

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:
Surname: First Name(s)

Address:
No. Street/Road Suburb

Town/City Postcode

Mobile: Other phone:

Email:

2. Submission on

Application No:

Name of applicant:

Type of resource consent applied for:

Brief description of proposed activity:

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 a trustee of the HHei Jnr Trust. We are an ahu whenua trust. We run a small camping ground and farming business in Maraehako, Te Kaha.

We state firm opposition to the resource consent application.

The trust and landowners were not consulted before the application was lodged. This failure disregards principles of partnership under the Resource Management Act 1991 (RMA) and Te Tiriti o Waitangi. The Gisborne District Council notified the trust only on 131224, well after the application was submitted.

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

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):

Was unable to type in the above box??? The land is a taonga tuku iho, to be safeguarded for future generations. Any development must respect the right of Maori landowners and their governance structures. The project may set a dangerous precedent for third-party access to Maori land without proper engagement.

The campground is an established business that contributes to the economic wellbeing of landowners. The proposed track would pass through the campground, interrupting daily operations, guest privacy and security. Also interrupting the daily farm operations. Unrestricted public access could lead to damage to farm infrastructure (fences, gates, etc).

We have environmental and cultural concerns regarding potential disturbance of wahi tapu or other significant sites. Increased risk of erosion and ecological damage from foot traffic.

The proposal may be inconsistent with Te Ture Whenua Maori Act 1993 (which prioritizes retention and sustainable use of Maori land). Resource Management Act 1991 (which requires recognition of kaitiakitanga and the protection of Maori land).

The trust has not consented to this project, and its interests have not been adequately considered. We request that the consent be declined.

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: 05/02/25

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:

Submission on
Te Ara Tipuna Trail 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)
Submissions must be lodged before 5pm Friday 7 February 2025.
You can email your submission to: tatn@gdc.govt.nz
You must also send a copy of your submission to the applicant. See their address on the website

1. Person making submission

Name in full: _____
Address: Surname **Manuel** First Name(s) **Joane**
2 Endeavour Street Tolaga Bay
No. Street/Road Suburb
Town/City Postcode **4077**
Mobile: **0274268131** Other phone: _____
Email: **Jo.Koahyung@yahoo.com**

2. Submission on

Application No: _____
Name of applicant: **Te Ara Tipuna Trail Application**
Type of resource consent applied for: *****
Brief description of proposed activity: _____
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 the Application of
Te Ara Tipuna Trail Application.
I am Against it. Read other
page for my reasoning.**

Office use only

Received date: _____ Support Oppose WTBH N B H
Submission on Resource Consent Application - December 2024 Page 1 of 2
PO Box 747 Gisborne 4040 NZ 15 Fitzherbert Street, Gisborne Waiapu Road, Te Puia Springs 06 867 2049 0800 853 800 tatn@gdc.govt.nz www.gdc.govt.nz @Gisborne DC Antenna

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

I Dissagree with this as for 1 I will not be walking any of the 500 kilometers of it. We need to focus on other opportunities for the east coast like the roads housing etc. We have hills like Hikurangi to Pirangi, what is to walk. I do not want to see outsiders using our spaces and roads trails bringing rubbish, diseases to our beautiful East Coast.

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

NO

Please tick:

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

NO

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

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

NO

Yes No

3. Signature

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

Joanne Manuel

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

P.O Box 99

Date: 07/02/25

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

Contact person:

Mobile:

Other phone:

Email:

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:	O'Leary Wendy Marie		
	Surname:	First Name(s)	
Address:			
6441	State Highway 35		
No.	Street/Road	Suburb	
Te Kaha			
Town/City		Postcode	
Mobile:	021 2259105	Other phone:	
Email:	wendyoleary96@gmail.com		

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: R				
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 - Ve				
Brief description of proposed activity:	enable the design and construction of Stage 1 of the Te Ara Tipuna Trail. The Stage 1 trail is a public wal				
<input type="checkbox"/>	I support the application	<input checked="" type="checkbox"/>	I oppose the application	<input type="checkbox"/>	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 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. As per the my attachment.

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

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

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: 07.02.2025

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

2287D Kakaramea Road, RD 10, Hamilton.

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

Contact person:

Mobile:

Other phone:

Email:

Gisborne District Council
P O Box 747
Gisborne 4010

7th 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

Re: Objection for a Resource consent application for a trail by: Te Ara Tipuna Trust (TATT) on behalf of me; Leanne Hovell and my husband Andrew Hovell and our immediate whanau of which the following land blocks could be affected.

My Maori land shares for Tairawhiti and Waiariki;

- Tairawhiti:- Wharekahika A41, Wharekahika A42B, Wharekahika C10, Tikitiki D19, Mahanga 2, Hinetiraha A5, Marangairoa A35, Maututara A, Tapuaeroa C, Te Araroa Maori Township Sect: 1.10/12/13/20//26{Shingles}, Tikitiki B19, Tikitiki X20/X21X26/X29/X30/X33/X62{TikitikiXRoads}
- Waiariki:- Matangareka N3B, Raekahu 19, Tawaroa Tapu, Matapapa 11,12,13

Andrew's Maori Land shares for Tairawhiti;

- Marangairoa A52, Marangairoa A54

I wish to make it clear that we;

- Oppose the consent application
- Request that the consent application be declined

The consent application is misguided and unlawful because it seeks consent for an activity on private whenua where the applicant holds no legal right to access or use our whenua nor have they sought any agreement from me or Andrew.

I do not wish or consent to having 100s or 1000s of strangers/people trooping onto our whenua year in, year out leaving trash, human waste and desecrating on our waihi tapu, our urupa or old Pa sites. Even if toilets are provided along these trails – humans will still do all the above. A sad example is the poor state of Mt Aoraki.

I consider that this application is an attempt at the biggest land grab since the 1800's and I am absolutely appalled and ashamed that this application has been put forwarded by none other than our own Maori people, some who are whanau to me. My tipuna fort hard to hold onto what little whenua we have. I consider myself not only a trustee in one of my whanau blocks but a kaitiaki on behalf of my whanau and our future mokopuna katoa.

Gisborne District Council

I am hugely disappointed that you would consider or allow this type of application. If you allow this to go forward to grant stage, I will make an appointment with you to have my rates drastically reduced, considering any loss of land, and any other charges that I don't use that I am being charged for. I have no doubt that this will be a govt funded project – the cost of this I have heard is in excess of \$30 million. Any funds spent on this project would be better spent on our state highway 35 which is still recovering from the damage done by cyclone Gabriell.

I strongly believe that this will have an impact on our future generations. Therefore, I am submitting this opposed letter to TATT's application for Resource Consent on behalf of myself, my husband Andrew, our two son's and our 9 mokopuna. Furthermore, I advise that we do not consent to TATT or any other trust or organisation to access our whenua nor do we authorise the formation of a trail. Should the resource consent be granted, we reserve the right to align ourselves with other Maori groups in our hapu to file legal action against the Trust and the Councils involved.

Nga Mihi

Leanne Hovell
Andrew Hovell
Andrew Hovell {jnr}
Julz Hovell
Mareta Hovell
Waimarie Hovell
Damian Hovell
Anaru Hovell
Mikaira Hovell
Kauri Hovell
Amera-Leanne Hovell
Tioke Hovell
Michael Hovell

233 Wharf Road
PO Box 22120
Wharekahika/Hicks Bay 4087

Gisborne District Council
P O Box 747
Gisborne 4010

7th 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

Re: Resource consent application for a trail by: Te Ara Tipuna Trust (TATT)

I am a trustee, the only rate payer and sole resident for 32 years of Wharekahika A4, I wish to make it clear that I:

- Oppose the consent application
- Request that the consent application be declined

The consent application is misguided and unlawful because it seeks consent for an activity on private whenua where the applicant holds no legal right to access or use our whenua nor have they sought any agreement from me, our trust or any of the current shareholders.

I do not wish or consent to having 100s or 1000s of strangers/people trooping onto our whenua year in, year out leaving trash, human waste and desecrating on our wahi tapu, our urupa or old Pa sites. Even if toilets are provided along these trails – humans will still do all the above. A sad example is the poor state of Mt Aoraki.

I consider that this application is an attempt at the biggest land grab since the 1800's and I am absolutely appalled and ashamed that this application has been put forwarded by none other than our own Maori people, some who are whanau to me. My tipuna fort hard to hold onto what little whenua we have. I consider myself not only a trustee but a kaitiaki on behalf of my whanau and our future mokopuna katoa.

Gisborne District Council

I am hugely disappointed that you would consider or allow this type of application. If you allow this to go forward to grant stage, I will make an appointment with you to have my rates drastically reduced, considering any loss of land, and any other charges that I don't use that I am being charged for. I have no doubt that this will be a govt funded project – the cost of this I have heard is more than \$30 million – this money would be better spent on our state highway 35 which is still recovering from the damage done by cyclone Gabriell.

As a trustee, I on behalf of the Wharekahika A41 Ahu Whenua Trust and its current owners, I advise that we do not consent to TATT or any other trust or organisation to access or authorise the formation of or use the trail. Should the resource consent be granted, the Trust reserves it rights to align itself with other Maori groups in our hapu to file legal action against the Trust and the Councils involved.

Nga Mihi

Leanne Hovell {Trustee}
283 Wharf Road
P O Box 22120
Wharekahika/Hicks Bay 4087

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.
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1. Person making submission

Name in full: **McClutchie** **Antoni James**
Surname: First Name(s)

Address: **1507** **Matawai road** **Ormond**
No. Street/Road Suburb

Gisborne **4077**
Town/City Postcode

Mobile: **0223927490** Other phone:
Email: **antoni@teamokura.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: **Proposed public 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:

Please see attached document to this application.

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

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 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):

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

Contact person:

Mobile: Other phone:

Email:

Submission Opposing the Te Ara Tipuna Trail Passing Through My Property To Whom It May Concern,

I Antoni McClutchie 1507 Matawai road Gisborne am writing to formally oppose the proposed Te Ara Tipuna trail that is planned to pass over, around, near or through my land blocks as follows Matarau B2 (Tuparoa), Rahui A11 (Tuparoa), Tokaroa A1 (Reporua) and Hahau A11B (Rangitukia) While I support the idea of creating cultural, educational, and recreational opportunities for the public, I have significant concerns about the impact that the trail would have on my land, personal privacy, and property rights.

1. Impact on Privacy and Security

One of my primary concerns is the loss of privacy and security. My property is currently a private space, and the introduction of a public trail would expose my family and me to constant foot traffic. The potential for trespassing, vandalism, and security risks is heightened by the fact that public access would be significantly closer to our farm, home and private spaces.

2. Environmental and Land Management Concerns

I am deeply concerned that the trail's construction and ongoing foot traffic would cause irreversible damage to the delicate balance of the local ecosystem. Additionally, the disruption could introduce invasive species and cause soil erosion, among other environmental issues. Not enough consultation with regards to land management has been had with landowners. No maintenance plan has been discussed with land owners.

3. Legal and Property Rights

As a landowner, I have the legal right to control access to my property. I am concerned that the creation of a public trail on my land would infringe upon my property rights and undermine my ability to manage and protect my land as I see fit. There are serious implications regarding liability, maintenance responsibilities, and potential legal disputes that would arise if public access were to be granted without my consent. I believe it is important to respect property rights and ensure that any trail development fully compensates landowners and addresses these potential issues.

4. Financial Implications

The establishment of a public trail through my land may reduce its value, both for personal and commercial purposes. This could have long-term financial consequences, particularly if the trail leads to increased wear and tear on the land, or if the trail's presence limits my ability to use the land for other purposes, such as farming or development. The proposal does not provide any compensation or support for these potential losses, nor does it offer clear mechanisms for landowners to be involved in decisions that directly affect their property.

