beau pohatu; timupohatu4@gmail.com; pohatumiria65; Sarah Pohatu
Subject: Opposition to Te Ara Tipuna Application Ref: DL-2023-112074-00, LR-2023-112076-00, LL-2023-112077-00, LV-2023-112078-00
Importance: High

Tena koutou

This email is our submission in opposition of the proposed Te Ara Tipuna project due to perceived and actual risks and impacts we have identified. As further or full information is not supplied we are unable to support the proposal in its current form.

Our whanau owns land at Pahiitaua A1A1 Title Reference is GS1A/694 and Part Lot 2DP 3300. These lands are bordered in the north by the Kopuaroa Stream and to the south by State Highway 35. While the maps of the proposed trail do not look to be directly on our land the trail seems to follow “paper road” reserves in the land adjacent.

Reasons for Concern about the Te Ara Tipuna Trail Proposal

1. *Environmental Impact and Erosion*

Te Ara Tipuna concludes that the environmental impact would be low, but it does not seem to take into account that the land is prone to erosion and flooding that we see across the East Coast. The trail directly opposite Pahiitaua A1A1 is a live slip that has only gotten worse in recent years. It is not possible to establish a track in that area. In addition to this clearance of kanuka bush for the track will add further vulnerability to the land for erosion risk and a consequent increase in sedimentation to the Kopuaroa Stream.

2. *Traffic management and maintenance*

I am concerned about the public use of tracks, and am unclear who is responsible for the safety of pedestrians, and the ongoing maintenance of the roads and tracks as a result of increased public use.

3. *Safety of trail users*

The practical day-to-day management of knowing who is accessing the land is challenging and stressful now and is a necessary safety and security matter for landowners. Landowners are taking extra precautions to secure access to land and monitor people currently accessing land unlawfully and carrying out activities and/ or behaving in a way that is dangerous or unsafe (e.g use of drugs or in a drugged state). We have real concerns for the safety of users of the trail.

4. *Land owner liability*

It is unclear how access to Te Ara Tipuna tracks will be managed with increased numbers of the public accessing private land, and who, in the event of an accident or emergency, is liable for the safety and security of public and

landowner users. The development of a *kawa* for users, feels inadequate to meet the safety and security concerns that could arise from increased public use of the proposed track on privately owned land.

5. *Administration, Infrastructure and Public Services Impact*

Public infrastructure on the East Coast is under pressure, and not only during extreme weather events (which are increasing due to climate change), but also for the existing population when it comes to accessing public health, medical, local council and emergency services. The impact that increased numbers of visitors may have on the existing infrastructure and public services for the existing East Coast population, let alone temporary visitors, is not sufficiently addressed in the proposal in a way that would assure me infrastructure and public services could cope with increased use.

We appreciate the opportunity to raise our concerns and hope the Council and Trust will take them into consideration when reviewing this application.

We look forward to the Council and the Trust's response and the opportunity to discuss this matter further. Thank you for your attention to this important issue.

Naku noa na

Pia Pohatu

On behalf of Heke & Turoa Pohatu Whanau Trust
Parikaranga
6050 Waiapu Road, Ruatorea 4081

Submission on
Resource Consent Application

Form 13
Under Section 96 of the Resource Management Act 1991.



! A copy of your submission must also be given to the resource consent applicant as soon as possible.
All information provided in your submission is available to the public (on request).

1. Person making submission

Name in full: Goldring Anna
Surname: First Name(s)

Address: 4863 State Highway 35 Whitianga Bay
No. Street/Road Suburb
Omaio, via Opotiki 3199
Town/City Postcode

Mobile: 0274961355 Other phone:

Email: neverinn@xtra.co.nz

2. Submission on

Application No: ODC: RC2024-04

Name of applicant: Te Ara Tiipuna Charitable Trust

Type of resource consent applied for: Notified Resource Consent

Brief description of proposed activity: Te Ara Tiipuna Trail

I support the application I oppose the application I am neutral to the application (neither support or oppose)

Clearly state which parts of the application you support or oppose or wish to have amended:

Refer to attached written submission

The reasons for making my submission are (briefly describe the reasons for your views, attach further pages if necessary):

Refer to attached written submission

Office use only

Received date: Support Oppose W.T.B.H N.B.H

I wish the Gisborne District Council to make the following decision (give details, including the nature of any conditions sought):

I wish the Gisborne District Council to decline the resource consent for Te Ara Tiipuna Trust to establish the 500km walking track from Gisborne to Opotiki

Please tick:

- I wish to speak at the hearing in support of my submission
- Would you consider presenting a joint case with others who have made a similar submission? Yes No
- I do not wish to speak at the hearing in support of my submission

3. Signature

Signature of person making submission or person authorised to sign on behalf of submitter



Date: 6 February 2025

Postal address of person making submission (if different from previous page):

160 Manuroa Road, Takanini, Auckland 2112

Name and phone number (if different from previous page):

Contact person:

Mobile: Other phone:

Email:

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of an application by Te Ara Tipuna Charitable Trust for land use consents for Te Ara Tipuna Trail

Submission By Anna Goldring on behalf of 4863 SH35, Whitianga Bay, Omaio

Application #: ODC: RC2024-04

Te Ara Tiipuna Charitable Trust plan to establish a 500km walking track from Gisborne to Opotiki

Clearly state which parts of the application you support or oppose or wish to have amended

My iwi is Ngati Porou, Te Whanau a Apanui & Te Whakatohea. I am a ratepayer in Opotiki District Council covering two properties on SH35 & Opotiki township and often make the trip to the coast as often as possible to rest & recuperate on my properties.

I am completely opposed to Te Ara Tiipuna Trust to establish a walking trail through the rohe of Te Whanau a Apanui from Omaio to Opotiki. I live in the rohe of Tutawake/Rangitetaetaea who does not support the application of Te Ara Tiipuna Trust. The concept ignores what we want for our rohe and has been imposed upon us without our consent.

The reasons for making my submission are (briefly describe the reasons for your views, attach further pages if necessary)

Due to the influx of visitors to our rohe, this places a huge amount of pressure on our medical services.

I do not support the trail going through Maori & private land, ahu whenua trusts or, whanau trusts & Maori reservations. I think this is wrong.


Who is financing this trail. This has not been disclosed as far as I can see. Is it financed from the government, private funds or ratepayers? This is not clear.

I cannot see the benefit of this trail to our rohe.

I would like a definite response from the planners as to whether the trail stops at Omaio & restarts again at Hawaii. We are getting two different scenarios. If clarification can be provided that would be appreciated.

I wish the Gisborne District Council to make the following decision (give details, including the nature of any conditions sought):

I wish the Gisborne District Council to decline the resource consent for Te Ara Tiipuna Trust to establish the 500km walking track from Gisborne to Opotiki



6 February 2025

Waipiro A33B2C Ahuwhenua Trust aka Puketahuna

Waipiro A33C2 Ahuwhenua Trust

Kapuarangi Takutai Moana Trust

4B Craig Road, Gisborne
kpewhairangi2012@gmail.com

0212351933

7/02/2025

Te Ara Tipuna Trail
C/- The Planning Collective,
PO Box 591,
Warkworth 0941

Re: Submission on Proposed Te Ara Tipuna Trail on Māori Land

Tēnā koe Diane,

My name is Karen Pewhairangi, I am writing to formally submit concerns I have regarding the proposed Te Ara Tipuna Trail. While I acknowledge the potential social, economical, recreational and cultural benefits of this development for the people of Te Tairāwhiti, I have concerns regarding the protection of landowners' use, rights and interests.

1. Waipiro A33B2C Ahuwhenua Trust aka Puke Tahuna

This submission is made on behalf of the Trustees of Waipiro A33B2C aka Puke Tahuna because of Te Ara Tipuna trail proposal to traverse Puketahuna lands along Waipiro Bay Road, Te Puia Springs.

According to Te Aorere (Awi) Riddell, Memoirs of Puke Tahuna, Te Puia Springs 1940s, written for the Pewhairangi Wananga 27-30 December 2018, Puke Tahuna belonged to our tipuna Tangimangaone nee Nawaia, who married Te Aorere Tate Pewhairangi of Te Whanau a Ruataupare, Tokomaru Bay. Te Aorere and Tangimangaone had 9 children and 61 mokopuna many of them born and bred at Puke Tahuna.

Te Aorere was more commonly known as Keni Tate, and Uncle Awi was born the year 1936 when Keni Tate died, hence him being given the name Te Aorere. Uncle Tate Pewhairangi was also named after Keni Tate. According to Uncle Awi older siblings, Keni Tate was a very good farmer and kept the land at Puke Tahuna free of manuka scrub. He had a small dairy herd that he milked by hand and a flock of romney sheep.

There is a large native bush running down the middle of Puke Tahuna through which flows a small stream. This bush provided birds to eat, especially Tui and Kereru and Keni Mangaone used the small stream flowing down the back of the freshwater lake and wetlands to hold her food fresh and also ferment her corn and crayfish.

After over 60 years of being leased to Kawa Farm, Puke Tahuna came back to the descendants of Tangimangaone and Te Aorere Pewhairangi in 2012.

I became a responsible trustee for Puke Tahuna in 2012 alongside Baye Riddell and Kent Wilkinson. From 2017-2022 in partnership with Pakirikiri Wananga at Pakirikiri Marae Tokomaru Bay and Papa Taiao Earthcare, the Puketahuna Trustees supported land and freshwater restoration Pa Wananga for students Year 11-13 (15-17 year olds) to gain NCEA Level 1, 2, & 3. Our focus then and now is to restore the environmental assets at Puketahuna and provide a safe and secure habitat for Taonga species in rakau, rakau ririki, manu rangatira, ngarara, poraks and nga momo ika o te wahi nei. (flora and fauna)

This is why “in principle” the Trustees of Puketahuna support Te Ara Tipuna trail proposal to traverse Puketahuna lands along Waipiro Bay Road, Te Puia Springs. However No 4-15, highlight the concerns we have as trustees in regards to Te Ara Tipuna development.

2. Waipiro A33C2 Ahuwhenua Trustee

I became a trustee for this block alongside Darren Shadbolt, William Henry and others as part of a Whenua Maori development led by Nga Hapu o Waipiro in 2020. Darren Shadbolt has made a submission on behalf of the Trustees of Waipiro A33C2 Ahuwhenua Trust to which both William Henry and myself support his submissions. However No 4-15 of this submission highlight concerns we have as trustees in regards to Te Ara Tipuna proposal.

3. Kapuarangi Takutai Moana Trust

The Kapuarangi Takutai Moana Trust was established in August 2024 to hold the Customary Marine Title for the two traditional hapu in Tokomaru Bay, Te Whanau a Ruataupare and Te Whanau a Te Aotawarirangi. Rawiri Coleman, Kevin Pewhairangi and I were formally elected by members of Te Whanau a Ruataupare hapu to represent Te Whanau a Ruataupare on the Kapuarangi Takutai Moana Trust on Saturday 17 August 2024 at Tuatini Marae, Tokomaru Bay.

While writing the submission on behalf of the trustees for Waipiro A33B2C and Waipiro A33C2 I noted that the proposed Te Ara Tipuna trail proposes to traverse the Takutai Moana of Te Whanau a Ruataupare and Te Whanau a Te Aotawarirangi, from Mangahauini river north to Tawhiti road in Waima. I felt compelled to write a submission on behalf of the Kapuarangi Takutai Moana Trust. It should be noted feedback was not obtained in time period from the other trustees.

In principle the trustees of Waipiro A33B2C and Waipiro A33C2 support the proposed Te Ara Tipuna trail, however this support is tempered by a number of concerns, including some significant concerns that we believe as landowners and trustees need to be clarified before we will be happy to provide full support and approval for an easement to be negotiated on our land.

The range of specific concerns, issues and questions to address are set out below;

4. Consultation with landowners

On 12 August 2024, Apryll Parata emailed me to inform me about Ara Tipuna proposal and offered support to trustees. I forwarded the information in the email to fellow trustees Baye Riddell and Kent Wilkinson. On 16 September 2024, Apryll emailed again offering support and also letting me know that Karen McLutchie was available to support Trustees.

Unfortunately for me I was heavily involved with Te Whanau a Ruataupare Takutai Moana matters in the High Court in July, August and September 2024. In early October 2024, the Puketahuna trustees and whanau met to discuss Puketahuna matters and Te Ara Tipuna trail proposal was discussed.