5. Lack of Consultation and Consideration

I feel that the consultation process has been inadequate. To start with there was no referendum put out to landowners, iwi, hapu and those who the trail would effect to ask if we even wanted the trail. It was a case of “Hey I’ve got this great idea I’m pushing forward with sorry I didn’t ask you if you wanted it in the first place but I like it and that’s all that matters”. The proposal to place a public trail through private property should involve meaningful dialogue with all landowners, allowing them to express their concerns and participate in finding mutually agreeable solutions. As it stands, I feel that the decision-making process has been rushed, without properly considering the full range of impacts on property owners and communities.

6. Alternatives and Compromise

While I am opposed to the trail passing through my land, I do not oppose the broader concept of the Te Ara Tipuna trail. I am open to working collaboratively with the relevant authorities to identify alternative routes or solutions that would not involve compromising my property rights or personal concerns. I encourage the authorities to explore alternatives that respect private property and the environment, while still achieving the intended public benefits.

7. State highway 35

While I realise the funding for this project is separate from Waka Kotahi and GDC. It comes as a boot in the face that we can get money to put in a trail and erect bridges along the trail but we can’t fix highway 35 or improve the infrastructure up the coast.

8. Cultural impact assessment and impact effects.

As a member of Te Papa tipu o Uepohatu charitable trust there has been no consultation from Pahau associates given the trail passes through our tribal and hapu area in which my land blocks reside. I have applied for resource consent to extract metal out of the Waiapu river but in order to get that I need a cultural impact assessment report signed off by Te Papa tipu o Uepohatu trust. How is it then that they can apply for this consent without consultation with Te Papa tipu o Uepohatu charitable trust? There are numerous areas of wahi tapu on my land blocks which this trail will pass near or over which tells me they have not done their homework. For example on the interactive map there is a proposed shelter and toilet to go up and the proposed site is in an Urupa which is located outside Tuauau marae at Reporua.

Conclusion

My reasons to oppose this trail are my own. I don't want to be a stick in the mud by not allowing this trail to go ahead. If you want the trail that's fine with me I just don't want the trail going over though, around or on my land.

The concept of the Te Ara Tipuna trail was good, however in my opinion more consultation with the effected stakeholders should have happened. Because of this iwi, hapu and landowners now feel that they had the wool pulled over their eyes and are now very oppositional to the project going ahead.

Thank you for considering my submission.

Sincerely,

Antoni McClutchie

Ngati Uepohatu

Te whanau o Umuariki

1507 Matawai road Ormond Gisborne.

0223927490.

Mac Burgess

From: Megan Grace <megangrace202@gmail.com>
Sent: Friday, 7 February 2025 3:19 pm
To: Notified Resource Consents
Subject: Submission against proposed Te Ara Tipuna Trail.

I stand firmly against this proposition as it threatens to open our sacred ancestral lands along the coast to the public—lands that hold deep cultural and historical significance.

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. The lack of consultation and engagement with many of our landowners 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 involved in this proposal 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.

Aku whakapā
Megan Grace

Submission on Te Ara Tipuna Trail Application

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



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Submissions must be lodged before 5pm Friday 7 February 2025.
You can email your submission to: tatn@gdc.govt.nz
You must also send a copy of your submission to the applicant. See their address on the website.

1. Person making submission

Name in full: HENRY
Surname

MIHI
First Name(s)

Address:

125 KIE KIE ROAD
No. Street/Road

KIE KIE
Suburb

WAIPIRO BAY
Town/City

Postcode

Mobile:

Other phone:

Email: mihi.9935@gmail.com

2. Submission on

Application No: LU 2020 11 20 74

Name of applicant: TE ARA TIPUNA CHARITABLE TRUST

Type of resource consent applied for: LAND ACCESS THROUGHOUT TE TAIRAWHITI, NTH ISLAND, AOTEAROA

Brief description of proposed activity: BUILD A PUBLIC ACCESS PATHWAY OF SORT

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 TE ARA TIPUNA APPLICATION OF PATHWAY ACCESS FOR PUBLIC USAGE OVER PRIVATE FAMILY LANDS & SURROUNDING LANDS. HOWEVER WHY NOT USE PUBLIC, ROAD WAYS THAT NEED FIXING FOR THOSE OF US WHO WHAKAPAPA TO AREAS INVOLVED.

Office use only

Received date:

Support

Oppose

W.T.B.H

N.B.H

Submission on Resource Consent Application – December 2024

Page 1 of 2

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

WHY DO LOCALS HAVE TO USE THEIR FINANCES TO MAINTAIN PATHWAYS?
HOW COME LOCALS HAVE TO PICK UP WASTE & RUBBISH LEFT BY PUBLIC USERS
WATER IS LIMITED, SO IS MEDICAL SERVICES FOR LOCALS, HOW DO WE EXPECT THESE STRETCHED SERVICES BECOME READILY AVAILABLE TO OUTSIDERS?
PEOPLE/PUBLIC INTERRUPTIONS TO CEREMONIAL PRACTICES - I.E TANGIHANGA & OTHER LOCAL GATHERINGS.
CRIMINAL ACTIVITY PASSER BYERS LOOKING FOR OPPOTUNITY I.E THEFT, SEXUAL PREDATORS.

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

I WISH THE GDC TO TAKE INTO CONSIDERATIONS MY CONCERNS FOR OUR HAUKAENGA (LOCALS) AND RE ACCESS THE PROCESS OF THE APPLICATION PUT FORWARD BY TE ARA TIPUNA CHARITABLE TRUST.

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: 7.2.2025

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:

Submission on
Te Ara Tipuna Trail Application

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



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Submissions must be lodged before 5pm Friday 7 February 2025.
You can email your submission to: tatn@gdc.govt.nz
You must also send a copy of your submission to the applicant. See their address on the website.

1. Person making submission

Name in full: **HENRY MIHI**
Surname: First Name(s)
Address: **125 KIE KIE ROAD KIE KIE**
No. Street/Road Suburb
WAIPIRO BAY Postcode
Town/City
Mobile: Other phone:
Email: **mihig935@gmail.com**

2. Submission on

Application No: **LU 2020 11 20 74**
Name of applicant: **TE ARA TIPUNA CHARITABLE TRUST**
Type of resource consent applied for: **ACCESS ONTO LANDS THROUGHOUT TE TAIRAWHITI, NTH ISLAND, NZ.**
Brief description of proposed activity: **BUILD & USE AS PUBLIC ACCESS TRACKS, TRAILS, PATHS**
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 WISH TO OPPOSE YOUR APPLICATION TO ACCESS FOR PUBLIC USE ONTO AKU AKU AIO;
WITHIN KIE KIE, WAIPIRO BAY, TAIRAWHITI, NORTH ISLAND, AOTEAROA.
I AM A LAND SHARE HOLDER/OWNER IN THIS BLOCK.**

Office use only

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

I DO NOT WANT PUBLIC FOOT TRAFFIC OR HOW EVER THEY ARE MOVING ON AND THROUGH PRIVATE FAMILY LANDS, THIS IS WHENUA/LAND UNDER AHU WHENUA TRUST, AND AIO AKU AKU AIO HAS OUR FAMILY CEMETARY SITUATED ABOVE, AND THE LAND IS VULNERABLE, WITH EROSION AND UNSTABLE FOR VOLUMNES OF PUBLIC ACCESS WILL ADD TO THE DETRIOTION OF THIS BLOCK.

ALJO 'AIO' IS CURRENTLY IN THE PROCESS OF LOOKING TO BUILD PRIVATE DWELLINGS; THIS HAS NOT BEEN CONFIRMED.

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

I WISH FOR GDC TO LOOK CAREFULLY @ HOW THE NATURE OF MY SUGGESTIONS COULD BE HELPFUL. INSTEAD OF GOING ONTO PRIVATE LAND STICK TO THE ROAD WHICH RUNS AJACENT TO AIO - AKU AKU AIO!

Please tick:

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

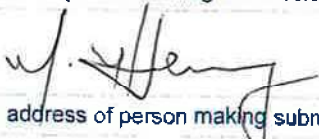
Would you consider presenting a joint case with others who have made a similar submission?

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: 7 FEBRUARY 2025

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

125 KIE KIE RD, KIE KIE, WAIPIRO BAY.

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

Contact person:

Mobile:

Other phone:

Email:

Te Whanau a Tutawake / Te Whanau a Tuwahiawa (Ngati Paeakau) Hapū

Resource consent submission to: Te Ara Tipuna Charitable Trust - Te Ara Tipuna Trail

Resource 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

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

Te Whanau a Tutawake / Te Whanau a Tuwahiawa (Ngati Paeakau) Hapū

Our Hapū boundaries are from the Motu River to the south and Motu to the north, our hapū submission **opposes** the issue of any consents and we have outlined a number of reasons in this submission which confirms our position.

Mana Motuhake

Te Whanau a Apanui is an indigenous nation. We have ongoing and enduring mana, rangatiratanga and sovereignty over the territory of Te Whānau a Apanui. Te Whānau a Apanui rely on inherent sovereignty authority and jurisdiction, acquired when the hapū of Te Whānau a Apanui settled their territory in accordance with tikanga, and consistent with accepted international law standards. This sovereignty has never been taken, ceded, voluntarily relinquished or acquired in any other way by a foreign power or government, including the Crown.

Te whanau a Tutawake / Tuwahiawa (Ngati Paeakau) are the Hapū whom have mana Motuhake within their tribals boundaries, to this end we believe it is a fatal flaw not to engage with all Hapū in Te Whanau a Apanui prior to lodging this application further to that the information submitted we believe does not outline any engagement with our hapū let alone other in our Rohe.

34 1a of the RMA state that If a local authority is considering appointing 1 or more hearings commissioners to exercise a delegated power to conduct a hearing under Part 1 or 5 of Schedule 1.

a. the local authority must consult tangata whenua through relevant iwi authorities on whether it is appropriate to appoint a commissioner with an understanding of tikanga Māori and of the perspectives of local iwi or hapū

We don't believe that the Opotiki district council or the Bay of plenty regional council approached our Hapū on this matter, whilst we understand the project in it's entirety over 12 Hapū in our rohe there should have been at the minimum an attempt made to talk to the Iwi chairs.

For Te whanau a Tutawake / Tuwahiawa (Ngati Paeakau) best practice is to engage with affected parties prior to lodgement not as an afterthought after the consent has been issued. Opotiki own website states that "You will need to seek approval from any persons affected by your proposal by completing the [Written Approval of Affected Persons form](#) PDF. " Please note this is prior to lodgement. Again we oppose this consent on this bases.

Social issues

In the social impact assessment, which was provided in consent documentation does not consider or responded adequately to potential issues which will affect Te Whanau a Apanui / Te Whanau a Tutawake / Whanau a Tuwahiawa (Ngati Paeakau) When visitor numbers increase, safety concerns can multiply, as larger crowds can lead to various risks. Here are some of the main safety issues that might arise with increased visitors:

- a. Pressure on the current health system - Our current healthcare facilities are already operating under significant pressure due to high patient volumes, limited resources, and increasing demands for care. The pressure to add more people to these systems While increasing capacity is essential to meet the growing needs of the population, it also risks stretching an already overburdened system too thin, potentially affecting the quality of care, leading to burnout among healthcare professionals, and further diminishing the effectiveness of the system. Balancing growth with sustainability is crucial for maintaining a healthcare environment where both patients and providers can thrive.
 - b. Safety – The possible way the trail is structured there is no way of tracking where people would travel, this put extra stress on security on Hapu. We believe this needs to be address, also we find that there are little or no information around CPTED (Crime Prevention Through Environmental Design)
 - c. Emergency Response Challenges: With more people, it becomes harder for emergency responders to quickly access affected areas or manage evacuations effectively. We don't see any plans relating to this in the proposal
 - d. Health and Hygiene: The trail plans to use current public toilets in the first instance, however given the significant increase in visitor number we do not believe that the current facilities will be able to accommodate the influx in visitors. This includes the frequency of cleaning and usage of water, we don not believe the council should burden the cost as effectively this could lead to an increase in rates. Given this factor we believe this consent should be put on hold until all issues are responded too.
 - e. Environmental Impact: Increased human presence can lead to degradation of natural environments, such as Waahi Tapu, with more littering, erosion, or damage to protected areas.
- W

13.6.2.1 Earthworks Earthworks undertaken in a site listed in 13.9.1 (Outstanding Natural Landscape) shall comply with all the following performance standards: Given the nature of the work any works that occur within an outstanding Natural land scape should include **an consent condition to engage with the local Hapū**. Coastal areas have high likely hood of uncovering, waahi tapu, middens and other taonga.

This condition should be across all earthworks consents including Coastal environment overlay.

Pohutukawa Clearance or disturbance of any Pohutukawa tree, although the project hopes to avoid Pohutukawa clearance if works are close to a Pohutukawa or could impact on the Pohutukawa Including works 2 mtrs outside the dripline for our hapu this is a fatal floor and a condition of consent should be at a minimum be engagement with the local Hapū.

13.3.2.4 Indigenous Vegetation although this should be avoided at all costs where there needs to be indigenous vegetation plan that is developed in conjunction with the local Hapū.

Te Whanau a Tutawake, Te Whanau a Tuāhiawa (Ngati Paeakau) agreed unanimously on Feb 2nd, 2025 to the points below.

We oppose this Resource consent application by Te Ara Tipuna Trust:

Ko Oariki te Maunga

Ko Waipapa te Awa

Ko Te Whānau a Tutawake, Te Whānau a Tūāhiawa, (Ngati Paeakau) te Hapu

Kei Whitianga matou

I, Donna Takitimu (Hapu Chair) am completing this submission on behalf of the Hapu Te Whānau a Tutawake, Te Whānau a Tūāhiawa, (Ngati Paeakau)

I live and work at 4789 State Highway 35, behind our Marae in Whitianga.

I use State Highway 35 everyday.

I, request to be heard on behalf of our Hapu.

We oppose the application in substance and in process. The concept/substance ignores what we want for our own rohe and has been imposed upon us without consultation.

Further, We oppose the application of Te Ara Tipuna Trust for these reasons:

Taiao

- Biggest area of Indigenous Native forest in Aotearoa
- Outstanding national natural features
- Stunning Landscapes and vistas
- Area of very High Biodiversity

Raukumara

- Pest issues-Pests eating away the forest understory
- The Raukūmara restoration project brief is about saving the entire ecosystem, starting by dealing to the pests (deer, pigs, possums, cats, rats, stouts, mice).
- Erosion. Unstable. Silt washes out to our seafood
- Slips happen all over, but regularly rubble crosses the road – and blocks the road, causing traffic to being cut off from town.
- More people, more vehicles =more road issues

Roads/ Bridges-

- Very sore point for a tribe with a long memory

- Bridge at Motu was not prioritized in 1800s, because Iwi didn't want to sell land to Pakeha- so the Govt (by their own admission) put our school children at risk and they died in 1900. When it was to keep us safe, they didn't invest in bridge.
- Now that it's for their/ outsider's recreation in our tribal territory the agenda is being pushed
- Underinvestment- Due to racism
- We oppose a track for recreation when a bridge for our children's safety was not built and resulted in a tragic drowning of children in 1900

Toileting- We are opposed to this application due to the toileting issues and limits not being solved in advance

- Where do walkers go to the toilet?
- The household and Marae sewage in Apanui is generally by off grid septic tank.
- THIS is the biggest and ongoing environmental issue for the Walkway supporters to solve- properly, in a long term way to the satisfaction of locals.
- This environmental concern should LIMIT the amount of visitors coming through. How can limits be imposed after the fact? These serious issues need to be solved before approvals or support can be given.
- We would prefer human waste to be removed from Apanui to be processed elsewhere. This would require regular cleaning and removal and likely a maintenance staff team.
- E.coli in the waterways, both freshwater and sea is not just dangerous in terms of health for the locals- it's culturally offensive. To pollute in this pristine environment would be to commit an environmental crime with no real plan let alone contingency plan.
- (Toilets) New structures- Cost, Visual and Environmental.
- For this reason we oppose this consent application

Over tourism

- The environmental threats increase with numbers of external visitors
- Before it gets out of hand- what's the cap limit?
- Eg Machu Picchu/ Bali are currently suffering with over tourism
- Estimated 150,000 people walk Tongariro crossing annually.
- If we supported this, how would we contain the tourism within limits of the environment.
- If the cost is borne by the environment, how will this cost be recovered by those benefiting from this access. (Cost sharing and benefit sharing)
- We oppose unrestrained tourism and need to ensure it's limits

Fresh Drinking water

- How is it proposed the walkers get fresh drinking water? (It is impossible to carry the amount of water needed for this many days)
- Is bottled water being sold/ supplied to them?
- Plastic waste is simply not supported
- Are areas for boiling of water proposed on the walkway?
- Are areas for harvesting rainwater being considered? At who's COST, environmental and visual pollution?
- We oppose inviting people into our area when there are issues with provision for fresh drinking water even for our own population

Washing

- How and Where do walkers' wash?
- Are showers with water tanks set up? (aesthetic, costs, maintenance)
- Do they use biodegradable soaps?
- Puts our rivers at risk? Our rivers are not public rivers.
- Eels, birds, and all freshwater spp are at risk
- Rubbish at riverside
- It changes hau kainga lifestyle & enjoyment of our own rohe
- We might need to close rivers after hours if rubbish, pollution, traffic etc increases beyond our cultural limits
- We oppose the consent based on adequate washing facilities not being addressed.

Fish Passage

- In Whitianga there are 19 Awa/ Koawaawa crossing under the road
- We have measured the DNA and listed species present here
- There are sometimes WAYS to allow fish passage.
- Various kinds of culvert design for
 - Bevelled Culverts,
 - Hanging culvert,
 - Multiple barrel installation
- This needs to be paid for by the people who benefit from the use of track or road
- If Fish passage is cut off on any waterway, this species cant get home to spawn. This is clearly a biodiversity and cultural issue
- We oppose this consent application because building of track will impede the passage of native fish in our territory

Te Motuhia te mimi a Pawa

- Wild river in Aotearoa- Motu. QEII covenant (19670)
- Te Whanau a Hikarukutai and Te Whanau a Tutewake are the kaitiaki of this river
- Catchment is "Uninhabited hill country, very steep and thickly covered rainforest"
- The river delta changes course in major rain events. There are 3 delta (taniwha)
- Rain events Happening more frequently with climate change.
- Due to many drownings, tikanga (protocols) have been set for generations. Rahui and
- No fishing on Hapati (Saturdays), 12th of every month, Firsts, and is closed between 1st June and 1st of November to fishing.
- Road broke at Raho tautau/ Repo Ngaire for a week last year. Cut off. Needed engineers and road workers weeks to fix.
- Visitors (who don't know the risks or the force of the river) may underestimate its power or overestimate their ability and encounter major health and safety issues.
- This become cultural when they are lost at sea or drowned- because Hapu/ Iwi will likely place rāhui if death occurs in the water- due to tapu
- We oppose this consent application because there are significant cultural and environmental issues around the Motu river.

Spread of Weed species

- On shoes, machinery, tents, pegs etc
- Spread of weed seed and spores down fragile native river catchment creates a far bigger problem.
- Compostable waste eg peach pips can grow on the side of the road

- Once weeds are established, they are a HUGE job to eradicate, if ever possible
- Displaces native species, changes the ecosystem.
- When Raho tautau was fixed- the trucks & machinery brought in gorse only 2 years ago- it's now a big issue on this Whitianga block
- We oppose this consent application because the spread of weed species would become an issue to our Hapu and Iwi.

Spread of Disease, plant, animal and human

- Murtle rust in Pohutukawa, rata, fijoia etc
- The spread of viral, bacterial, fungal and phytoplasma-like organisms
- Parasites, disease etc from overseas and around the country
- Covid spread
- We oppose this consent application because it puts our environment, our native species, our stock and ourselves at risk.

If walking track allows dogs and horses

- Animal Diseases
- Fleas and parasites as vectors for other diseases eg mad cow disease, avian flu
- Vet access
- Water access
- Waste
- Nuisance to stock and local communities
- We oppose this consent application because it puts our environment, our native species, our stock and ourselves at risk.

Colonisation

- A level of protection from colonization of Te Whanau a Apanui, has been afforded due to our isolation.
- The building of this pathway expediates the infiltration of colonization and globalizing ideas into our traditional ways of living.
- We wish to manage and slow the influx of capitalism, westernization and colonisation and any moves away from our traditional way of life.
- We wish to preserve our language and culture which is challenging in modern times.
- We wish to continue the intergenerational transmission of our own matauranga to our own children and grandchildren.
- We oppose this resource consent because it speeds up colonization which threatens our way of life.

Keeping walkers to the track

- If walkers leave the track- these environmental & cultural issues are exacerbated.
- More than just an opt-in Oati is needed for landowners, locals, Hapu, and visitors safety
- Especially in and around our private Iwi Waterways
- But also risks in steep areas, exposure to sun, rain, wind and elements. This is an exposed, isolated and often brutal region.
- Even vehicles which are fine around town are useless in Te Whanau a Apanui in many weathers.
- Health and safety of visitors becomes an issue and our medical centre is already under resourced
- We oppose this resource consent because we don't want freedom walkers on our lands

Waste Management

- There is no realistic plan for waste management
- Sewage
- Solid waste
- Compostable waste
- Plastic waste (whatever is brought in needs to be taken out)
- Combustion waste (fuel for vehicles)
- Waste-water
- The environment would ultimately bare the COST
- We oppose this resource consent application because we don't want waste left in our tribal territory.

Health and Safety

- A comprehensive plan would be needed for our support- not just safety guidelines, or an opt in Oati.
- If manuhiri get hurt- our medical centre cant take them
- If helicopters are needed to fly people out- how would this work?
- Threats to our hau kainga form people who mean to harm. Our kuia kaumatua in our territory cant readily access police or other protection.
- In terms of ACC- who exactly would be responsible for accidental injury to citizens, residents and temporary visitors?
- We oppose this resource consent because there is no satisfactory plan and we are unwilling to take this risk on

Kapata Kai

- We look after our environment so we can eat from it
- Our foreshore and seabed is ours. Still.
- Others who live in areas they have polluted shouldn't have access to our kai and environment.
- Most access to beaches and rivers in our Hapu territory is private.
- Others presume the right to access our territory, because in other regions this is their law.
- The "rules" in other areas of the country are very different to an area still held in Māori land ownership and tikanga
- We oppose this resource consent application because we don't want outsiders helping themselves to our fish and kaimoana

Benefits for locals

- Business opportunities- Is Capitalism the only benefit?
- A chance to share our stories with outsiders.
- We oppose this resource consent application

For Te Whānau a Tūtawake/ Te Whānau a Tūāhiawa, (Ngāti Paeakau) Hapu

(Donna Takitimu- Hapu Chair)

Mac Burgess

From: ema mahuika <tingmamajuggz@gmail.com>
Sent: Friday, 7 February 2025 2:39 pm
To: Notified Resource Consents
Subject: LU-2020-112074

Dear Sir/Madam,

Subject: Formal Objection to Resource Consent Application LU-2020-112074 by Te Ara Tipuna Charitable Trust

We are writing to formally object to the above-mentioned resource consent application submitted by Te Ara Tipuna Charitable Trust (LU-2020-112074) to construct, operate, and maintain a recreational pathway, 'Te Ara Tipuna,' around Tairāwhiti from Gisborne to Ōpōtiki. Our objection is based on the following key points:

1. Legal Rights of the Applicant

We contend that Te Ara Tipuna Charitable Trust, as non-owners of our whenua INSERT YOUR BLOCK NAME HERE ., does not have the legal right to submit a resource consent application to construct, operate, and maintain a recreational pathway on our land without consulting us and obtaining our consent.