On Friday 20 December 2024, Baye Riddell, Responsible Trustee emailed ata@tearatipuna.nz and asked the following questions;

1. Who will be responsible for the establishment and maintenance of the track.
2. Who will be responsible for the safety of users whilst traversing our land?
3. What compensation is there to landowners for use of their land. There are no perceived benefits to us for the trail traversing our land.
4. Is there a fee charged to users of the track, if so, how and who will manage this fee? Will landowners receive a percentage of this fee?
5. Will there be individual agreement / contract with landowners-not a blanket agreement/ contract.
6. Will landowners have the right to terminate agreement/contract at any time.
7. What measures will be taken to ensure users do not deviate from the track and possibly interfere with our resources and assets-or damage them-eg fire hazard

We have not received a response from ata@aratipuna.nz, to our questions and we also note that Te Ara Tipuna application has advanced to the Resource Consent process without proper consultation with the Puketahuna Trustees regarding the concerns we have.

5. Te Tiriti o Waitangi obligations

Decisions that affect Māori land, especially those involving culturally significant sites (wāhi tapu, urupā, and taonga), must involve robust engagement with the legal owners and local hapu. The timing for consultation and engagement with trustees about the proposed Ara Tipuna Trail on our Whenua at Puke Tahuna and Waipiro A33C2 was in my opinion too short and did not take into consideration the business and time occupied on other matters.

The fact that we have had no response to our queries in our opinion is a breach of Te Tiriti o Waitangi principles of partnership, participation and protection. The failure to have full, informed and prior discussions with landowners constitutes a breach of both Te Tiriti o Waitangi obligations and statutory consultation requirements under the Resource Management Act. This is one of the major issues we highlight in this submission and why we have grave concerns about the consultation and engagement programme with landowners.

6. Impact on Māori Landowners' Use Rights

The proposed Ara Tipuna Trail also restrict the landowners' ability to use their whenua as they see fit. Establishing an easement or right of way creates a range of limitations that will conflict with future land use plans and our future generations. The Ara Tipuna Trail organisation must engage in meaningful consultation with landowners to understand and mitigate these impacts.

7. Easement and Landowner Consent

The establishment of an easement over our whenua requires full consultation and consent. This process must be transparent, and the rights of landowners must be protected, including the ability to decline an easement if it does not align with their interests.

8. Maintenance and Upkeep

Responsibility for maintaining the track, ensuring it remains fit for purpose, and preventing degradation must be clearly defined. As landowners we should not be burdened with the cost or responsibility of maintaining the track unless they expressly agree to do so.

9. Insurance and Liability

The track's operation poses risks of injury or damage to people and our property. The track developers and operators must secure appropriate insurance coverage to protect landowners from liability for accidents, environmental damage, or unforeseen events.

10. Health and Safety

Any development on our land must comply with all health and safety regulations. There must be clear protocols for the safety of users and landowners, particularly if the track passes through land with environmental or cultural sensitivities.

11. Roles and Responsibilities of Track Owners

It is imperative that the track owners or managing entity clearly define their roles and responsibilities to the landowners, including ensuring minimal disruption, maintenance commitments, and ongoing communication about track operations.

12. Owners' Right to Withdraw or Restrict Access

Landowners must retain the right to withdraw consent or impose restrictions on track access, particularly if the development negatively affects their land use, privacy, or cultural practices. Mechanisms for reassessment should be established.

13. Dispute Resolution

A formal dispute resolution process must be in place to address conflicts between landowners and track operators. This should involve mediation and, where necessary, legal processes that respect Māori landownership principles and tikanga.

14. Development and Operational Structure and Process

A detailed structure for the track's development and operation must be provided, including timelines, consultation processes, and compliance with environmental and cultural impact assessments.

15. Funding

The source of funding for both initial development and ongoing maintenance must be clearly identified. Landowners should not bear any unexpected costs or financial burdens due to the project.

Consideration should be given to securing funding through government grants, public-private partnerships, or external funding bodies.

Conclusion

This submission highlights key concerns that must be addressed before any track development proceeds over the three entities. The protection of landowners' rights, financial interests, and cultural heritage must be prioritised, and any agreement must be made with full transparency and consent.

I request that Te Ara Tipuna organisation engage in genuine consultation with affected landowners and provide clear responses to the concerns highlighted in this submissions before progressing further.

Ngā mihi nui,
Karen Pewhairangi

Responsible Trustee for Waipiro A33B2C aka Puketahuna

Responsible Trustee for Waipiro A33C2

Responsible Trustee for Te Whanau a Ruataupare to Kapuarangi Takutai Moana Trust

Objecting to Te Ara Tipuna.

Submission on Behalf of various hapū-whānau of Te Aitanga-ā-Hauiti Iwi

Name: Tui Tuakana Makea Marino.

Email: manawapou@xtra.co.nz

Ph 0276361197

Kaumātua Flats 4/34 Hauiti-Ūawa

E Te Roopu Kaunihera

Tēnā koutou katoa,

E hiahia ana ahau kia tae a tinana me te kōrero-a-waha mō te kaupapa nei.

Ngā mihi.

Tui

#1 Project lead, a former Crown Minister possibly retaining the same agenda.

Former Roles

Portfolio	Role	Start	End
ACC	Associate Minister	8/12/2010	13/12/2011
Community and Voluntary Sector	Associate Minister	8/12/2010	13/12/2011
Education	Minister	14/12/2011	2/05/2017
Energy and Resources	Acting Minister	24/02/2011	13/12/2011
Energy and Resources	Associate Minister	8/12/2010	13/12/2011
Ethnic Affairs	Acting Minister	30/08/2014	6/10/2014



Parata, Hekia

#2. Shane Jones now Minister of Resources, Energy, Fisheries, alongside the Fast Track Bill, Regulatory Standards Bill, Treaty Principals Bill & Referendum... revives concerns to oil exploitation and in further breach Te Tiriti O Waitangi.

#3

Acting Minister of Energy and Resources Hekia Parata said the Government's goal was to make the most of New Zealand's abundant energy resources including hydro, wind, geothermal, oil, gas and minerals. Photo / Thinkstock

The Government revealed further steps to boost oil and gas exploration as it released its Energy Strategy 2011 yesterday including law changes to allow for extraction of unconventional energy sources such as offshore "fire ice" deposits.

Acting Minister of Energy and Resources Hekia Parata said the Government's goal was to make the most of New Zealand's abundant energy resources including hydro, wind, geothermal, oil, gas and minerals.

Parata also released an independent report assessing New Zealand's oil and gas potential which estimated the Government could earn more than \$3 billion in royalties from oil and gas fields already in production, which undiscovered fields could quadruple to \$12.7 billion.

Parata said the Government was also seeking public submissions on changes to the way permits are issued for oil and gas exploration, to "streamline" the process for all parties including iwi and other community groups.

The issue came to a head this year when the Government granted Brazil's Petrobras an exploration permit for an area off East Cape without consulting local iwi.

#4 Part submission in opposition for Ngāti Wakarara hapū at Anaura Bay to Te Ara Tipuna project lead by the Tronp co-chair.

1.5

CULTURAL HISTORY

DNH

Anaura is an ancient Maori settlement. It has been occupied by the Te Aitanga a Hauiti for a long period. Some of the more important ancestors associated with the area are Porourangi and his sons, Hau and Ueroa, Hingangaroa, a famous carver and his children Tama, Mahaki and Hauti and Hauti's son Kahukuranui.

The area of Anaura Bay was inhabited by the wider Uawa settlement, one of the more important places in the history of the region, and also traditionally an early settlement area.

The natural attributes of the area attest to its suitability for settlement. A sheltered bay, sun facing slopes, mild climate and the steep hill country made it suitable for formidable defence positions. Settlements were centred within Anaura Bay and also north and south along the coast where there were streams.

When Captain Cook anchored in the Bay for three days in 1769, both he and Joseph Banks reported that the area was highly utilised with 150-200 acres of small plots growing kumara, yams and taro.

Archaeological evidence of Maori habitation consists mainly of pits, some associated with terracing. These pits are to be found on most of the main ridges running back from the sea as well as on side ridges. Considering the abundance of agricultural areas in the earlier days it would be safe to assume that the storage pits were for kumaras. The known midden areas are a short distance from the sea. Sites of old pa and waahi tapu areas are less evident on the landscape. Their presence, however, indicates a prerequisite for careful consultation before any development proceeds.

waahi tapu

Besides Cook's visit, the other significant early pakeha activities included whaling stations at Te Mawhai and the old coach track which is still evident in some areas.

In general the area has considerable historical significance with relatively unaltered evidence of high usage in pre European times. The reserve covers only part of what would appear to be a larger homogenous area as can be seen by the continuation of pits in areas outside the reserve.

Ngāti Wakarara - N.H.

The Management Plan will assimilate Te Aitanga a Hauiti's long cultural and spiritual affinity with this area and will ensure that their cultural identity is respected and protected.

Section 19 - 2d of the Reserves Act states where historic archaeological, geological, biological, or other scientific features are present in the reserve, those features shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve.

Section 4 of the Conservation Act requires the Department to give effect to the Principles of the Treaty of Waitangi.

highly important

#5 Whāngārā farms, oppose Te Ara Tipuna project by the Tronp co-chair.



Whāngārā Farms

4h · 🌐

...

HE PĀNUI

The Whāngārā Farms Partnership opposes Te Ara Tipuna Trail

Tuesday 4 February 2025

Press Statement for Immediate Release

The Partnership Board and all 3 Incorporations Whāngārā B5, Pakarae A & other Blocks and Tapuwae Whitiwhiti are in agreement to oppose the Te Ara Tipuna Trail Gisborne District Council consents that are explicit to the Incorporation's whenua and implicit to its shareholder's cultural spaces.

The three Committees of Management of the Whāngārā Farms Partnership have met to discuss the proposed Te Ara Tipuna Trail. Whāngārā Farms Partnership will be formalising our opposition in a written submission on Te Ara Tipuna's application for resource consent lodged with Gisborne District Council by the charitable trust, Te Ara Tipuna.

Submissions must be received no later than 5pm Friday 7 February 2025. An online submission form is available on Gisborne District Council's website or a hard copy form is available for pick up from Gisborne District Council, Ōpōtiki District Council and Bay of Plenty Regional Council offices. The Whāngārā Farms Partnership encourages our shareholders and whānau to also make a submission on Te Ara Tipuna to ensure their individual voices are heard.

Whāngārā Farms would like to see future generations of shareholders, their whānau, hapū and iwi thrive and prosper on its whenua in the Whāngārā Farms partnership blocks. Whāngārā Farms also supports its' shareholders, whānau and hapū in living aligned to their values, while providing intergenerational opportunities for all.

Whāngārā Farms Partnership will be forging ahead to develop our 100 Year Whenua Optimisation Plan, He Rau Ake Ake. The voices of our whānau will continue to help us safeguard and guide the direction for our whenua and for our taiao, so that we and our uri whakaheke can prosper.

~ Whāngārā Farms Partnership Board

For media enquiries, please contact:

Toni Akana, Communications Specialist

info@whangarafarms.co.nz

Read the official press release on our website, here: <https://whangarafarms.com/panui/press-release>

#6 Ngāti Konohi hapū survey on Te Ara Tipuna proposal by the Tronp co-chair.



Jodie Reid

Admin



Top contributor

January 27 at 2:17 PM · 🌐



Kia ora whanau,

Somehow the poll got altered i have added the votes in that i seen as of 2.10 pm today and taken down the korero from the whanau who engaged in the post this morning. Arohamai hopefully it all goes awesome from here on. 🧡❤️

This is a poll to gage Ngati Konohi view on the new proposal for the Te Ara Tipuna Trail. If your unsure what that is the links below 📌 will help you understand. Write a comment: this is an open discussion post. 🗨️

Te Ara Tipuna Trail— 🤔 feeling determined in **Whangara**.

Te Ara Tipuna is a proposed 500km trail between Te Toka a Taiau and Tarakeha (start and end points at Makorori, near Gisborne and Opotiki). When fully developed, the trail will allow for hiking, cycling and horse trekking.

More information about Te Ara Tipuna Trail:

<https://tearatipuna.nz/>

Submit your own submission whanau

Link to that space to submit here: 📌

<https://www.gdc.govt.nz/.../media.../te-ara-tipuna-trails>

Any questions about the track here: 📌

<https://tearatipuna.nz/frequently-asked-questions/>

We the Paikea Whitireia Trust are compliing a submission on behalf of Ngati Konohi. Submissions close 7th February 2025.

Nga mihi nui

Paikea Whitireia Trust 🧡❤️

Do you support the Te Ara Tipuna Trail?