Under New Zealand law, the ability for a non-owner to apply for resource consent to build on Māori land is subject to specific legal requirements, primarily governed by the Resource Management Act 1991 (RMA) and Te Ture Whenua Māori Act 1993.

Authority to Apply

A non-owner cannot legally apply for resource consent for a project on Māori land without the explicit approval or authorization of the landowners or governing trustees. Any proposed development must have the consent of those with decision-making authority over the land.

Right to Object

As landowners (IF YOU ARE TRUSTEES ADD THAT HERE) and beneficial owners OF INSERT YOUR BLOCK NAME HERE , we are exercising our legal rights under the RMA and Te Ture Whenua Māori Act 1993 to declare this application invalid. We assert that this application is unlawful as we were not consulted, nor did we grant consent for this project. Our decision-making authority over our whenua has been disregarded, as we suspect is the case for many other landowners affected by this project. While we recognize that legal redress is available to us, this is an unnecessary and unfair burden given that the RMA is designed to protect landowners and ensure their sovereignty (tino rangatiratanga) over their whenua.

The RMA clearly emphasizes the need for consultation with affected parties, including Māori landowners, in matters involving Māori land. The failure to appropriately consult us as landowners undermines the integrity of this application and exposes it to legal challenge.

We request that this application be reconsidered and rejected on the grounds that it fails to meet the legal and consultation requirements outlined above.

[Ema Mahuika ,Jonnie Mahuika, Aria Mahuika, perry mahuika, halim mahuika , cruise Mahuika, chance mahuika, karamea Mahuika dante matenga, mahinarangi mahuika, Kingston mahuika, daishana paese, levi mahuika ,ezrah mahuika, nevaeh mahuika, kara-moana awatere, nikau Toma, Kenzo Toma, waimarama Gerrard, te ohore Gerrard, Maia Gerrard, awhina Gerrard, ruapani Gerrard, arzarah mahuika

Mac Burgess

From: Narz Snowden <monaro10@live.com>
Sent: Friday, 7 February 2025 2:03 pm
To: Notified Resource Consents
Subject: Opposition to Resource Consent Application LU-2020-112074 for Te Ara Tipuna Pathway

Dear Sir/Madam,

Subject: Formal Objection to Resource Consent Application LU-2020-112074 by Te Ara Tipuna Charitable Trust

I, Nathania 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, MANGAHUINI 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,

Nathania Snowden
0224369831

Sent from [Outlook](#)

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: **EDWARD ALEXANDRA HIRATAU**
Surname: First Name(s)

Address: **199 KAWAHA POINT ROAD KAWAHA POINT**
Nu. Street/Road Suburb

ROTORUA **3010**
Town/City Postcode

Mobile: **0210661095** Other phone:

Email: **hiratau@gmail.com**

2. Submission on

Application No: **GDC: DL-2023-112074-00, LR-2023-112076-00, LL-2023-112077-00, LV-2023-112078-00 BOPRC: RM23-0506**

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**

Brief description of proposed activity: **Te Ara Tipuna Charitable Trust has lodged an application for multiple resource consents to eni**

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 FULLY OPPOSE this application in its entirety, in any amended forms or in any future reiteration of this Te Ara Tipuna Trail.

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

Please see attached page.

Office use only

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

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

I am an advisory trustee on Te Kaha 14B2 Hamama. We are currently in the process of removing Te Tumu Paeroa as the Responsible trustee and will be taking over this role ourselves. We DO NOT AGREE to the proposed Te Ara Tipuna Trail which will pass alongside our operating Kiwifruit orchard on the above block. We also have ownership of the block of land directly opposite the orchard on the beach side. We DO NOT AGREE to either blocks being utilised in any manner for Te Ara Tipuna Trail. There will be no negotiation.

Due to the these reasons:

1. This is an ill conceived proposal.
2. NO access to private property will be provided as this is a commercial operation to aid in the advancement of our shareholders.
3. NO entry onto property as this is a kiwifruit orchard which has restricted sprays and machinery in use.
4. PSA - we do not want any member of the public entering our orchard. Therefore entry is restricted.
5. The Orchard has been a working operation since 2000 to present.
6. We have machinery and trucks turning into loading bays which have a strict timed schedule to keep. The packing house is in Opotiki - financial implications if this is disrupted by people using the trail.
7. A busy highway especially over kiwi fruit harvesting time. We do not want additional Health and safety risks.
8. The entry ways are not to be marginalised to suit a walkway/ people and there is no way that it can be widened for horses and bikes.
9. The trees along our orchard can not be cut as this provides necessary shelter belts for the orchard to ensure the viability of our fruit.
10. Our beneficiaries take precedence over the walkers etc.
11. Our Shelter belts fabric positioned along boundaries to help prevent intensity of winds directly off the Pacific Ocean = providing shelter for our Sungold Kiwifruit orchard.
12. We are serious orchardists supporting the whenua and business for our beneficiaries and will not agree to any use of our whenua for Te Ara Tipuna trail.
13. Please note that no option for Te Ara Tipuna trail is supported.

I also whakapapa to Ngati Konohi and oppose any use of our whenua for this venture.

My children are also of Ngati Porou descent and I oppose any use of their whenua for this venture.

I have also watched the Ngati Porou AGM 2024 and I am deeply concerned about the lack of clarity and transparency of some of the members involved in Te Ara Tipuna Charitable Trust, the conflict of interest and how decisions are going to be made regarding others whenua moving forward. The behaviour I witnessed in the AGM leaves a lot to be desired. I am worried this is more of a vanity project for some members of Te Ara Tipuna Charitable Trust.

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


TO DECLINE this application in its entirety, in any amended forms or in any future reiteration of this Te Ara Tipuna Trail.

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: 7/2/2025

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:

FORM 13

Submission on application concerning resource consent or esplanade strip that is subject to public notification or limited notification by consent authority Clause 9 of Schedule 1, Resource Management Act 1991

To: Gisborne District Council ('Council')

Name of submitter: Ministry of Education Te Tāhuhu o Te Mātauranga ('the Ministry')

Address for service: Beca Ltd
Waitomo House 6 Garden Place
Hamilton
3204

Attention: Jessica Ensing

Phone: +64 7 960 7246

Email: Jessica.Ensing@beca.com

This is a submission on the Te Ara Tipuna Trail application sought by Te Ara Tipuna Charitable Trust to Gisborne District Council, Ōpōtiki District Council and the Bay of Plenty Regional Council. This submission relates to the application for consent to construct, operate and maintain a pedestrian trail spanning 500km of coastline from Gisborne to Ōpōtiki.

Background

The Ministry of Education - Te Tāhuhu o Te Mātauranga ('the Ministry') is the Government's lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry assesses population changes, school roll fluctuations and other trends and challenges impacting on education provision at all levels of the education network to identify changing needs within the network so the Ministry can respond effectively.

The Ministry has responsibility for all education property owned by the Crown. This involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher and caretaker housing. The Ministry is therefore a considerable stakeholder in terms of activities that may impact on existing and future educational facilities and assets in the Gisborne – Bay of Plenty area.

The Ministry's submission is:

Under the Resource Management Act 1991 ('the RMA'), decision makers must have regard to the health and safety of people and communities. Additionally, decision makers have a duty to avoid, remedy or mitigate actual and potential adverse effects on the environment.

The Ministry has an interest in this resource consent as the trail is proposed to be located in proximity to a number of schools (refer to Figure 1 below).

These schools include but are not limited to:

following effects identified by the Ministry are based on potential effects, and additional case-by-case effects needs to be discussed with the individual schools.

Actual and Potential Effects on schools

Construction Effects

Traffic Effects

It is understood that a large portion of the trail is to remain in a natural farm track state, however where construction does occur, the Ministry seeks to ensure the safety of students particularly where there is increased heavy traffic and additional vehicle movements associated with the construction and maintenance of the proposed trail.

The application has not stated the locations where construction is to occur therefore it is unknown which specific schools may be impacted by potential pedestrian/vehicle conflicts, heavy vehicle movements or noise effects.

The application does not make it clear to what extent heavy vehicle movements will be required as part of the required construction works. The Ministry is concerned about truck movements, as these pose a safety risk to students walking and cycling to school, or students getting out of cars at peak pick-up and drop-off times. Larger trucks are also known to reduce visibility for other drivers, increasing risk to students on the road.

To minimise adverse effects on student safety, the Ministry requests:

- Pedestrian safety in relation to schools is considered and adequately addressed as part of the application.
- That all heavy vehicle movements are required to avoid the schools during peak pick up and drop off travel times to maintain a safe road environment for students to commute to and from school. The Ministry proposes that this be managed via conditions of consent and in further consultation with specific schools due to varying school start and finish times, commuting options available and school entry points.
- Further communication during the detailed design stage, especially where the trail construction falls within 1.5 km of a school or Kura.

The Ministry requests:

- Further communications with the Ministry at the detailed design stage, where the trail may intercept properties bordering or adjacent to a school, or where works fall within 1.5km of a school.

Operational Effects

Privacy and Safety Effects

The Ministry has not had the opportunity to consult with the specific schools potentially affected as all schools were closed during the entirety of the submission period.

The application does not specify trail entry and exit points, marking of the trail for way finding, or parking arrangements for people utilising the trail. The Ministry requests that there is clear delineation between the trail location and school sites, to prevent trail users from unauthorised access to school grounds. Where there is direct access from the school property to the trail or where the trail is directly adjacent to a school, there should be clear markings to where the trail is and where school property begins.

The Ministry requests:

- That during the detailed design stage, the Ministry and affected schools are consulted with and given the opportunity to discuss mitigation measures concerning trail access points and boundaries related to school grounds, so that they are properly managed and clearly defined.

Ministry as stakeholder

The Ministry has acknowledged the potential effects associated with the proposed trail and seeks further clarity on key matters through this consent process.

This submission seeks further engagement with the Ministry, particularly for areas where the trail is in close proximity to schools and Ministry land.

We understand that stakeholder engagement is required under the Stakeholder and Communication and Engagement Management Plan (SCEMP), prior to works, which allows residents in the immediate vicinity of the construction area to be notified in advance of the start of construction activities and informed about the expected duration and potential effects of these works.

The Ministry requests the opportunity to consult on these matters with the applicant.

Consent conditions

We note the conditions of consent volunteered as part of the consent application and consider that the conditions form an integral part of managing, mitigating and avoiding potential and actual adverse effects as a result of the proposal.

We understand that if granted, the trail would then be managed largely via the Construction and Environmental Management Plan (CEMP), SCEMP, and Construction Traffic Management Plan (CTMP), as well as the Construction and Operational Complaints Registers as set out in appendix 19 of the application.

The Ministry of Education seeks the following decision from the consent authority:

Overall, the Ministry is neutral on the application in terms of what is fundamentally proposed however seek the following relief and consequential amendments:

- The Ministry asks that pedestrian safety, particularly concerning schools, be thoroughly addressed in the application.
- That all heavy vehicle movements avoid schools during peak pick-up and drop-off times to maintain a safe environment for students commuting to and from school. The Ministry suggests managing this through a condition of consent.
- That during the detailed design stage, the Ministry and affected schools are given the opportunity to discuss mitigation measures and access points.
- That the Ministry be considered a key stakeholder in the development of the Te Ara Tipuna Trail, particularly where projects sit adjacent to or are in proximity to Ministry land.
- Any consequential amendments required to give effect to the matters raised in this submission.

The key Ministry contact email is Resource.Management@education.govt.nz.

The Ministry wishes to be heard in support of its submission.

Should you wish to discuss any aspect of this feedback, please do not hesitate to contact the undersigned.

A handwritten signature in blue ink, appearing to read 'J Ensing', with a horizontal line underneath it.

Jessica Ensing
Planner – Beca Limited
(Consultant to the Ministry of Education)
Date: 7 February 2024

Dear Sir/Madam,

Subject: Formal Objection to Resource Consent Application LU-2020-112074 by Te Ara Tipuna Charitable Trust

We, the trustees and beneficiaries of the **Putiputi Mhirangi Mahuika Whānau 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.

Our objection is firmly rooted in the following critical 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, MANGAHUINI 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 us. It is **whenua tapu**, a sacred part of our whakapapa, intertwined with our identity, history, and culture. This land has been passed down through generations, and we, as Māori, maintain Mana and Kaitiakitanga over it. We assert that any developments impacting this whenua require our explicit consent and approval. Without our agreement, this proposal is unacceptable.

Legal Authority to Apply for Consent

Te Ara Tipuna Charitable Trust does not hold the title or authority over our whenua. As such, it lacks the legal standing to submit a resource consent application for activities impacting our land, particularly without our prior consultation. **Te Ture Whenua Māori Act 1993** and the **Resource Management Act (RMA) 1991** uphold our right as landowners to determine the fate of our 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 our rights as landholders.

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 us. By bypassing us and failing to consult, Te Ara Tipuna Charitable Trust has disregarded our **tino rangatiratanga**—our sovereignty and self-determination over our ancestral lands. This is a breach of our sacred right to make decisions about our whenua, as guaranteed by the **Treaty of Waitangi** and affirmed through subsequent legal frameworks.

Our mana and rangatiratanga are enshrined in the founding documents of Aotearoa, and as Māori landowners, we continue to hold the rights granted under the Treaty. Therefore, the trust's failure to involve us in this process violates not only our cultural authority but also our 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 we must take proactive steps to protect our lands. It is unacceptable for outside entities to further erode our 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 our informed consent. These laws were designed to uphold our right to safeguard our taonga (treasures), including whenua. By submitting this application without our consultation, Te Ara Tipuna Charitable Trust is undermining the integrity of these protections and dismissing our rights as Māori landowners.

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

Request for Immediate Withdrawal and Reconsideration

We, as trustees and beneficiaries of **Putiputi Mihirangi Mahuika Whānau Trust**, formally demand that the resource consent application LU-2020-112074 be **immediately withdrawn**. Furthermore, any future applications involving our whenua must include **genuine consultation**, with our full consent obtained as required by both law and our cultural obligations.

We request that you respect our **sovereignty, tino rangatiratanga**, and rights as Māori landowners. The future of our whenua must be determined by us, 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 an official objection to the application. We trust that you will fully consider our 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 this whenua.

Ngā mihi nui,

Putiputi Mihirangi Mahuika Whānau Trust
Trustees and Beneficiaries

Nathania Snowden

Monaro Snowden

Nehemiah Snowden

Aries Nadia Snowden

Awhina Snowden

Awarau Snowden
Sierra-Mihirangi Snowden
Sarai-Analia Snowden
Porourangi-David Snowden
Soul-Awarau Snowden
Zion Snowden
Boaz Snowden
Analia Snowden
Kaizen Snowden
Ezekiel Snowden
Kaitaha Snowden
Hana Snowden Fields
Warihi Snowden
Psalm Fields
Braelynn Fields
Samuel Fields
Nehemiah Snowden
Tahiwi Snowden
Niko Snowden
Rosalie Snowden
Norman Snowden
Faenza Snowden
Alaric Snowden
Preston Snowden
Tainan Snowden
Natanahira Snowden

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:

Surname: Stirling

First Name(s) Arihia Amiria

Address:

No. 15 Street/Road Nicholas Gibbons Drive

Suburb Clendon Park

Town/City Manukau

Postcode 2103

Mobile: 0275618491

Other phone: n/a

Email: arihias@gmail.com

2. Submission on

Application No: 0820

Name of applicant: Te ara Tipuna Charitable Trust

Type of resource consent applied for: Walk Trail across Tairawhiti

Brief description of proposed activity:

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 opportunity for economic opportunities for my Hapu

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

i am re submitting my application to support this kaupapa after attending an online information hui at Wairuru marae.

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 tick:

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

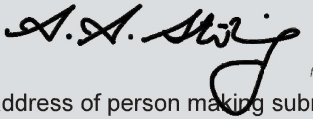
Would you consider presenting a joint case with others who have made a similar submission?

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

Yes No

3. Signature

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



Date: 07/02/2025

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:

Dear Sir/Madam,

Subject: *Formal Objection to Resource Consent Application LU-2020-112074 by Te Ara Tipuna Charitable Trust*

I am writing to formally object to the above-mentioned resource consent application submitted by Te Ara Tipuna Charitable Trust (LU-2020-112074) to construct, operate, and maintain a recreational pathway, 'Te Ara Tipuna,' around Tairāwhiti from Gisborne to Ōpōtiki. Our objection is based on the following key points:

1. Legal Rights of the Applicant

I contend that Te Ara Tipuna Charitable Trust, as non-owners of our whenua - AHiateatua A8B, AKUAKU A7B, MAKARIKA No 11, MAKARIKA No 6, MANGAWHARIKI 4B3, MATARAU L9, OHINEKAI A4A2, OHINEPOUTEA B, ROTOKAUTUKU A27C, TUPAEROA A6 and Lot 5-6 Deposited Plan 4492, TUTUWHINAU A2, WAIARANGA A4A, MAKARIKA 10A, TAPATU A3, TIKITIKI B14B, TOTARANUI A10B1, TOTARANUI A11, TOTARANUI A6, WAIPIRO MAORI TOWNSHIP SECTION 4 BLOCK V, WAITAKARO C, WHAREPONGA A1, HERENGA A9, KAKARIKI A6, PUKEMANUKE A4, TAWHITI 1C, 1E4, 1F1, 2B, 2D-2H, 2J and 2K and MANGAHAUNI 1B-1H & 1J-1L (Aggregated), TIKAPA B1, TOKAROA A1, PARAUMU A1, MANGAWHARIKI 3E, MANGAWHARIKI No 1C, MANGAWHARIKI No 6, MATARAU B10, OHINEPOUTEA B, RAHUI A11, RAHUI A12J, TAPUAEROA A3A, TAPUAEROA C, TIKAPA A3 - Te Ara Tipuna does not have the legal right to submit a resource consent application to construct, operate, and maintain a recreational pathway on our land without consulting us and obtaining our consent.

Under New Zealand law, the ability for a non-owner to apply for resource consent to build on Māori land is subject to specific legal requirements, primarily governed by the Resource Management Act 1991 (RMA) and Te Ture Whenua Māori Act 1993.

Authority to Apply

A non-owner cannot legally apply for resource consent for a project on Māori land without the explicit approval or authorization of the landowners or governing trustees. Any proposed development must have the consent of those with decision-making authority over the land.

Right to Object

As landowners and beneficial owners of - AHIA TEATUA A8B, AKUAKU A7B, MAKARIKA No 11, MAKARIKA No 6, MANGAWHARIKI 4B3, MATARAU L9, OHINEKAI A4A2, OHINEPOUTEA B, ROTOKAUTUKU A27C, TUPAEROA A6 and Lot 5-6 Deposited Plan 4492, TUTUWHINAU A2, WAIARANGA A4A, MAKARIKA 10A, TAPATU A3, TIKITIKI B14B, TOTARANUI A10B1, TOTARANUI A11, TOTARANUI A6, WAIPIRO MAORI TOWNSHIP SECTION 4 BLOCK V, WAITAKARO C, WHAREPONGA A1, HERENGA A9, KAKARIKI A6, PUKEMANUKE A4, TAWHITI 1C, 1E4, 1F1, 2B, 2D-2H, 2J and 2K and MANGAHAUNI 1B-1H & 1J-1L (Aggregated), TIKAPA B1, TOKAROA A1, PARAUMU A1, MANGAWHARIKI 3E, MANGAWHARIKI No 1C, MANGAWHARIKI No 6, MATARAU B10, OHINEPOUTEA B, RAHUI A11, RAHUI A12J, TAPUAEROA A3A, TAPUAEROA C, TIKAPA A3 - we are exercising our legal rights under the RMA and Te Ture Whenua Māori Act 1993 to declare this application invalid. We assert that this application is unlawful as we were not consulted, nor did we grant consent for this project. Our decision-making authority over our whenua has been disregarded, as we suspect is the case for many other landowners affected by this project.

While we recognize that legal redress is available to us, this is an unnecessary and unfair burden given that the RMA is designed to protect landowners and ensure their sovereignty (tino rangatiratanga) over their whenua.

The RMA clearly emphasizes the need for consultation with affected parties, including Māori landowners, in matters involving Māori land. The failure to appropriately consult us as landowners undermines the integrity of this application and exposes it to legal challenge.

We request that this application be reconsidered and rejected on the grounds that it fails to meet the legal and consultation requirements outlined above.

Na Awarau Snowden

Eastern Bay of Plenty Branch
Royal Forest and Bird Protection Society NZ Inc
easternbayofplenty@forestandbird.org.nz
Contact Linda Conning 07 3077108
linda@ecoplan.nz
[Gisborne Branch](#)
Royal Forest and Bird Protection Society NZ Inc
Gisborne.branch@forestandbird.org.nz
Contact Grant Vincent 068688236



7 February 2025

Gisborne District Council

Ōpōtiki District Council

Bay of Plenty Regional Council

notifiedrc@gdc.govt.nz

Submission on

The Te Ara Tipuna Charitable Trust application for multiple resource consents to enable the design and construction of Stage 1 of the Te Ara Tipuna Trail.

Introduction

1. Forest & Bird was established in 1923 and is New Zealand's largest independent conservation organisation with 45 branches and over 100,000 members and supporters. The purpose of the Society is to take all reasonable steps for the preservation and protection of the indigenous flora and fauna and natural features of New Zealand.
2. This submission is on behalf of the Gisborne and Eastern Bay of Plenty branches.
3. The Society is generally supportive of the concept underlying the application. However the high level of the AEE results in difficulty in engaging in actual effects on the ground and therefore this submission is also of a high level. The Society has not been able to conduct any site visits at this stage.
4. The key matters of concern to Forest & Bird relate to the protection of habitat and species, especially threatened bird species, such as the NZ dotterel/tūturiwhatu, matuku-hurepo/Australasian bittern, Little blue penguin/kororā, and rare amphibians including Hochstetter's frog.
5. Of particular concern is that the application proposes only a 10m buffer between the track and sensitive sites. This is not acceptable. In the Bay of Plenty, all relevant consents e.g. gravel extraction near banded dotterel nests, provide for a 30m buffer, as advocated by the Department of Conservation ecologists.
6. Sites where dotterels are known to nest e.g. Pouawa, Waiaua/Omaramutu should have no construction activity during the nesting season, and the path should be located to avoid such areas. This includes sites of penguin moulting.