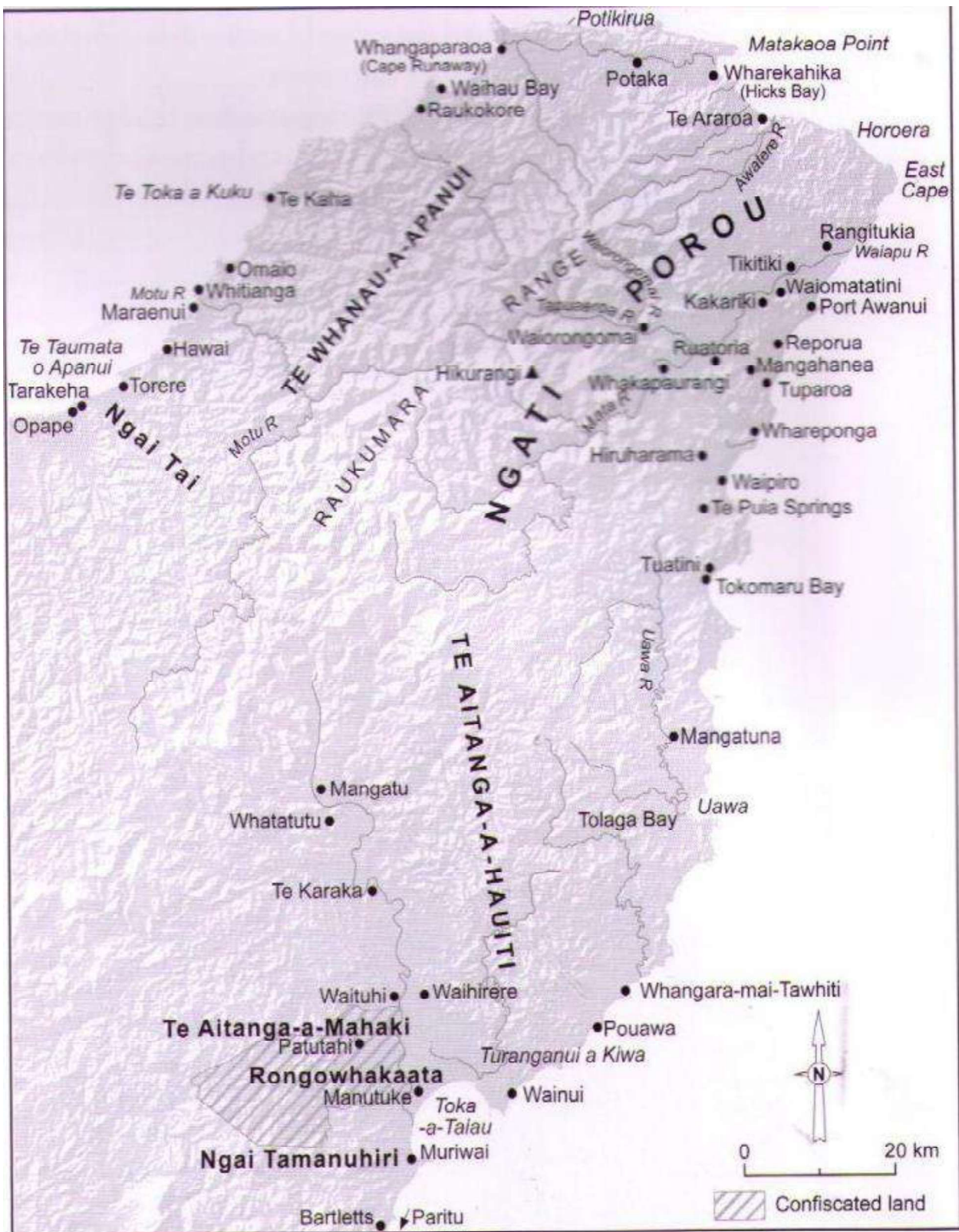
yes

6% >

no

94% >

#7. Traditional manawhenua context: Map in “Ngā Tama Toa” C Company of the Māori Battalion by Dr Monty Soutar pub. June 2008.



#8. This map by Te Rūnanga o NP portrays certain hapū manawhenua & Marae of Te Aitanga-ā-Hauti iwi falsely miss-represented instead... as Ngāti Porou.

Sec 34-40... Te Ariuru Marae is the, Hauti-northern boundary Marae; Te Poho-o-Te Aotāwarirangi is misrepresented by Tronp as Ngāti Porou, rohe 6.

Sec 41-48 Hinetaatea at Anaura to Te Poho-o-Rāwiri of Kaiti are Marae to the southern Hauti rohe is misrepresented by Tronp as Ngāti Porou, rohe 7.



#9 The targeted displacement of ALL Te Aitanga-ā-Hauiti Iwi-Hapū traditional & contemporary assets, is primarily by this group & or its particular members in a partnership with the Crown Settlement.

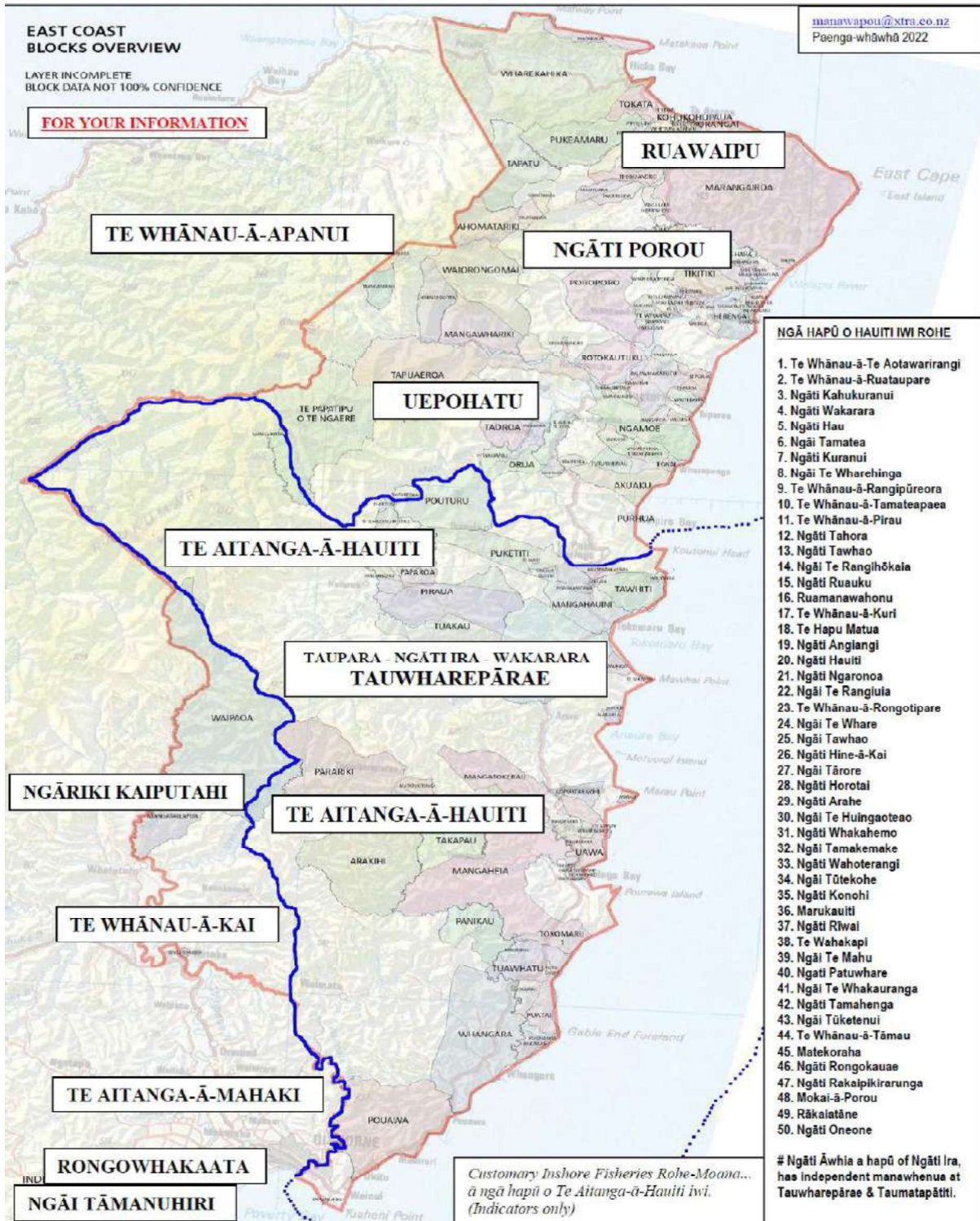
Nga Kaitiaki o Te Runanganui o Ngāti Porou

Te Runanganui o Ngāti Porou Elected Representatives

Rohenga	Representatives	
<p>1 Potikirua ki Whangaokena</p>	 Kai Kakara Te Whanau a Tarohauti, Te Whanau a Hōmāroa, Te Whanau a Hinerupe, Te Whanau a Rōroa.	 Aai Pakarā-Māhara Te Whanau a Tōwhakamōra, Te Aotaki, Te Aopere, Hinerupe.
<p>2 Whangaokena ki Waiapu</p>	 Patrick Tūgāone Ngāti Tane.	 Māteneke Mātēke Rūka/mātēke, Hinerupe [Ki Waiapu]
<p>3 Pōhāutea ki Te Oaepoto</p>	 Lijee Tūgāone-Solūwā Ngāti Horowai, Te Aitanga a Māte, Ngāti Tane, Te Whanau a Umānaki.	 Derek (Tūā) Pae Ngāti Horowai.
<p>4 Te Oaepoto ki Rāhuimanuka</p>	 Kai Eady-Tāere Te Aitanga a Māte, Te Whanau a Rākāroa.	 Tai Wānaukēke Ngāti Rangī, Whanau a Umānaki, Ngāti Uepohatu, Ngāti Horowai, Whanau a Kānaki, Te Whanau a Rūkaupare, Te Whanau a Te Aotawarangi, Te Whanau a Aporai.
<p>5 Rāhuimanuka ki Mataaho</p>	 Selwyn Parata Te Aitanga a Māte, Te Aopere, Te Whanau a Rākāroa, Ngāti Horowai, Whanau a Rūkaupare, Ngāti Uepohatu.	 Te Eru Kapeaga Te Aopere, Te Aitanga a Māte.
<p>6 Mataaho ki Kokoronui</p>	 Karāmatali Kōkū Pōwhiriangi Te Whanau a Rūkaupare, Te Whanau a Irirōkora, Ngāti Ira, Te Whanau a Apamā.	 Wa Kaitiaki Te Whanau a Rūkaupare, Te Whanau a Te Aotawarangi.
<p>7 Kokoronui ki Te Toka a Tāiaū</p>	 Nani Tūgāone Ngāti Hapu a Hāroa.	 Kelly Blackmore Te Whanau a Te Rangipūroa, Ngāti Kānaki, Ngāti Ira.

With others prior to Maui & Kelly, but to subvert, dominate & control all Hauiti Iwi-Hapū related assets, resources & data for/by Ngāti Porou.

#10 Both Ruawaipu & Uepōhatu are considered subverted by Tronp now influencing the same regards to Te Aitanga-ā-Hauiti. Te Ara Tipuna seeks to gain legal authority over Hauiti-lwi-Hapū-shareholder land blocks referred to as “Ngāti Porou land” in the 1st amended Wai 272 claim March 5th 2012 jus 3 weeks prior the 3rd Reading. That information was then unavailable, due to their Confidential Crown Negotiations.



#11 From the Tronp AGM 2024 at Pākirikiri Marae to reaffirm details on #9 NP Rohe 6 & #10 NP Rohe 7, subverting various Hauri Iwi-Hapū & Marae.

Mataahu ki Kokoronui

HAPU

Te Whanau a Te Haemata
Te Whanau a Ruataupare
Te Whanau a Te Aotawarirangi
Te Whanau a Iritekura
Ngati Rakai
Te Whanau a Rakairoa
Ngati Ira
Ngai Taharora

MARAE

Te Ariuru
Waiparapara
Pakirikiri
Tuatini
Iritekura
Taharora
Te Kiekie

Kokoronui ki Te Toka a Taiau

HAPU

Ngai Tutekohi
Ngati Oneone
Ngati Konohi
Te Aitanga a Hauri
Ngati Kahukuranui
Ngati Hau
Ngati Wakarara
Ngati Ira
Ngati Patuwhare
Te Whanau a Te Rangipureora

MARAE

Anaura
Hinemaurea ki Mangatuna
Okuri
Puketawai
Hauri
Rawheoro
Whangara
Poho-O-Rawiri

This Schedule records the Hapu and Marae listed for the purposes of establishing this Trust.

100636717/3462-1950-9296.3+

#12 The following group aka TAHI, was formed to engage & implement the objectives summarised at the Hui-a-Iwi at Hauiti Marae, in 1986 as indicated in this letter. After strenuous Stats NZ consultation, 35 “groups” including Ngāti Hine of Ngāpuhi, Ngāti Ruapani ki Waikaremoana, met the Stats NZ ‘criteria’ to reaffirm pre-recognised, “Iwi” status. A copy of this letter was submitted at the last known Tronp AGM at Hauiti Marae.

We are entitled to a peaceful existence of our Hauiti iwi-hapū manamotuhake tūturu i runga to matou rangatirantanga, e ai ki tō Te Tiriti O Waitangi.



12 October 2017

Tui TM Marino
Chairman, Te Aitanga-a-Hauiti Incorporated
4 Whakatātare Rd, Hauiti - Uawa

Tēnā kōe Tui

E te tī, e te tā, nei rā te reo maioha ki a koutou i runga i ngā tini āhuatanga o te wā. E mihi ana hoki ki ngā mate huhua noa o te motu, haere hoki koutou ki te urunga o te rau, moe mai, okioki mai rā. Ki a tātou te hunga ora tēnā koutou, tēnā koutou, tēnā hoki tātou katoa.

I am writing to update you on the governance group’s decision regarding the request to include Te Aitanga ā Hauiti in the iwi and iwi-related groups statistical classification.

I am happy to advise that after careful consideration Te Aitanga ā Hauiti has been included in the new version of the classification.

Stats NZ has published the new Iwi statistical standard, which includes the updated classification, on our website. You can access the standard and classification at <http://www.stats.govt.nz/methods/classifications-and-standards/current-classifications-and-standards-review/final-iwi-std-2017-review.aspx>.

The updated classification will be used in the 2018 Census and your iwi will be included in the 2018 Census guide notes.

Thank you for the time you have taken to put together the information for your request for inclusion. We are aware of the considerable effort that goes into bringing this information together.

If you have any questions, please contact Classifications and Standards, phone (03) 9648700 or email, classifications@stats.govt.nz.

Nāku noa, nā

Becky Collett
Senior Manager, Standards & Design

info@stats.govt.nz
toll-free 0508 525 525
stats.govt.nz

BNZ Centre
Level 1
120 Hereford Street
Private Bag 4741
Christchurch 8140

New Zealand Government



Submission in support of Te Ara Tipuna

Application from Te Ara Tipuna Charitable Trust for Resource Consent to construct, operate and maintain a pathway, to be known as Te Ara Tipuna, for walkers, cyclists and horse trekkers from Gisborne around the coast to Opotiki.

Submitter details

Name/s Derrick Hope for Proprietors of Pourau Station Incorp.

My/our main interest is in Gisborne District / Opotiki District / Bay of Plenty Regional / All

SUBMISSION DETAILS - TICK ALL THAT ARE APPLICABLE

<i>He kaupapa ataahua tenei</i> This is a beautiful kaupapa that I/we support	
I/we SUPPORT the application to:	
• connect iwi, hapu and whanau with the ways of our/their ancestors	✓
• enhance the ecological and cultural sites of significance within the rohe	✓
provide for iwi, hapu, whanau and landowners to:	
• access, experience and connect to more of their whenua	✓
• share and preserve the stories of their wahi	
• better connect to one another	
• restore connectivity between local communities	✓
• provide opportunities for local level enterprise to revitalise our communities	✓
• provide infrastructure that will support resilience and future investment	✓
• provide a high-quality tourism experience into the heart of Te Tairāwhiti	✓
The decision I/we seek is for the Council to APPROVE the consent application	✓
I/we DO NOT WISH TO BE HEARD	✓
I/we WISH TO BE HEARD in support of this submission	
If others make a similar submission I/we:	
• will consider a joint presentation with them at a hearing	✓
• do not wish to present a joint case at a hearing	

Address: 1127 B SH 30 Awakeri, WHAKATANE RD2, 3192

Phone: 027 274 2687

Email: proprietors of pourau station@gmail.com

Name (please print) Derrick Hope

Signed - by submitter or person authorised to sign on behalf of submitter

Derrick B. Hope

9 / 6 / 2024



Ref: _____

Te Ara Tipuna - Agreement in Principle (AIP)

I am/we are Delegated Authority

landowner/s and/or governor/trustee/s of
The Proprietors of Pourau Station Incorporated.
Including Tokomaru : B5E1; B5E2B; B5C; and
Part Tokomaru B5D. [legal title of landblock/s].

I see and support all the opportunities that Te Ara Tipuna can bring to our whenua, to our whanau, and to our long term wellbeing through, for example:

- Local-level enterprise and economic development
- Restoration of indigenous biodiversity
- Connection of marae and communities
- Gathering and documenting our local histories

Therefore, I am happy to sign this Agreement in Principle:

1. To secure the Global Consent approving Te Ara Tipuna; and,
2. Committing to a detailed discussion supporting the ara traversing our whenua.

Name/s
Derrick Hope

Position/s
Secretary / Treasurer

Signature/s
Derrick B. Hope

9 / 6 / 2024

Name/s

Position/s

Signature/s

_____/_____/2024



TE ARA TIPUNA SUBMISSION

To: Te Kaunihera o Te Tairāwhiti
Gisborne District Council

From: Katerina Petersen-
Denham
8 Stilo Crescent
3029 VIC

Email: kpetersen01@hotmail.co.

Date: nz
07 February 2025

Resource Consent numbers:

GDC: DL-2023-112074-00, LR-2023-112076-00, LL-2023-112077-00, LV-2023-112078-00

BOPRC: RM23-0508-AP ODC: RC2024-04

Owner/Beneficiary of Maraehako C3A BLOCK 34860 Ahu Whenua Trust and Trustee of Makere Jones (Snr) Whānau Trust situated at 8663 State Highway 35 **OPPOSE the notified resource consent application – TE ARA TIPUNA TRAIL**

Introduction

I am opposing this resource consent application for the following reasons:

- (a) No direct notification
- (b) Status of the whenua – private and multiple owned Māori land blocks,
- (c) Archaeological sites
- (d) Respecting our privacy,
- (e) Risks to our children and mokopuna,
- (f) Kaitiaki and guardian responsibilities,
- (g) Health and safety issues to land owners and to prospective walkers,
- (h) Degradation of the whenua,
- (i) Proposed trail does not follow the old paper road,
- (j) Responsibilities and liabilities,
- (k) Easement rights and powers,
- (l) Rights and interests as land holders
- (m) What we request

Rational for opposing

No direct notification

1. I oppose the application on the basis that Maraehako C3A Block held in Trust by the Maraehako C3A Ahu Whenua Trust was not notified and are NOT listed on the TAT-Notification-report-Schedule-Notified-landowners-BOP Ōpōtiki.

Status of the whenua – private and multiple owned Māori land blocks

2. The enclosed submission considers the impact to the entire Maraehako land holdings that once formed one contiguous block owned by our tupuna – Hamiora Hei. The trail proposed will cross private and multiple owned Māori land blocks owned by our whānau. We oppose such action. Our whenua has been in our whānau for generations and is a taonga, we know our history and have a deep cultural connection to what we have inherited.

Archaeological Sites

3. I oppose the application as Maraehako C3A contains two identified archaeological sites (Y14/290 and Y14/292) and are in the vicinity of several other identified sites. The whānau on the neighbouring block being Te Anaputarua 2 are on the right-hand side of the creek that is under housing development. There is no bridge, track or trail that connects between Te Anaputarua and Maraehako A, C2 and C3A Blocks and I would like it to remain that way in perpetuity.

Respecting our privacy

4. We value our privacy and want to protect that. Where the proposed trail is intending to go will have a direct and detrimental impact on our privacy. This track runs directly beside a proposed build site that is consented for by the Māori Land Court and the Ōpōtiki District Council.

Risks to our children and mokopuna

5. We are fearful for the safety of our children and grandchildren, now and into the future should this trail go ahead. They have the freedom to roam this whenua, unobstructed, care free, knowing where they belong and they feel safe. In having other's walk across our whenua of whom we do not know their history, their character and their behaviours is unacceptable, and could potentially be a safety issue of which I am not willing to test.

Kaitiaki and guardian responsibilities

6. We are the kaitiaki and guardian to this whenua, the water ways, the moana and its resources. In being a kaitiaki we have taken care of this land alongside of our wider extensive whānau membership as noted in the submission support above. We want to ensure the sustainability of our kaimoana, we want to preserve the fishing beds and nurseries of our moki, crayfish and other species. No one sitting in an office somewhere else can guarantee that our resources will not be accessed.

Health and safety issues to land owners and to prospective walkers

7. This is our whenua. We want the freedom to act and do what we want, when we want to, how we want to without the added responsibility and pressure of knowing that someone may appear at any time and when we least expect it. Our concerns are who will be responsible for those walking this track if a trail walker or any biker or rider or other persons, becomes unwell or has a medical emergency, or is involved in a motor vehicle accident as this walkway transverses over our private access way to access our whenua that we use and have used for centuries as descendants of our tipuna Hamiora Hei.

Degradation of the whenua

8. You are proposing to change the nature of the whenua. We oppose. We do not want bridges, toilets, signs or other structures that will require maintenance and cleaning which will be a health and safety issue. We will not permit any of our whenua to be damaged through the construction of such structures.

Proposed trail does not follow the old paper road

9. We have been told that the track follows an old paper road, that is not the case. The old paper road is further west of the proposed walkway.

Responsibilities and liabilities

10. There are responsibilities and liabilities that we as land owners will incur if this trail goes ahead.
 - i. What are the liabilities of a walker injuring themselves, will we be sued?
 - ii. What responsibilities will the GDC, ODC, AND BOPRC and the Te Ara Tipuna Charitable Trust take to compensate land owners if this is the case?
 - iii. What added costs will be incurred to our rates, insurances, and other hidden costs we may not be aware of?

Easement rights and powers

11. We oppose any easement rights and powers under the Walking Access act 2008, or the granting of an easement on our property, as this violates as owners our own existing easements and legal rights and status for the use and occupation of our whenua.

Rights and interests as land holders

12. If this trail goes ahead without our agreement, this will affect our rights and interests under the treaty.

If this trail goes ahead without our agreement, this will be a clear attempt to usurp the rights and interests of us as land owners of which we will then need to seek legal action.

What we request

As trustee of the Māori block, we would like the Trust & Trustees namely Rei Kohere, Sir Selwyn Parata, Kylee Potae, and Hon Hekia Parata to explain to us as owners what your legal grounds are for violating our rights as Māori to build our family home in honour of our mum because the placement of this walkway is directly on and through her whenua. It is our position that you will desecrate the memory of our mother by allowing complete strangers to walk over her whenua and where as per the attached court Occupation Order. Please provide an explanation to her descendants for such action?

As legal owners WE DO NOT GIVE OR GRANT LEGAL PERMISSION to the Te Ara Trust to bring your walkway through our Māori owned 1200sqm whenua and once we receive an explanation from Te Ara Trust, then we will kōrero or not.