7. We are particularly concerned about effects on matuku-hurepo. This species is critically endangered with less than 1000 birds nationwide. Therefore any suitable habitat must be protected from development. This includes some larger sites such as Te Rereauira, Whangaparaoa and Oruaiti. However there are other sites that potentially act as critical habitats for this species or are vital for their feeding, especially in raupo wetlands including those in roadside drains. Surveys should be focussed on such areas, especially in the booming season between October and December to establish baseline populations, however small. Every bird counts for species survival.

8. Another critical species is Hochstetter's frog. Streams near the coast on the western and northern sides of East Cape and in the Hikurangi area should be thoroughly searched before any construction is consented. Roads and cycle tracks provide a threat of a continuous supply of sediment that is mostly fine and gradually clogs up the inter-cobble spaces that appear to be essential not only to the frogs themselves, but also to their food species. Frog-colonised streams will be holding all the frogs that they can support. If the frogs are relocated to an un-colonised stream then it is more likely that the operating environment is unsuitable for them and they are highly likely to die out¹. Climate change is a huge risk to frogs and the risks to their survival are too high to attempt translocations.

Management and maintenance

9. The application refers to a 4.5m path within a 20-50m corridor, and the landscape plan refers to the path for all users. Forest and Bird considers that a walking path only needs to be 1-2m, and potentially has minimal effects. However a 4.5m path cuts a large swathe in both habitat and landscape terms.

10. Forest and Bird also considers that it is not practicable or safe for walkers to share paths with bikes and particularly horses, and has significant concerns as to how and where "Stage 2" is to be located. Experience on other trails show that there needs to be separation of walkers, horses and bikes.

11. Coastal access is a particular concern – there should be no ability for non-emergency vehicles including motorbikes and quads to access beaches. Vehicles on beaches are already a serious ecological and recreational hazard e.g. in Opape, Whangara, Pouawa and Turihaua, particularly during the camping season. Dogs should not be allowed anywhere on the trail unless they are guide dogs.

12. Similarly, if the path is to be used in sections (which it will be, as other trails have shown), there needs to be provision for carparks in appropriate areas where there are entry and exit points to the trail. Such facilities will inevitably adversely affect natural character and should be located where there are already elements of built environment.

The Passport

13. Whilst this concept has benefits, there will be users who do not adhere to such guidelines and provision needs to be made for how anti-social behaviour on the trail will be managed and who is responsible for that.

Mitigation

14. There needs to be a focus on remediation of existing adverse effects on the environment and the inclusion of restoration of degraded areas as part of the construction, not as an "add on" for later.

¹ Pers. comm. Basil Graeme 26 January 2025.

15. We are also concerned about the proposed use of offsets. The Department of Conservation Offsetting Guidelines² should be strictly adhered to, especially Principle 2 – limits to what can be offset. Protecting matuku-hurepo habitat is more important than a recreation and cultural trail.

Conditions

16. In addition to the matters raised above, resource consent conditions must include maintenance and management plans.

17. As the application is so general, intending to be implemented through management plans, and the actual route not established, there needs to be a stakeholder group with statutory input into certification of management plans. This group should include conservation and environmental representatives.

We wish to be heard.

cc Te Ara Tipuna Charitable Trust

diana@thepec.co.nz

² Guidance on Good Practice Biodiversity Offsetting in New Zealand. Department of Conservation 2014

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: Paul Haki Clay Paul Haki
Surname: First Name(s)

Address: 49 Stewart Street
No. Street/Road Suburb

Opatiki 3122
Town/City Postcode

Mobile: 027 326 2514 Other phone:

Email: phe575@hotmail.com

2. Submission on

Application No: LU - 2020 - 112074

Name of applicant: Te Ara Tipuna Charitable trust

Type of resource consent applied for:

Brief description of proposed activity:

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 the application as a descendant of Te Whaanau a Apanui and Ngati Porou .

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

It's invasive to Maori land

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):

- To stop further action of this application
- Stop all funding for the Te Ara Tipuna charitable trust.

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):

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

Contact person:

Mobile: Other phone:

Email:



! 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: Bishop betsy hyacinth
Surname: First Name(s)

Address: 151 Wellington street
No. Street/Road Suburb

Opotiki 3122
Town/City Postcode

Mobile: 027 216 4557 Other phone: _____

Email: betsy.bishop7@gmail.com

2. Submission on

Application No: LU - 2020 - 112074

Name of applicant: Te Aca Tipuna charitable trust

Type of resource consent applied for: _____

Brief description of proposed activity: _____

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 to all parts of the application as a descendant of Te whanau ā-Maruhaeremuri hapu, Te whanau ā-pararaki and Te iwi o Te Whanau ā-Apanui
I stand with all those who oppose it.

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

invade our privacy + safety, our food resources,
stop tramping on our mara, our lands are still
under Māori title.

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):

- stop further action to this application
- stop all funding for the Te Ara Tupuna charitable trust
- Cease further support.

Please tick:

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

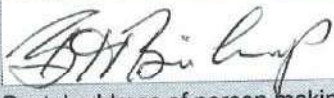
Would you consider presenting a joint case with others who have made a similar submission?

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):

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

Contact person:

Mobile:

Other phone:

Email:

Submission on

Resource Consent Application

Form 13

Under Section 96 of the Resource Management Act 1991.



Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

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: **HOUGH PAUL NICHOLAS**
Surname: First Name(s)

Address: **151 Wellington street**
No. Street/Road Suburb

Opotiki **3122**
Town/City Postcode

Mobile: **0212020972** Other phone:

Email: **paulhough61@hotmail.com**

2. Submission on

Application No: **LU-2020-112074**

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

Type of resource consent applied for:

Brief description of proposed activity:

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 the application as a descendant of Te Whānau a Apanui. I stand with all those who oppose it.

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

**A gross waste of money!!! (another-gravy train)
Allowing people to walk on private and maori land is an invasion of privacy and safety.
clip on bridge extensions - ridiculous and expensive -**

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):

- ① Cease Further action of this application.
- ② Cease further funding for the Te Ara Tipuna charitable trust.
- ③ Cease further support.

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

Yes No

3. Signature

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



Date: 6.2.2025

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:

Subject: Opposition to Te Ara Tipuna – Ngai Tamahaua Hapū Member Submission

Tēnā koe,

I am writing to formally express my opposition to the Te Ara Tipuna project. As a member of Ngai Tamahaua hapū, I have serious concerns about the impact of this proposal on our whenua, taiao, and mana as kaitiaki of our rohe.

My Key Concerns:

- **Lack of Consultation with Landowners:** I am deeply concerned that there has been no meaningful engagement with landowners who will be directly affected by the project.
- **Unclear Management and Monitoring:** It is not clear who will be responsible for managing and monitoring visitors entering our rohe, raising concerns about the control of visitor activities and the protection of our whenua.
- **Environmental Protection:** I believe that the project does not provide a clear plan to protect our whenua, awa, and significant cultural sites.
- **Recognition of Our Mana:** I feel that the proposal has failed to appropriately recognise or consider the mana of Ngai Tamahaua and our role as tangata whenua in decision-making.

Given these concerns, I strongly oppose the Te Ara Tipuna project. I encourage other whānau members to submit their own opposition to ensure our voices are heard and our mana, whenua, and taiao are protected.

Ngā mihi,

Faith Portland
faith.portland315@gmail.com
113 Duke Street, Opotiki 3122

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:	Whangara Farms Partnership, Hayden Mark Swann, Chairman.		
	Surname:	First Name(s)	
Address:			
15	Sterling Park	Lytton West	
No.	Street/Road	Suburb	
Gisborne		4010	
Town/City		Postcode	
Mobile:	0275554116	Other phone:	
Email:	principal@makaraka.school.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:

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 - V

Brief description of proposed activity: Constructing bridges and walking trail across public and private land.

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 Whangara Farms Partnership Board and all 3 Maori Incorporations which put their land at the use of the Whangara Farms Partnership (Whāngārā B5, Pakarāe 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 and Incorporations formally oppose Te Ara Tipuna's application for resource consent lodged with Gisborne District Council by the charitable trust, Te Ara Tipuna.

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

Operational Risks, Business Risk, Opportunity Cost, Health and Safety Risk, Environmental Risk, Cultural Impacts, Privacy.

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):

A detailed list of Operational Risks, Business Risks, Opportunity Cost, Health and Safety Risks, Environmental Risks, Cultural Impacts, Privacy concerns has been considered by our 3 Incorporations and Partnership Board.
Whangara Farms Partnership (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 nature of the 'Global Consent' application means we oppose the application, however we are cognisant that the Whangara Farms Board and 3 representative Incorporations do not hold the ownership or Mana whenua over other portions of land before the Trail 13.5km mark and after the Trail 35km point (as this moves onto the Waihau Rd). We only speak for our Whenua and cultural spaces between the 13.5km and 35km mark.

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

H Swann Whangara Farms Chair.

Date: 07/02/2025

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:

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: Darren Shadbolt on behalf and as Chair of Waipiroi A33C2 Block Ahu Whenua Trust

Surname: First Name(s)

Address:

315 College Street

West End

No. Street/Road

Suburb

Palmerston North

4410

Town/City

Postcode

Mobile: 021 462 265

Other phone:

Email: darrem.shadbolt@teamarchitects.co.nz

2. Submission on

Application No:

Name of applicant: Te Ara Tipuna Charitable Trust

Type of resource consent applied for: Land Use / Discharge to Land

Brief description of proposed activity: Design / construction of Te Ara Tipuna public recreational track East Cape

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 attached document.

Application is supported in principle but with concerns to be addressed

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

Please refer attached document

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 consider discussion points on attached document when considering application and attaching conditions to the RC decision document
Happy to speak to the submission if required

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: 07 Feb 2025

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

As above

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

Contact person: As above

Mobile: Other phone:

Email:

05 February 2025

Waipiro A33C2 Trust

315 College Street

Palmerston North 4410

To:

Gisborne District Council

15 Fitzherbert Street, PO Box 747, Gisborne 4040

Re:

Resource Consent Application - Te Ara Tipuna Charitable Trust (Waipiro A33C2)

This submission is made on behalf of Waipiro A33C2 Trust.

By way of introduction I am Darren Shadbolt, Chair of the Waipiro A33C2 Ahu Whenua Trust. I am also a Trustee of the Darcy and Pani Rikihana Trust, landowner in this and several other blocks in this region as well as blocks in other regions. I reside in Palmerston North and am a regular visitor to the area.

Our whanau whakapapa to Iri Te Kura, Waipiro Bay and formerly resided at Taumatawhānui, Kopuaroa Road adjacent to Taharora Marae on Block A47 with further connections to Kiekie Marae as well as to the Tokomaru Bay area (Waiparapara)

I am an Architect by profession and work in all aspects of Architecture, Master Planning and Development for a wide range of Government, Iwi and Private clients across Aotearoa. I am active in Māori land and asset development.

Awareness of the Te Ara Tipuna proposal occurred a short time ago and I have since been in contact with other whenua administrators as well as other Trustees of this Block. This submission is based on feedback from Trustees Karen Pewhairangi , William Henry and myself. It should be noted feedback was not able to be obtained in the time period from all Trustees.