S

Regards



Katerina Petersen-Denham



NGAI TAMAHUA HAPU
NGAI TAMAHUA TRUST
123A Ford St, OPOTIKI
Email tracy.hillier1964@gmail.com 027 9559734

Applicant Name: Te Ara Tipuna Charitable Trust
Application: Te Ara Tipuna Trail
Consent Number GDC: DL-2023-112074-00, LR-2023-112076-00, LL-2023-112077-00, LV-2023-112078-00 BOPRC: RM23-0508-AP ODC: RC2024-04
Consents applied for Discharge to Land, Land Use - Works in a River/Lake Bed, Land Use - Land Disturbance, Land-Use - Vegetation Clearance

He honore He kororia Ki Te Atua,
He Maungarongoa Ki Te Whenua
He whakaaro pai ki nga tangata katoa
Hangā e te Atua he ngākau hou
Ki roto, ki tēnā, ki tēnā o mātou
Whakatōngia to wairua tapu
Hei awhina, hei tohutohu i a mātou
Hei ako hoki i ngā mahi mō tēnei rā
Amine

Te Tatau Pounamu "Toitū te whenua, whatungarongaro te tangata"
Haua Te Mahi o Ngai Tamahaua
E nga mana, e nga reo, e nga karanga maha o te Kaupapa nei, tena koutou katoa
E nga Rangatira, e nga tuakana, e nga Hapu o Te Hapu o Whakatohea
Whakatika ai nga noho pai ana, whakarongo ki toku reo, kia whai taringa ki aku kupu
Kia a koutou, e tuku karanga ana
Ko Muriwai karanga. Ko Tamahaua karanga
Ko Tarakeha te maunga korerorero Ko Motuhora Ko Maunga Pohatu nga Maunga Tapu
Ko Opepe te awa e pioi ana I a Waiorata Ko Otarawa Ko Waioweka Ko Te Motu nga awa tapu
Ko Pakowhai, Ko Tawhitinui, Ko Kopura, Ko Karaka, Ko Te Papa, Ko Onehu he Pa Tawhito o Ngai Tamahaua
Ko Taiharuru te ana e rongu ana I te Moana a Kiwa
Ko Ani Karere te pataka kai a Ngai Tamahaua
Mai Nga Kuri a Wharei Ki Tihirau te rohe o Mataatua
Muriwai te Tipuna whakaruruhau o Whakatohea
E I ko Tamahaua e

My name is Tracy Hillier am I am a mokopuna of our Tipuna Muriwai and Tangata Tamahaua and a member of Ngai Tamahaua Hapu

I am currently Chair of Ngai Tamahaua Trust and have prepared this submission on behalf of Ngai Tamahaua Hapu. I stand at Ngai Tamahaua, and with Rita Rangitaia Wordsworth, I am a co claimant on our Ngai Tamahaua Claim WAI 1781 that is being heard in the Northern Eastern Bay of Plenty Inquiry before Judge Doogan in the Waitangi Tribunal

I am also the Applicant for Ngai Tamahaua within the Kahui o nga Hapu with Marine and Customary Area (MACA) applications which have successfully been awarded Customary Marine Title (CMT) and Protected Customary Rights (PCR) to our Hapu and Whanau of Mokomoko and Titoko to protect these rights and interest for future generations

I with Hapu Members Kayreen Tapuke have made submissions to the Council on Annual Plans, Long Term Plans and Policy Reviews

I have represented a number of Hapu in the sector of Environmental Protection and I am the nominated representative of Resource Management matter with both the Bay of Plenty Regional Council and the Opotiki District Council

As Ngai Tamahaua I have been a contributing member of the Community Human Rights Network Taku Manawa and was a participant and supporter to our Hapu Rangatira Matenga Biddle signing the United League of Nations Declaration on the Rights of Indigenous Peoples in Whakatane on the 28th November 2007

I am a direct descendant of those Rangatira who signed the Tiriti o Waitangi in Opotiki on the 27th and 28th May 1840 to guarantee and protect the rights of Mana Motuhake and Rangatira under tikanga and recognised under this covenant document.

In 2024 I with many Whanau, Hapu and Iwi groups throughout Aotearoa and many members of our Hapu presented submissions to the various Select Committees opposing the Fast Track Approvals Bill amongst many Bills.

Ngai Tamahaua is one of the Hapu within Whakatohea Iwi, Our functioning Marae is located at Opape with the district of Opotiki within the Eastern Bay Of Plenty. Our Whare Tipuna Muriwai stands as the whakaruruhau for our rohe proudly sheltering and protecting her mokopuna

The rohe of Ngai Tamahaua cites the whenua and moana from Marae Totara in Ohope to Oroki Ki Tai in Awaawakino to lands in the South touching Waipoua, Mangatu, Whiti kau, Whakapaupakihi, Motuhora, Moanui, Oamaru and Tahora

Ngai Tamahaua Hapu descends from many ancient lines from Ngai Tu, Hapu Oneone, Te Tini o Toi, Nga Ariki, Nga Potiki and it is through the whakapapa of the children of our Tipuna Muriwai who came on the Mataatua Waka which tie us together as Whakatohea

Ngai Tamahaua Hapu is the holder of Mana Whenua status and our Marae Opape is the closest to Tarakeha the area identified by this application

The Hapu rohe extends from the area of Tarakeha to Oroki Ki Tai

The Hapu developed our walking track Tauturangi on Hapu whenua on block Opape 1A which we manage access under our Mana

A second track was planned, but not finally progressed due to the Historical Places placing extensive restrictions, as the historical Pa Tarakeha was found to be much larger and highly significant that it needed protection from walking traffic

As the registered representative with both the Bay of Plenty Regional Council and the Opotiki Council and I was not directly notified by this consent when Ngai Tamahaua Hapu are significantly impacted by this application on our Eastern Boundary

Our Hapu has therefore not been given a fair time allocation to respond fully to this application and assess the impacts and lodge our opposition to this application.

It is of concern and note that this project has been in discussion since 2021. The original formal application lodged in October 2023 proposed a multi-purpose trail for pedestrian, cycle and horse trekking users.

The Applicant lodged a replacement application on 15 November 2024. The replacement application provides for a pedestrian only trail and includes a revised trail alignment, reassessment of the activity status and consent rules for the trail, and a revision of some of the engineering and track type concept design details

The point Ngai Tamahaua would like to raise is the Applicant has had a considerable amount of time to contact Ngai Tamahaua Hapu, and consult on this project as required under the Resource Consent Act and more importantly under tikanga.

I also note that in the schedules of affected parties Ngai Tamahaua Hapu should have been identified under Schedule 3 MACA Parties and in Schedule 4 Iwi/Hapu/Statutory Acknowledgements/Area of Interest and under the Opotiki District/Bay of Plenty Region but we are not.

The MACA contacts are outdated, yet we have been in court with the Bay of plenty Regional Council and the Opotiki Council so our known contacts are current

This is not acceptable when the statutory bodies make no attempt to contact the affected Hapu in reference to this application

The other concern is and we wish to have it noted as it has negatively impacted on our ability to do a full submission in the timeframe we have had after finding out about this application at our Ngai Tamahaua Hapu Hui on the 2nd February 2025, at which time we were able to consult with the Hapu who have raised significant concerns and the direction to oppose this application through submission

In October 2023 an application was lodged with the Applicant seeking a 40-day submission period The applicant recognised that some communities around East Cape are isolated and may not be able to engage with the submissions process within the ordinary 20-day submissions period. In addition, the nature of communications services and internet connection is such that there may be delays in potentially affected landowners receiving notice. Both the Applicant and the three councils agreed that a longer submission period would assist with ensuring that all interested parties had sufficient time to fully engage with the process.

Yet in November 2024 with a replacement application the Applicant now seeks a 20-day submission period citing the risk of consultation fatigue, and that any delays in the application process may risk future funding opportunities, as the reasons .

Ngai Tamahaua Hapu submits they have not been consulted on this application. A public meeting to be held in Opotiki was cancelled

I also wish to have it noted the submission period was lodged over the Christmas New Year break so our Hapu did not have an opportunity to consult on this application.

We also note the Applicants submits that they wanted the submission period reduced to 20 days due to the risk to future funding opportunities.

The rights of affected parties should not be diminished by the risk of the applicants funding opportunities when the Applicant has not meet the requirements of full consultation with affected parties, and not supplied the full application documents to enable the groups

Our Hapu was not given the consultation documents so we seek reconsideration of the full 40 days submission period.

A handwritten signature in blue ink, appearing to read "Tracy F. Pether". The signature is written in a cursive style with a large initial 'T'.

Submission on
Resource Consent Application



Form 13
Under Section 96 of the Resource Management Act 1991.

i A copy of your submission must also be given to the resource consent applicant as soon as possible.
All information provided in your submission is available to the public (on request).

1. Person making submission

Name in full: **Severne** **Dr Charlotte** **(The Māori Trustee)**
Surname: First Name(s)

Address:
No. **Lvl 3,110** Street/Road **Featherston Street** Suburb
Town/City **Wellington** Postcode **6011**

Mobile: Other phone: **0800 943 682**

Email: **Resource.Management@tetumupaeroa.co.nz**

2. Submission on

Application No: **GDC: DL-2023-112074-00, LR-2023-112076-00, LL-2023-112077-00, LV-2023-112078-00 BOPRC: RM23-0508-AP ODC: RC2024-04**

Name of applicant: **Te Ara Tipuna Charitable Trust**

Type of resource consent applied for: **Discharge to Land, Land Use - Works in a River/Lake Bed, Land Use - Land Disturbance, Land-Use - Vegetation Clearance**

Brief description of proposed activity: **Design and construst an approximately 500km walking trail from Gisborne, around the Coast, to Ōpōtiki**

I support the application I oppose the application I am neutral to the application (neither support or oppose)

Clearly state which parts of the application you support or oppose or wish to have amended:

See attached submission.

The reasons for making my submission are (briefly describe the reasons for your views, attach further pages if necessary):

See attached submission.

Office use only

Received date: Support Oppose W.T.B H N.B.H

I wish the Gisborne District Council to make the following decision (give details, including the nature of any conditions sought):

See attached submission.

Please tick:

I wish to speak at the hearing in support of my submission

Would you consider presenting a joint case with others who have made a similar submission?

Yes No

I do not wish to speak at the hearing in support of my submission

3. Signature

Signature of person making submission or person authorised to sign on behalf of submitter



Date: 5/02/2025

Postal address of person making submission (if different from previous page):

Name and phone number (if different from previous page):

Contact person: Hannah McKinlay

Mobile:

Other phone:

0800 943 682

Email:

Resource.Management@tetumupaeroa.co.nz

5 February 2025

Gisborne District Council
15 Fitzherbert Street, PO Box 747, Gisborne 4040
Aotearoa New Zealand

Tēnā koe

Te Ara Tipuna Trail Notified Resource Consent

1. Thank you for providing the opportunity to submit on Te Ara Tipuna Charitable Trust's (**Applicant**) global resource consent application (**Application**) for the design and construction of Stage 1 of the Te Ara Tipuna Trail (**the Proposed Trail**).

Organisation Background and Position

2. The Māori Trustee administers across the Gisborne and Bay of Plenty (Ōpōtiki District) regions, as trustee or agent, approximately 22,485 hectares of Māori freehold land on behalf of about 59,950 individual Māori landowners. Te Tumu Paeroa - the Office of the Māori Trustee, is the organisation that supports the Māori Trustee to carry out her statutory and other legal functions, roles, and responsibilities. Additional information regarding the Māori Trustee and Te Tumu Paeroa can be found on Te Tumu Paeroa's website www.tetumupaeroa.co.nz.
3. The Māori Trustee has identified 91 Trusts within our portfolio that are either intersected by (29 blocks) or adjacent to (62 blocks) the Proposed Trail¹. This equates to approximately 7,552 hectares, across the Gisborne and Bay of Plenty regions, and represents approximately 13,737 beneficial ownership interests.
4. Given the sheer scale and varied nature of the land assets within this portfolio, the views of the Māori Trustee may not always be shared by all owners of whenua she administers.
5. For these, and the below reasons, the Māori Trustee takes a **neutral position** on this resource consent application. Broadly, the Māori Trustee supports that the Applicant's aim of

¹ We note that the notification reports for the resource consent application only identify 43 parcels administered by the Māori Trustee that are impacted by the Proposed Trail. We have analysed the proposed route, based on internal GIS analysis compared with the spatial data in the Application and consider that 91 Trusts are likely to be affected. https://www.gdc.govt.nz/_data/assets/pdf_file/0026/84176/TAT-Notification-report-Schedule-2A-Notified-landowners-BOPOpotiki.pdf
https://www.gdc.govt.nz/_data/assets/pdf_file/0027/84177/TAT-Notification-report-Schedule-2B-Notified-landowners-GDC.pdf



reconnecting owners with their whenua but considers that there are several uncertainties and issues with the Application which require resolving before it is approved.

Submission Points

Social/Cultural Effects

6. The Māori Trustee agrees with the Proposed Trail's intent to reconnect landowners with their whenua. This intention is a key tenet of Te Ture Whenua Māori Act 1993 and compliments the vision² of the Māori Trustee.
7. Te Ture Whenua Māori Act 1993 recognises that Māori land is a taonga tuku iho of special significance to Māori passed on from generation to generation. An interest in Māori freehold land is also a whakapapa link for owners to their tūpuna, whānau, hapū and iwi, whether they reside on the whenua or not.
8. The Māori Trustee agrees with the Applicant's acknowledgement that Māori landowners have the right, as mana whenua, to exercise their rangatiratanga over decisions made regarding areas directly under their purview³ – including who has the right to access and cross their whenua.
9. The Māori Trustee is somewhat concerned that the lack of control over visitor numbers could adversely impact the relationship that Māori landowners have with "their culture and traditions with their ancestral lands". As a matter of national importance under the RMA, this is something which the Māori Trustee encourages the Council to carefully consider in assessing the application.

Notification and Description of Locations

10. The Māori Trustee notes the bespoke notification process that the Council has adopted, which involved public notification under section 95A(c) of the Resource Management Act 1991 (RMA) alongside notification of a specific number of other parties, including "all interested landowners"⁴.
11. The Māori Trustee wishes to register her concern about the correlation between the locations that maps show the Proposed Trail as both intersecting and adjacent and Schedules 2A and 2B of the Application which lists the Parties notified.
12. Despite the application identifying 43 properties administered by the Māori Trustee, our own analysis of the Applicant's data identified the Proposed Trail as intersecting or adjacent to 91

² Our vision is to ensure whenua Māori is protected and enhanced, now and for generations to come.

³ See [Appendix-10-Cultural-Impact-Assessment.pdf](#), p. 13.

⁴ See https://www.gdc.govt.nz/_data/assets/pdf_file/0024/83751/FINAL-SIGNED-S95-Notification-Report-Te-Ara-Tipuna-Charitable-Trust-Te-Ara-Tipuna-Trail-DL-2023-112074-00-Bundled.pdf.



properties administered by the Māori Trustee. Further, the Māori Trustee received two notification letters from the Council, only one of which identified the specific property impacted.

13. The Māori Trustee is concerned that the discrepancy in both the specific properties identified and/or notified may result in administrators or owners, particularly of unadministered Māori land, not being appropriately identified. This reduces their ability to engage with this submission process and the Applicant.

Certainty of Effects

14. The Māori Trustee notes that due to the assessment of environmental effects and technical reports being largely high-level overviews, it is difficult to determine the exact effects of a project of this scale at the property level, even if the Proposed Trail will be predominantly wayfaring.
15. We acknowledge that while more comprehensive property-level assessments will likely be undertaken at the detailed design-stage, along with landowner negotiations, the current uncertainty of effects limits our ability to offer more detailed feedback.
16. The Māori Trustee recommends that, if approved, a condition be included in the resource consent to ensure that detailed property-level assessments and robust consultation with affected landowners is undertaken during the detailed design-stage and prior to works commencing. This will ensure that the actual effects of the proposed activities are understood and can be avoided, remedied or mitigated. The Māori Trustee's proposed conditions are set out in paragraph 39 of this submission.

Working Farms

17. The Māori Trustee notes that approximately 90% of the 500-kilometre trail is to remain relatively untouched with the track composition to emulate a farm track. The intention is to provide users of the Proposed Trail with an immersive, wayfaring experience through the natural environment. Although we agree that this is a commendable vision, having largely unformed and unfenced tracks through working farms potentially poses significant health and safety effects, as well as landowner compliance risks.
18. The majority of land blocks (80%), within our portfolio, which are intersected by the Proposed Trail, are currently leased as part of working farms. While it is hard to determine how many users will be walking the track, the increased foot traffic through working farms raises health and safety risks, particularly in rural and coastal areas⁵.

⁵ This is consistent with Coastal Zone Resource Management Issue 9.1.4 under the Ōpōtiki District Plan 2021: *Increasing numbers of visitors will lead to increased pressures on the natural and physical resources of the District and the quality and integrity of the Ōpōtiki coastline.*



-
19. The Māori Trustee is also concerned about the high administrative burden that will be placed on landowners and occupiers to contact the Applicant to ensure that the hazard and health and safety mapping, in their Proposed Trail app, is accurate and up to date. Any delays in communication between the landowner/occupier and the Applicant could conceivably create potential health and safety risks for individuals using the Proposed Trail.
 20. The Māori Trustee understands that the Applicant, following resource consent approval, intends to negotiate easements with individual landowners. They state that these easements could contain conditions to mitigate on-farm health and safety risks. This means that health and safety risks are essentially addressed outside of the resource consent process.
 21. The purpose of the Resource Management Act 1991 (**RMA**) requires land to be sustainably managed in a way, or at a rate, that allows people and communities to provide for their health and safety⁶. Therefore, we believe that adverse on-farm health and safety effects, resulting from the implementation of the Proposed Trail, should be adequately considered and mitigated as part of this consent application process.
 22. The Māori Trustee also considers that not addressing adverse on-farm health and safety effects, caused by the Proposed Trail, during the resource consent application process will create liability and compliance uncertainty for the Applicant, users and landowners.

Natural Hazard Risks

23. The Māori Trustee is concerned that the effects of natural hazards within the resource consent application are only addressed at a very high level. Given recent climatic events, particularly across the Tairāwhiti, it is imperative that communities are informed of the potential natural hazards in their district and appropriate avoidance and mitigation measures are undertaken by resource consent applicants⁷.
24. The Māori Trustee notes that the Tairāwhiti Resource Management Plan (**TRMP**) is currently under review by the Gisborne District Council. The Council has acknowledged that the current plan is “outdated” and does not account for the regional changes that have impacted the district over the past 10 years⁸. Therefore, the current plan is no longer fit for purpose in terms of managing natural hazard risk.
25. The geotechnical report submitted with the application also appears to be, at this stage, a preliminary assessment of potential geotechnical risks. The report acknowledges that the Proposed Trail is located in “an area of complex geology with typically steep topography

⁶ Section 5.

⁷ This is consistent with objectives C8.1.3.1 and C8.1.3.2 of the Te Tairāwhiti Resource Management Plan and subsequent policies; objectives NH O1 and NH O3 of the Bay of Plenty Regional Natural Resources Plan and subsequent policies; objectives 18.2.2 and 18.2.3 of the Ōpōtiki District Plan and subsequent policies.

⁸ <https://www.gdc.govt.nz/council/Review-of-TRMP/how-we-are-reviewing-the-trmp>.



throughout the region and thus has many associated geotechnical risks”⁹. However, Initia’s assessment was largely conducted via a desktop analysis with limited visual observation. The report caveats that the Google Earth aerial imagery used in their assessment was “not current and there are likely to be further stability issues along the proposed track that could not be identified in the Google Earth review given recent weather events”¹⁰.

26. The report concludes that the Proposed Trail is geotechnically feasible and that significant engineering solutions will likely not be required to create the Proposed Trail. These conclusions assume that further comprehensive site visits and assessments will be undertaken throughout the detailed design stage and the track will be realigned, where possible, to avoid potential geotechnical risks.
27. The Māori Trustee notes that approximately 35% of land blocks, within our portfolio, which are intersected by the Proposed Trail, experienced damage¹¹ due to Cyclone Gabrielle. The application does not appear to directly address this.
28. The Māori Trustee is therefore concerned that due to the TRMP no longer being fit for purpose and Initia’s high-level geotechnical report, she may not be able to provide robust feedback as the technical evidence provided is somewhat limited.

Alternative Routes

29. The Māori Trustee again acknowledges that the Applicant intends for 90% of the Proposed Trail to remain as a wayfaring route, largely untouched and in its natural state. The application notes that should adverse effects be discovered during the detailed design stage, the trail, where possible, will be re-routed. We also presume that if, once established, parts of the Proposed Trail are closed due to farming or health and safety measures, alternative routes will also be provided.
30. While Māori Trustee understands the challenges of planning for these alternatives, she is concerned that the location of alternative routes has not been addressed as part of this resource application. Given the remoteness of parts of the Proposed Trail, alternative routes may be challenging to implement, particularly where these routes involve rougher terrain that trail users may be reluctant to follow. Further, without information regarding alternative routes, landowners may not be able to adequately assess the potential adverse effects of the Proposed Trail’s location or even be identified as owning an affected land parcel during the application process.

⁹ https://www.gdc.govt.nz/_data/assets/pdf_file/0027/83727/Appendix-11-Geotechnical-Assessment.pdf, p. 22.

¹⁰ Ibid, p. 15.

¹¹ Reported damage ranged from minimal to severe. This included silt covered fields, damage to fences, culverts, crops, bridges, and erosion and slips negatively affecting tracks and production areas.



Economic Issues

31. The Māori Trustee notes that for the potential regional economic benefits identified in the application to be realised, particularly the establishment of possible tourist ventures that cross whenua Māori¹², the applicant will need to consider the specific challenges that Māori landowners face in developing their whenua. These challenges include:
- The land not being economically viable in its own right; mostly less than 50ha, often marginal land classes, regularly legally or physically landlocked with large tracts underdeveloped and/or unoccupied with minimal improvements.
 - Accordingly, the land is often passively leased to neighbouring owners.
 - The income generated by the land is often insufficient to meet costs.
 - Having on average over 100 individual owners per parcel can complicate decision making, even when trustees are appointed to administer the land on behalf of owners.
 - Access to third party capital is highly constrained.
 - Owners of Māori freehold land have been disproportionately impacted by climate change.
32. The blocks that the Māori Trustee administers and that are intersected and adjacent to the Proposed Trail exemplify these challenges:
- On average, blocks impacted by the Proposed Trail are less than 83ha, with a median of 25ha.
 - 90% of blocks impacted by the Proposed Trail are leased in some form with the remaining 10% currently unutilised.
 - 82% of blocks impacted by the Proposed Trail earn less than \$5,000 per annum, with a median of \$1,800 per annum.
 - On average, blocks impacted by the Proposed Trail have 151 individual owners with a median of 89 owners.
33. As a result, significant upfront capital, from external investors will likely be required to establish tourism ventures on or adjacent to the Proposed Trail.
34. The Māori Trustee therefore considers that the potential regional economic benefit from establishing tourism ventures on and adjacent to the trail will likely be limited by the challenges faced by Māori landowners and their whenua.

Identifying Wāhi Tapu and Urupā

35. The Māori Trustee understands that the Applicant intends to avoid any wāhi tapu or sites of significance to Māori when determining the final location of the Proposed Trail at the detailed design stage. The Proposed Trail currently accounts for, and avoids where possible, wāhi tapu sites listed in Council plans¹³. Although the Māori Trustee agrees with this approach, she notes that not all wāhi tapu sites and sites of significance to Māori may be captured by Council plans as

¹² 85% of the Proposed Trail is expected to traverse whenua Māori.

¹³ See [Appendix-09-Heritage-and-Archaeological-Assessment.pdf](#) pp. 4, 6.



owners are sometimes reluctant to share this sensitive information with the Council/public. Not accounting for these sites in the finalisation of the trail may result in adverse effects.

36. The Māori Trustee supports the Applicant undertaking further consultation with owners of whenua Māori either prior to the Council's decision on this resource consent application or as a condition of the detailed design stage. The Māori Trustee's proposed wording to this effect for the condition is set out in paragraph 39 of this submission.

Facilities Along the Route

37. The Māori Trustee notes that the Applicant does not intend to finalise the location of toilets, shelters, and huts until the detailed design stage. As this stage occurs post-resource consent approval, landowner's ability to understand and respond to the potential effects of these points of interests on their property, during this submission process, is limited.

Recommended Conditions

38. The Māori Trustee notes that it is challenging to comment on the Application given its high-level. Her preference is for further consideration to be given to these aspects of the Application, and for the Applicant to provide further information so that submitters may comment on it before the Application proceeds.
39. However, if the Council seeks to grant resource consent, the Māori Trustee respectfully requests that the resource consent contains the following conditions:
- The consent holder must undertake comprehensive property-level assessments of each block directly impacted by the proposed activity prior to commencing any works. These assessments shall identify any significant adverse effects and address how they would be avoided, remedied or mitigated.
 - The consent holder must notify all impacted and adjacent landowners of the proposed activity and the findings of the property-level assessments.
 - Impacted landowners must be given a sufficient period of time, on receipt of the property-level assessment, to provide written feedback to the consent holder.
 - The consent holder is required to review and respond, in writing, to any feedback received by impacted landowners. Responses should address any concerns raised by impacted landowners and address how they would be avoided, remedied or mitigated.
 - The consent holder is responsible for all costs associated with the property-level assessments, landowner notification and feedback processes.
 - The consent holder must provide the relevant Council with a summary report of assessments undertaken, feedback received, and solutions agreed to within 30 working days of the feedback period closing.
40. Paragraphs 3 to 39 above set out the Māori Trustee's submission points and relief sought. The Māori Trustee also seeks such further or alternative relief as may be necessary and appropriate to address the issues raised in her submission.
-



41. The Māori Trustee looks forward to discussing this submission with Council officials. We hope you find this information helpful and would be happy to clarify any questions or queries you may have. Please feel free to contact us by email at resource.management@tetumupaeroa.co.nz.

Ngā manaakitanga,

A handwritten signature in blue ink, appearing to be 'PP', enclosed within a blue oval scribble.

PP
Dr Charlotte Severne
Māori Trustee



Roger White, Mere Pohatu
Executors
Les White Estate
42 Huxley Road
Gisborne 4010
rogerwhite2011@yahoo.co.nz; merepohatu1@gmail.com
Tel. 0275902729 | 0274469701.

7 February 2025

Te Ara Tipuna Submissions
Gisborne District Council,
PO Box 747,
Gisborne 4040

Te Ara Tipuna Trail
C/- The Planning Collective
PO Box 591,
Warkworth 0941

To: NotifiedRC@gdc.govt.nz ; diana@thepec.co.nz

Dear Gisborne District Council and Te Ara Tipuna Trust

Te Ara Tipuna Submission

We are writing this submission as executors on behalf of the Les White Estate ('the Estate') and as a private landowner directly impacted by the Te Ara Tipuna Resource Consent Application. We believe that the proposed Te Ara Project poses risks to the Estate as a landowner, requiring firmer solutions than the proposal describes so for the reasons outlined below we are unable to support the proposal in its current form.