Please contact the undersigned for clarifications and any further information

Darren Shadbolt

(021 462 265)

Chair, Waipiro A33C2 Trust

PROPOSAL

The proposal documentation and information published has been reviewed and considered by the Trustees of the Block. In terms of this specific block the proposed route enters the block at a track point of approximately 107.5km crosses the block to a proposed river crossing, re-enters the block and continues to the eastern boundary at a point of approximately 109km. The track exits then re-enters the block at 110km and traverses along the block boundary to approximately 111.5km. The total length of the proposed path on the block is approximately 3km.

The proposed track has a significant impact on the block in terms of length and route as it enters and bisects both halves of the block and runs along its longest boundary.

FEEDBACK ON PROPOSAL

After seeking feedback from the Trustees and other landowners in the Trust, the consensus on this proposal is that there is general but cautious support “In Principle”.

The Trustees can see that the possibility of future potential for the region and people could be encouraged by the Proposal. From a recreational activity, connection, iwi and community perspective, the positive influences of the proposal are also recognized.

This support is tempered by number of concerns, including some significant ones, which we believe, need to be addressed or clarified to the Landowners and Trustees satisfaction before full support and approval could be given and an easement negotiated. The range of specific questions and issues to address are set out below.

ISSUES AND CONCERNS

Impact on owners' land use rights

The proposal will invariably affect land use rights. The extent and effect of this need to be clarified and agreed upon. A legal easement essentially removes nearly all use rights over the easement area in favour of the Dominant Tenant (Track user). There will undoubtedly be areas of conflict to resolve. In this block, the proposed route will need to be crossed by owner to access, maintain and operate the block daily as well as to develop the block in future.

Development of the site outside / adjacent to the easement is likely to be affected and the extent of this needs to be clarified.

- Will setbacks for built structures from the easements be required?
- Will setbacks for other types of development be required e.g. planting, equipment, water troughs, crops etc.?
- Will certain types of activities adjacent to the easement / track be restricted or not permitted nearby?

- What obligations do landowners have in terms of maintenance and upkeep of land adjacent to or viewed from but not in the easement e.g. a derelict tractor, equipment or building sitting near but not on the proposed easement site.

Maintenance / upkeep /cost

It is stated that initial design, consenting and construction costs will be met by a variety of funding sources and administered by a project delivery organizational entity. It is also stated that maintenance and upkeep of the track where crossing property will be the responsibility of the landowner which no doubt be a binding agreement condition.

In practice, many blocks are owned or administered (as in this case) by remote persons. Others may be owned by those who are incapable of carrying out this work personally.

For this site it would mean 3km of track management / maintenance including;

- Clearance of vegetation and overgrowth
- Removal of fallen trees
- Maintenance and repair of steps and handrails
- Maintenance of fences and gates
- Grading and repair of weather damaged pathways

Significant weather events such as Cyclone Gabrielle or Bola have the potential to cause extensive damage to the track route through subsidence, slips or erosion requiring redesign, relocation, consenting, remedial works and reconstruction – this is very costly.

The availability, physical ability and financial capacity, as well as knowledge / skill level to do these things are likely to be beyond many landowners. Similarly, the cost to engage outside contractors to do the work is prohibitive and in most cases not viable. Real clarity needs to be resolved around this if the landowners are to agree to an ongoing commitment

Kawa

The proposed Kawa to be developed is a sensible approach to consistent understanding of obligations and management of the asset. The information indicated that landowners may have input to the process. The assumed end result will likely mean that a set of standards effectively become the “agreed rules” which landowners would need to adhere to, pay for and essentially be liable for in the case of any non-performance.

A Kawa has the potential to lock and burden landowners with these obligations (and the financial obligation to meet the Kawa provisions).

What would the process be should a landowner be unable to meet the standards?

In this instance, does that cost of meeting the Kawa become the responsibility of other landowners? - with “offending” landowner pursued for costs? And who does / funds this?

Liability and Insurance

If landowners continue to own the land, albeit with easements in place and are deemed responsible for maintenance, what is the situation when a member of the public is injured or worse – perhaps due to a lapse in maintenance or repair?

This points towards questions of liability and therefore insurance – will the result be that landowners need a Public Liability Insurance scheme in place and to pay for this?

In the event that users stray from the track and enter private property, cause damage or nuisance or worse, who has the responsibility to remedy and address this? Is there any assistance or management around this aspect of operation?

Owners Right of withdrawal or restriction

Easement rights are difficult to remove or change once in place. The information notes it will be possible to restrict use of the track e.g. during lambing season.

Is this practical or even possible without agreed alternative routes in place?

If a landowner wants to move the track some time after construction due to operational practicality or development of the block, can this be done and how easy would this be given that it would require a change to a legal instrument – the easement?

The assumption is that full costs of doing so would fall on the landowner

Dispute Resolution

Invariably, it will be likely that disputes will arise once Te Ara Tipuna is operational. What mechanism or thought has been put in place about resolving these? Examples could be;

- Behaviour of track users
- Impracticality of operating or using the block
- Restriction of development or use of whenua due to the track
- Cost / extent of maintenance

Has this been considered or planned to be carried out through an operational entity or is it the landowners responsibility (and cost)?

Site Investigation / Wāhi Tapu

On this particular site we are aware of an ancient urupa as well as the block being where significant conflict events took place. These sites are not formerly registered.

There needs to be a process put in place to ensure that these are investigated and documented to inform the track location and design to avoid disturbance. We assume that protection of such sites has a high priority.

Development / Operational Structure and process

This landowners are focused on the absolute necessity for transparency in all areas of activity throughout the process of development. Significant funds are proposed (\$150m+) to be dealt with in the design and construction of the project.

The region has a limited pool of experienced and capable “experts” in this space and invariably, most are related to each other. There will be some real challenges due to conflicts of interest – perceived or otherwise. It is vital for the success of this project that there can be no doubt that anything other than fully responsible management of the organizational structure and process is carried out.

Of particular interest is the construction process. Available information refers to the engagement and employment of local contractors which is a positive thing. It is imperative that the process of doing this, e.g. the tendering and engagement process is transparent and fair.

A full measure of independence, robust process and review provisions needs to be practiced in these activities. Assuredly these activities will be closely scrutinized by all participants and landowners involved in the project.

Operational

It is challenging to understand how the operational cost of the track will work in the future.

Some of the issues raised in this document will need to be resolved at an operational level and there will be other aspects of management and operation that we believe will require an ongoing organizational structure, activity and funding streams. It would be shortsighted we believe, that these functions and issues would be met or resolved by landowners. This aspect of the project needs clarity.

On the issue of funding, we suggest that it will be likely / sensible that a financial / cost / user pays financial model for the track be implemented to cover operational costs including such things as marketing, operating, managing and maintenance as well as dealing with disputes and issues not to mention ensuring a high quality of experience is maintained.

General cost aspects such as track signage, carpark areas and maintenance of areas where the track is not on owner whenua but common land e.g., formed roadways will have ongoing associated costs. How would this be met?

The Santiago de Compostella (which is quoted as an original influence) is an old trade route and today is government funded. By comparison, this proposal relies on the initial support and ongoing financial support of landowners. We are currently not convinced that this format will be viable without ongoing funding. We welcome feedback on that.

Summary

The project is admirable in its aims and goals. It has potential in terms of connecting whanau, iwi and tangata to our history and culture. Importantly, it provides the opportunity to educate visitors from Aotearoa and beyond and connect with our culture.

Any decision made today, however, will effectively be in perpetuity. It will lock future generations into any obligations. Historical events have shown that such decisions have in the past been detrimental to Māori so we need to be absolutely clear and sure what we are agreeing to.

The issues and questions in this document come from our initial thoughts and will not cover every aspect. We expect that a robust process of engagement on these matters and more will take place and welcome involvement in that process.

Darren Shadbolt

Chair Waipiro A33C2

Subject: Opposition to Te Ara Tipuna – Ngai Tamahaua Hapū Member Submission

Tēnā koe,

I am writing to formally express my opposition to the Te Ara Tipuna project. As a member of Ngai Tamahaua hapū, I have serious concerns about the impact of this proposal on our whenua, taiao, and mana as kaitiaki of our rohe.

My Key Concerns:

- Lack of Consultation with Landowners: I am deeply concerned that there has been no meaningful engagement with landowners who will be directly affected by the project.
- Unclear Management and Monitoring: It is not clear who will be responsible for managing and monitoring visitors entering our rohe, raising concerns about the control of visitor activities and the protection of our whenua.
- Environmental Protection: I believe that the project does not provide a clear plan to protect our whenua, awa, and significant cultural sites.
- Recognition of Our Mana: I feel that the proposal has failed to appropriately recognise or consider the mana of Ngai Tamahaua and our role as tangata whenua in decision-making.

Given these concerns, I strongly oppose the Te Ara Tipuna project. I encourage other whānau members to submit their own opposition to ensure our voices are heard and our mana, whenua, and taiao are protected.

Ngā mihi, Josephine Ranapia Email: Josephine.Ranapia@ccep.com Phone: +61 431641665

Ngai Tamahaua, Te Whakatohea.

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: **ALBERT ELIZABETH**

Surname:

First Name(s)

Address:

1910 WHANGARA ROAD

RD 3

No. Street/Road

Suburb

GISBORNE

4073

Town/City

Postcode

Mobile: **021319546**

Other phone:

Email: **lizalbert@orcon.net.nz**

2. Submission on

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/Lake Bed, Land Use - Land Disturbance, Land-Use - V**

Brief description of proposed activity: **New bridge construction at Whangara – Waiomoko River, adjacent to Pa Road**

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 the proposed new bridge construction at Whangara – Waiomoko River, adjacent to Pa Road.

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

Refer attached

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):

In conclusion, I strongly oppose the resource consent for the pedestrian bridge construction. The lack of meaningful consultation with Ngati Konohi and the potential for public misunderstanding and trespassing are serious concerns that need to be addressed. We urge the responsible authorities to halt the progress of this project until proper consultation and processes are conducted to ensure that tangata whenua' rights and interests are respected.