About the Les White Estate

The Les White Estate is Lot 2 DP 564917, LOT 4 DP564917, LOT 8 DP564917 and Lot 9 DP564917 (see map attached) and was part of a farm known previously as Waingakia Station which belonged to Les White's parents.

The land borders the Mata River and the Waingakia Stream and is included in the Te Ara Tipuna Hikurangi Loop on Days 2 and 3. According to the application, there will be a toilet/shelter, a bridge (over the Waingakia Stream Bridges # 21, 22), and a hazard has been identified.

Reasons for Concern about the Te Ara Tipuna Trail Proposal

1. *Environmental Impact and Erosion*

Te Ara Tipuna concludes that the environmental impact on the Estate land would be low, but it does not seem to consider that the land is high country farmland that is prone to erosion and flooding that we see across the East Coast. In Les' lifetime, erosion increased due to climate change and farmland use, and the land is sometimes unable to be accessed when heavy rain or flooding occurs. More assessment is needed in the proposal to reflect the reality of increased erosion and flooding, and what could be done with landowners to mitigate this.

2. Traffic management and maintenance

The Estate land is part of the proposed Te Ara Tipuna Hikurangi loop (Day 1 and 2), and access to the land is a mix of public road (through to Horehore Station), farm tracks and pathways that would have been used by Ngāti Porou tipuna pre-colonisation. The Estate is concerned about the public use of tracks, and we are unclear who is responsible for the safety of pedestrians and the ongoing maintenance of the roads and tracks due to increased public use.

Te Ara Tipuna proposes a bridge over the Waingakia stream on Estate land. We are unclear from the proposal what kind of bridge and the impact that building a bridge would have on the surrounding waterways, ecology, and natural environment.

3. Ablution (toilet) facilities and shelter

Te Ara Tipuna proposes that an ablution (toilet) facility and shelter be made available to track users near the Estate's land. While this may present an opportunity for tourism or some other enterprise, the current proposal makes it too uncertain to assess its viability.

4. Landowner liability

The practical day-to-day management of knowing who is accessing the land is challenging now but is a necessary safety and security matter for landowners. It is unclear how access to Te Ara Tipuna tracks will be managed with increased numbers of the public accessing private land and who, in the event of an accident or emergency, is liable for the safety and security of public and landowner users. The development of a kawa for users feels inadequate to meet the safety and security concerns that could arise from increased public use of the proposed track on privately owned land.

5. Infrastructure and public services Impact

Public infrastructure on the East Coast is under pressure, not only during extreme weather events (which are increasing due to climate change) but also for the existing population's access to public health, medical, local council, and emergency services. The proposal does not sufficiently address the impact that increased numbers of visitors may have on the existing infrastructure and public services for the existing East Coast population, let alone temporary visitors are not sufficiently addressed in the proposal in a way that would assure us infrastructure and public services could cope with increased use.

We are concerned about whether we have the capacity as landowners to host walkers who will be tramping over gnarly land. We are also concerned whether the Trust has the capacity to cope with walkers and landowners simultaneously.

6. Inadequate landowner consultation and engagement

We have sought to engage in the process to learn more about Te Ara Tipuna, and provide some feedback about the Estate's specific situation as a landowner so that the Te Ara Tipuna Trust could find ways to address both specific and common issues that landowners like the Les White Estate have. If those matters had been more specifically addressed, we believe a more nuanced approach to Te Ara Tipuna could have been presented at this stage. Until those matters are worked through with the Estate and other landowners, we are unable to support the current Te Ara Tipuna proposal.

Recommendation for Alternative Solutions

We urge local councils involved in Te Ara Tipuna and the Te Ara Tipuna Trust to explore alternative methods that could achieve the project's goals without compromising our environment and community wellbeing or the rights and responsibilities of small landowners like the Les White Estate. Specifically we would like to suggest that Te Ara Tipuna be scaled back to a smaller (pilot) area that enables the Te Ara Tipuna Trust to work with a smaller group of landowners, local hapū, and those knowledgeable about the whenua, to create a more detailed approach to implementation that would enable the issues like those raised in this submission to be addressed and ironed out, and then expanded to other landowners, hapū and whenua experts, who may not be ready yet, but can see how it is operating through the pilot area/group.

We appreciate the opportunity to raise our concerns and hope the Council and Trust will take them into consideration when reviewing this application.

We look forward to the Council and the Trust's response and the opportunity to discuss this matter further. Thank you for your attention to this important issue.

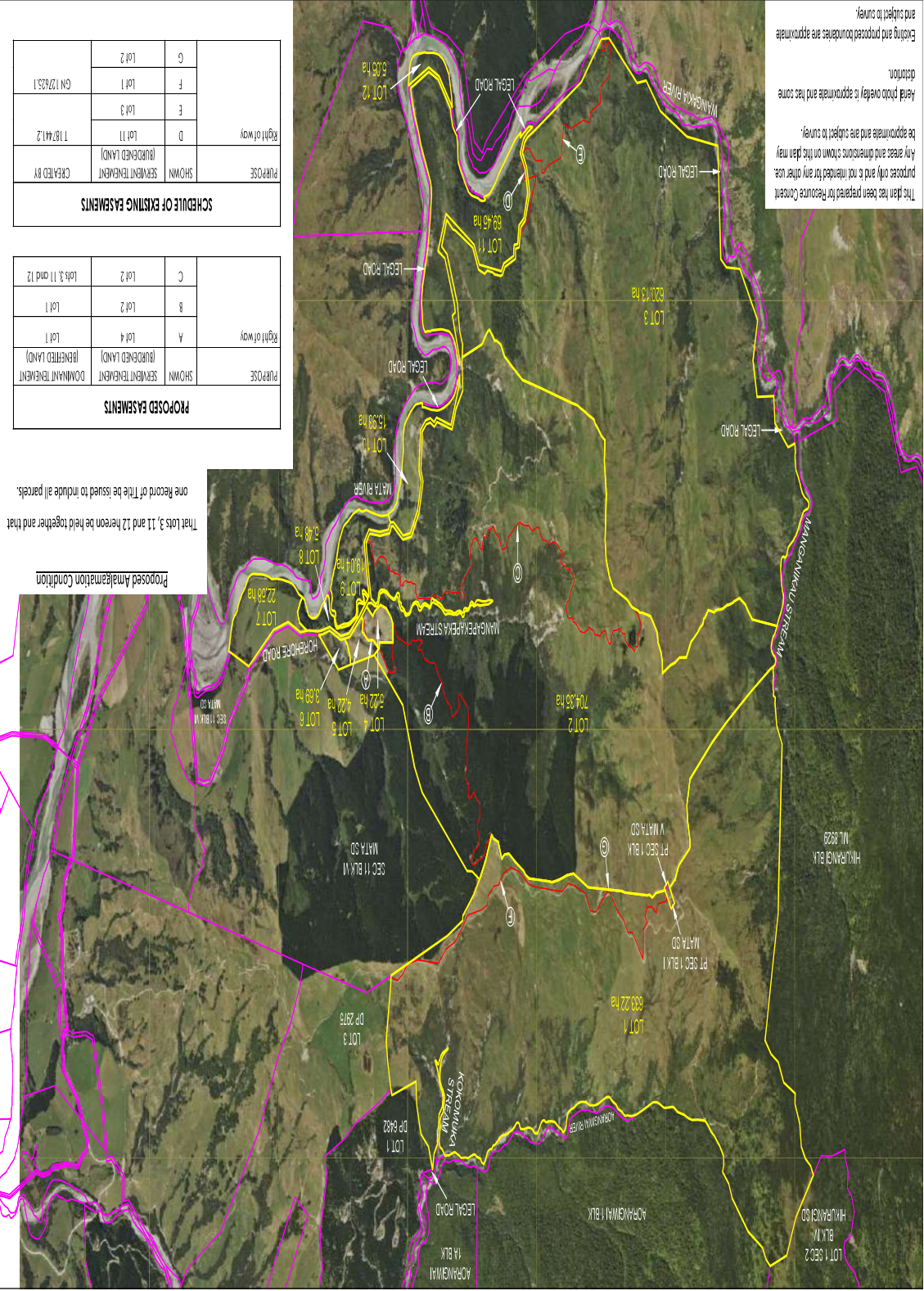
Sincerely,

Roger White, Mere Pohatu
Executors
Les White Estate.

Grant & Cooke
 Registered Professional & Licensed Cadastral Surveyors,
 Land Development & Resource Management Consultants
 Phone: 06 8872744
 PO Box 1006 Gisborne
 Email: office@grantandcooke.co.nz
 Web: www.grantandcooke.co.nz

Scale - Not to scale
Date - 3 August 2020
Date of survey -
 Client - Waiwaka Station

Scale - Not to scale
Date - 3 August 2020
Date of survey -
 Client - Waiwaka Station



SCHEDULE OF EXISTING EASEMENTS

PURPOSE	SHOWN	SEVIENT TENEMENT (BURDENED LAND)	CREATED BY
Right of way	D	Lot 11	T 18744.2
		Lot 3	
		Lot 1	GN 17923.1
G	Lot 2		

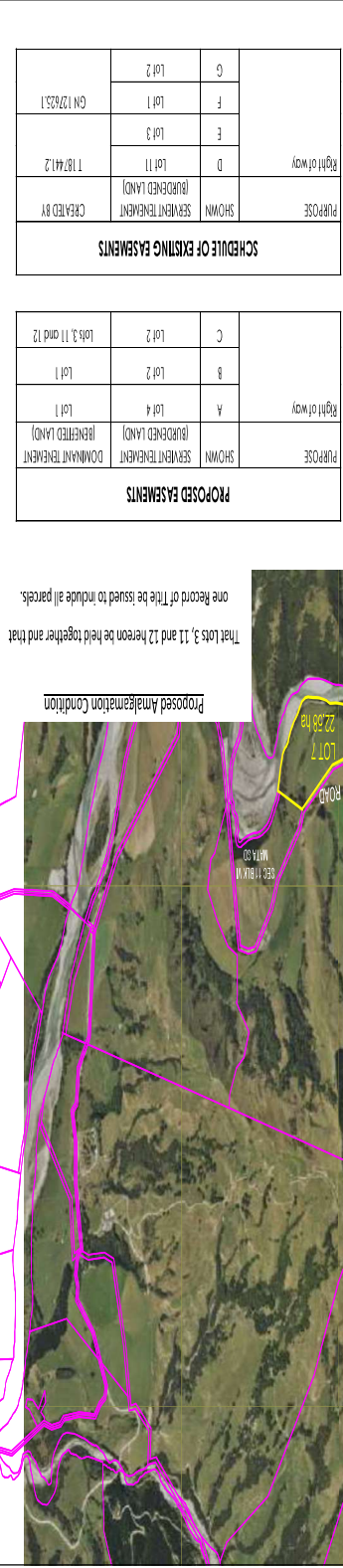
PROPOSED EASEMENTS

PURPOSE	SHOWN	SEVIENT TENEMENT (DOMINANT TENEMENT)	DOMINANT TENEMENT (BURDENED LAND)
Right of way	A	Lot 4	Lot 1
		Lot 2	Lot 1
		Lot 2	Lot 3, 11 and 12
C	Lot 2		

That Lots 3, 11 and 12 hereon be held together and that one record of Title be issued to include all parcels.

Proposed Amalgamation Condition

Scale - Not to scale
Date - 3 August 2020
Date of survey -
 Client - Waiwaka Station



Mere Pohatu
6 Owen Road
Gisborne 4010
merepohatu1@gmail.com
Tel. 0274469701.

7 February 2025

Te Ara Tipuna Submissions
Gisborne District Council,
PO Box 747,
Gisborne 4040

Te Ara Tipuna Trail
C/- The Planning Collective
PO Box 591,
Warkworth 0941

To: NotifiedRC@gdc.govt.nz ; diana@thepec.co.nz

Dear Gisborne District Council and Te Ara Tipuna Trust

Te Ara Tipuna Submission

I am writing this submission as a private landowner directly impacted by the Te Ara Tipuna Resource Consent application. I believe that the proposed Te Ara Project poses risks to me as a landowner that requires firmer solutions than the proposal describes, and so for the reasons outlined below I am unable to support the proposal in its current form.

About Me

The land I own are LOTS 3,11,12 DP564917, LOT 5 DP 564917, LOT 10 DP 564917 (see map attached) and was part of a farm known previously as Waingakia Station which belonged to my parents.

It borders the Mata River and the Waingakia Stream and is included in the Te Ara Tipuna Hikurangi Loop on Days 2 and 3. According to the application, there will be a toilet/shelter, a bridge (over the Waingakia Stream Bridges # 21, 22), and a hazard has been identified.

Reasons for Concern about the Te Ara Tipuna Trail Proposal

1. Environmental Impact and Erosion

Te Ara Tipuna concludes that the environmental impact would be low, but it does not seem to take into account that the land is high country farmland that is prone to erosion and flooding that we see across the East Coast. In my lifetime, erosion has increased due to climate change and farmland use, and the land is sometimes unable to be accessed when heavy rain or flooding occurs. More assessment is needed in the proposal to reflect the reality of increased erosion and flooding, and what could be done with landowners like me to mitigate this.

2. Traffic management and maintenance

The land I own is part of the proposed Te Ara Tipuna Hikurangi loop (Day 1 and 2), and access to the land is a mix of public road (through to Horehore Station), farm tracks and pathways that would have been used by Ngāti Porou tipuna pre-colonisation. I am concerned about the public use of tracks, and am unclear who is responsible for the safety of pedestrians, and the ongoing maintenance of the roads and tracks as a result of increased public use.

Te Ara Tipuna proposes a bridge over the Waingakia stream. I am unclear from the proposal what kind of bridge and the impact that building a bridge would have on the waterways and surrounding ecology and natural environment.

3. Ablution (toilet) facilities and shelter

Te Ara Tipuna proposes that an ablution (toilet) facility and shelter is made available to track users on my land. While this may present an opportunity for tourism or some other enterprise, the ability to make an accurate assessment of its feasibility and viability is too uncertain in the current Te Ara Tipuna proposal.

4. Land owner liability

The practical day-to-day management of knowing who is accessing the land is challenging now, but is a necessary safety and security matter for landowners. It is unclear how access to Te Ara Tipuna tracks will be managed with increased numbers of the public accessing private land, and who, in the event of an accident or emergency, is liable for the safety and security of public and landowner users. The development of a *kawa* for users, feels inadequate to meet the safety and security concerns that could arise from increased public use of the proposed track on privately owned land.

5. Administration, Infrastructure and Public Services Impact

Public infrastructure on the East Coast is under pressure, and not only during extreme weather events (which are increasing due to climate change), but also for the existing population when it comes to accessing public health, medical, local council and emergency services. The impact that increased numbers of visitors may have on the existing infrastructure and public services for the existing East Coast population, let alone temporary visitors, is not sufficiently addressed in the proposal in a way that would assure me infrastructure and public services could cope with increased use.

I am concerned to know whether I have the capacity as a landowner to host walkers who will be tramping over some particularly gnarly land. I also am concerned whether the Trust has the capacity to cope and manage simultaneously walkers and landowners alike.

6. Inadequate landowner consultation and engagement

I have sought to engage in the process to learn more about Te Ara Tipuna, and provide some feedback about the specific situation I face as a landowner so Te Ara Tipuna Trust could find ways to address both specific and common issues from landowners. If those matters had been more

specifically addressed, I believe a more nuanced approach to Te Ara Tipuna could have been presented at this stage. Until those matters are worked through with landowners, I cannot support the current Te Ara Tipuna proposal.

Recommendation for Alternative Solutions

I would urge local councils involved in Te Ara Tipuna and the Te Ara Tipuna Trust to explore alternative methods that could achieve the project's goals without compromising our environment and community well-being or the rights and responsibilities of small landowners like me.

Specifically I would like to suggest that Te Ara Tipuna be scaled back to a smaller (pilot) area that enables the Te Ara Tipuna Trust to work with a smaller group of landowners, local hapū, and those knowledgeable about the whenua, to create a more detailed approach to implementation that would enable the issues like those raised in this submission to be addressed and ironed out, and then expanded to other landowners, hapū and whenua experts, who may not be ready yet, but can see how it is operating through the pilot area/group.

I appreciate the opportunity to raise our concerns and hope the Council and Trust will take them into consideration when reviewing this application.

I look forward to the Council and the Trust's response and the opportunity to discuss this matter further. Thank you for your attention to this important issue.

Sincerely,

Mere Pohatu.

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Being a Proposed Subdivision of Part Section 1 and Section 2 Block I Mata Survey District,
 Section 2, Section 6-14, Part Section 1 and Part Section 5 Block I Mata Survey District,
 Section 1-4 Block VI Mata Survey District and Lot 3 and Part Lot 1 DP 2975

Lots 1 to 12

Scale - Not to scale

Date - 3 August 2020

Date of survey -

Client - Waiwaka Station

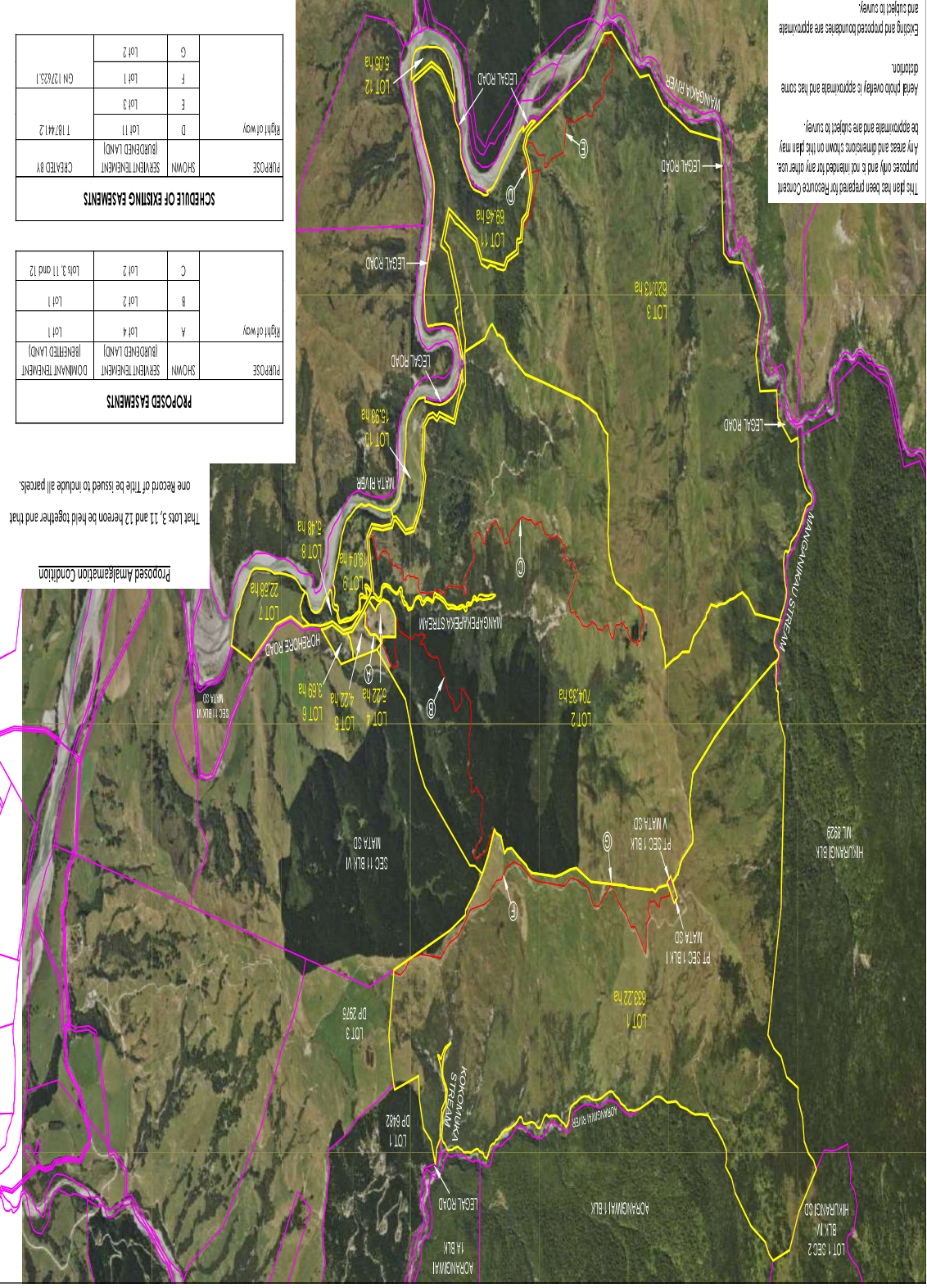
Composed in
 CPT: GSSD/413
 GC12628C
 Ref: 12628
 1 OF 1 SHEETS

This plan has been prepared for Resource Consent purposes only and is not intended for any other use. Any areas and dimensions shown on this plan may be approximate and are subject to survey. Aerial photo overlay is approximate and has some deviation. Existing and proposed boundaries are approximate and subject to survey.

PROPOSED EASEMENTS			
PURPOSE	SHOWN	SEVIENT TEMENT	DOMINANT TEMENT
Right of way	A	Lot 4	(BURDENED LAND)
	B	Lot 2	Lot 1
	C	Lot 2	Lots 3, 11 and 12

SCHEDULE OF EXISTING EASEMENTS			
PURPOSE	SHOWN	SEVIENT TEMENT	CREATED BY
Right of way	D	Lot 11	T 18744.2
	E	Lot 3	
	F	Lot 1	GM 17923.1
	G	Lot 2	

Proposed Amalgamation Condition
 That Lots 3, 11 and 12 hereon be held together and that one record of Title be issued to include all parcels.



Clearly state which parts of the application you support or oppose or wish to have amended:

I am writing to formally oppose the application lodged by the Te Ara Tipuna Charitable Trust for multiple resource consents to enable the design and construction of Stage 1 of the Te Ara Tipuna Trail. While I recognize the value of public walking trails and the benefits they can bring, I strongly believe that this proposal, as it currently stands, poses significant risks and challenges that outweigh its potential advantages. My concerns are outlined below:

1. Impact on the Natural Environment

The proposed trail spans approximately 500km and will traverse sensitive environments, including private land, multiple-owner land blocks, reserves, and the coastal margin. This region is a pristine and special part of New Zealand that requires careful protection. The construction and subsequent use of the trail may lead to:

- Habitat disruption for native flora and fauna.
- Erosion and sedimentation, particularly along the coastal margin.
- Potential contamination of waterways.
- Disturbance of ecological balance in an area already under environmental pressures.

2. Sacred Land for Iwi

Many areas along the proposed trail route hold immense cultural and spiritual significance to local iwi. These lands are deeply sacred and integral to the identity, traditions, and history of tangata whenua. Developing a public trail across such lands without proper consultation and consent risks disrespecting and undermining these cultural values.

3. Lack of Adequate Infrastructure

State Highway 35 and the surrounding areas are not equipped to handle the increased demand that this trail will bring. The lack of existing infrastructure poses serious challenges:

- Insufficient facilities for waste disposal, leading to potential littering and pollution.
- Limited water resources for visitors, increasing pressure on local supplies.
- Narrow and winding roads that are already challenging for traffic and unsuitable for a surge in visitors.
- Lack of parking and rest areas to support trail users.

4. Long-Term Environmental and Community Impact

The introduction of a large-scale trail may have unintended consequences, such as:

- Increased foot traffic leading to degradation of natural landscapes.
- Over-tourism that strains local communities and their resources.
- Disruption to the peaceful and secluded character of this unique region.

Conclusion

While the Te Ara Tipuna Trail may have the potential to enhance recreation and tourism opportunities, the adverse effects on the natural environment, cultural heritage, and local infrastructure cannot be ignored. I urge the Resource Management Authority to decline this application or, at the very least, require the applicant to provide:

- Comprehensive environmental impact assessments.
- Robust cultural impact assessments in partnership with local iwi.
- Detailed plans for infrastructure development and maintenance.

The protection of this extraordinary region for future generations should remain our top priority. Thank you for considering my submission.

The reason for making my submissions are (briefly describe the reasons for your views):

The reasons for my submissions are to advocate for the protection of State Highway 35, a unique and beautiful part of the world that holds deep cultural and environmental significance. I am particularly concerned about the sacred lands of the local iwi, which deserve the utmost respect and preservation. My family and I spend a significant amount of time at Te Kaha, and we have always held both the land and its people in the highest regard. An uncontrolled influx of visitors who may not share these values could have devastating consequences for the area's natural beauty, cultural heritage, and community well-being.

I wish the Gisborne District Council to make the following decision (give details, including nature of any conditions sought):

I respectfully request that the Gisborne District Council oppose the submission, based on the concerns and information outlined above.

A handwritten signature in blue ink, appearing to be 'Wendy O'Leary', with a long horizontal flourish extending to the right.

Wendy O'Leary

07.02.2025