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: 04/02/2025

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

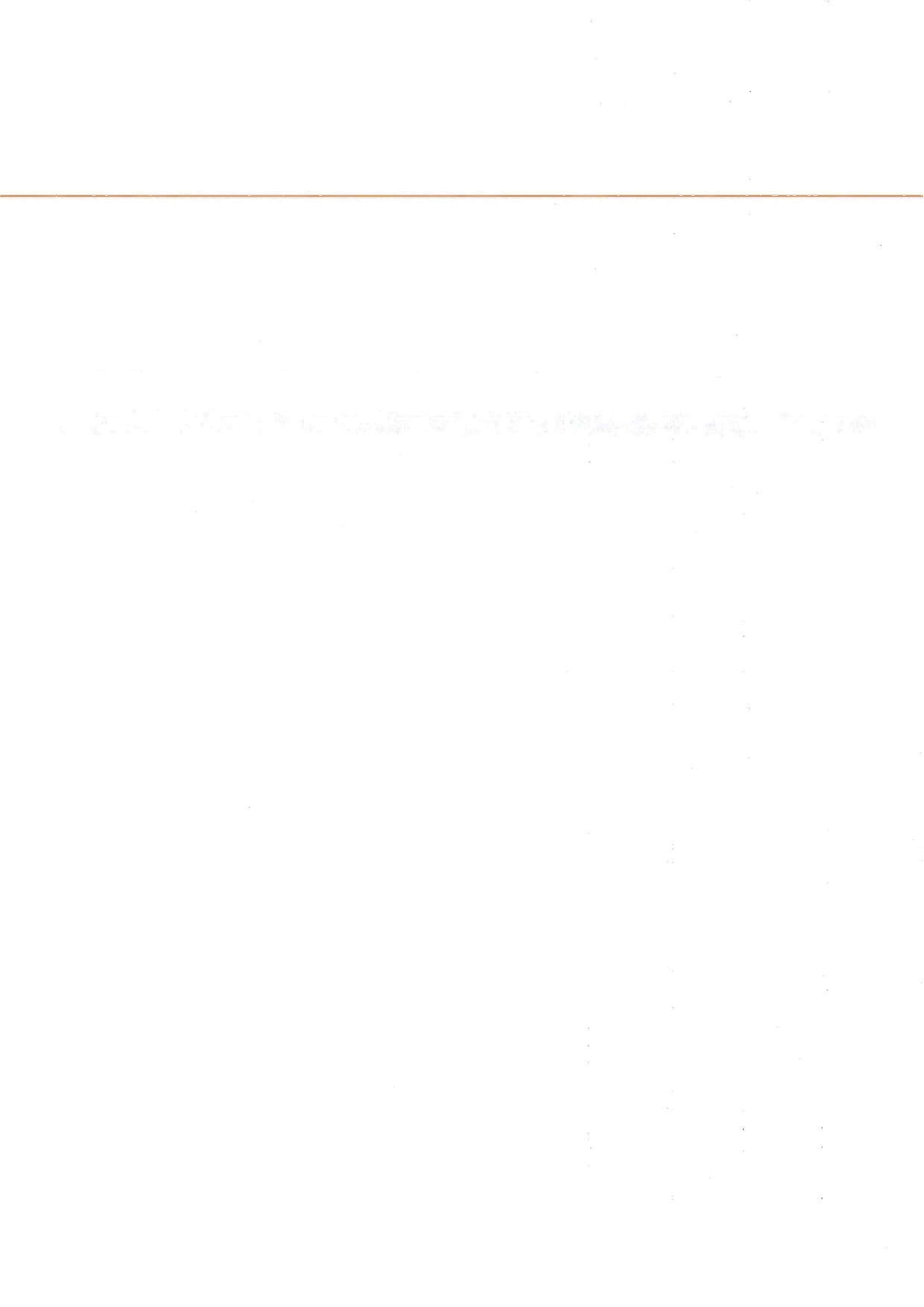
Name and phone number (if different from previous page):

Contact person:

Mobile:

Other phone:

Email:



Submission on Resource Consent Application – Te Ara Tipuna Trail

Lack of Consultation with Ngati Konohi

It is troubling that there has been no meaningful meeting or consultation with Ngati Konohi regarding the proposed construction, particularly given the site is adjacent to Pukehapopo Maunga (cultural landmark).

The assumption that this construction is acceptable without engaging with the local iwi is not only presumptuous but also disregards the essential processes of consultation and partnership. Ngati Konohi, as kaitiaki of the land, have a legitimate interest and a right to be consulted on such developments prior to applying for resource consent. Ignoring this fundamental step undermines the integrity of the consent process and the relationship with tangata whenua.

Public Misunderstanding and Potential Trespassing

The widely advertised map of the proposed pedestrian bridge may lead the public to believe that it is acceptable to walk on private land. This misunderstanding is problematic as not everyone is aware of the processes that need to be completed before such access is granted.

There is a significant risk that this confusion will lead to trespassing, infringing on the rights of private landowners and causing potential conflicts. The assumption that public access is already permissible undermines the legal and procedural requirements that must be adhered to before such actions are taken.



Submission on Resource Consent Application – Te Ara Tipuna Trail

1. Group making submission: Paieka-Whitireia Trust

Applicant:

Joanne Westrupp
Chairperson – Paieka Whitireia Trust
C/- Whangara Marae
368 Pa Road
RD 3
Gisborne 4073
Mobile: 027 356 0878

2. Submission on:

Consent Number:

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/Lake Bed, Land Use - Land Disturbance,
Land-Use - Vegetation Clearance.

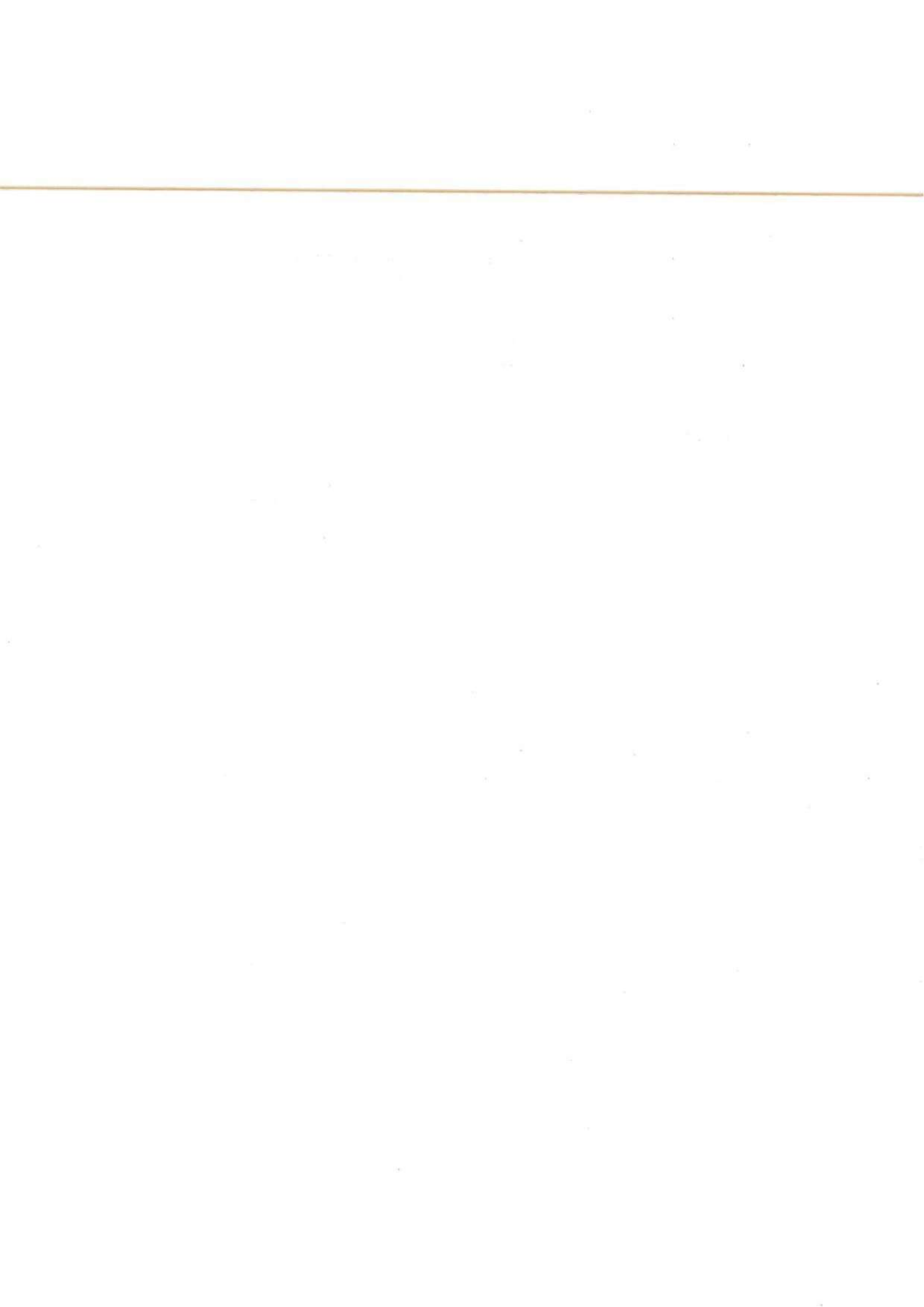
Brief Description of proposed activity:

New bridge construction at Whangara – Waiomoko River, adjacent to Pa Road.

We oppose this application.

Introduction We the Paieka-Whitireia Trustees on behalf of Ngāti Konohi of Whangara Marae respectfully submits this opposition to the proposed Te Ara Tipuna walkway. We acknowledge the potential benefits of this project, but we firmly believe it poses significant risks to our cultural heritage, environmental integrity, and community well-being.

Cultural Heritage Concerns Whangara Marae and its surrounding areas are of profound historical and cultural significance to Ngāti Konohi. The proposed walkway threatens to disrupt our ancestral lands. Increased foot traffic and tourism could lead to the degradation of these vital cultural landmarks.





Submission on Resource Consent Application – Te Ara Tipuna Trail

Environmental Impact The construction and maintenance of the walkway pose significant threats to the local ecosystem. The proposed route traverse sensitive coastal areas, home to diverse flora and fauna. Disturbance to these habitats could result in biodiversity loss and disruption of natural processes, which are crucial to our environmental sustainability.

Community Well-being While the walkway aims to stimulate economic benefits through tourism, it may have detrimental effects on our community. Increased tourism could lead to overcrowding, noise pollution, and loss of privacy for residents.

Conclusion Given these concerns, Ngāti Konohi of Whangara Marae urges the relevant authorities to reconsider the proposed Te Ara Tipuna walkway. We request a thorough evaluation of the potential impacts on our cultural heritage, environment, and community.

Meaningful consultation with Ngāti Konohi is essential to address our concerns and explore alternative solutions that respect our heritage, protect the environment, and promote the well-being of our people.

We appreciate your consideration of our opposition submission and look forward to further discussions on this matter.

We do not wish to speak at the hearing in support of our submission

SIGNATURE

Sincerely,

Elizabeth Albert (Secretary)
1910 Whangara Road
RD 3
Gisborne
021 319 546
lizalbert@orcon.net.nz

4th February 2025

Submission on
Te Ara Tipuna Trail 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).
Submissions must be lodged before 5pm Friday 7 February 2025.
You can email your submission to: tatn@gdc.govt.nz
You must also send a copy of your submission to the applicant. See their address on the website.

1. Person making submission

Name in full: **TICHBORNE GILMAN**
Surname: **TICHBORNE** First Name(s): **GILMAN**
Address:
No. **25** Street/Road **WAIMA ROAD** Suburb
Town/City **TOKOMARU BAY** Postcode
Mobile: Other phone: **0211828188**
Email:

2. Submission on

Application No:
Name of applicant:
Type of resource consent applied for:
Brief description of proposed activity:
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 to this submission as I do not want my land to be part of this submission. I also do not want my land to be touched or walked on by strangers.

Office use only

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

Submission on Resource Consent Application – December 2024

TE ARA TIPUNA SUBMISSION

To: Te Kaunihera o Te Tairāwhiti
Gisborne District Council

From: Te Amaru Jones
8 Jasmine Street
Wakerley
Brisbane QLD Australia 4154

Email: teamarujones96@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 becomes unwell or has a medical emergency?

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 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.

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.

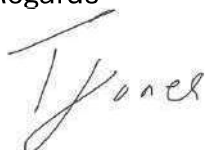
If this trail goes ahead without our agreement, this will be a clear attempt to usurp the rights and interests of us as land owners of which we will then need to seek legal action.

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.

Regards



Te Amaru Jones

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

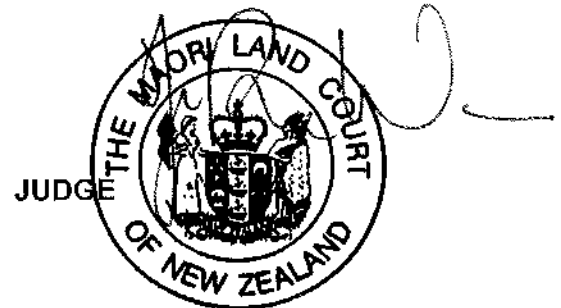
WHEREAS application has been filed by Makere Jones (Jnr) for succession to an occupation order granted to Makere Jones (Snr) on 6 July 2021 (258 Waiariki MB 283-287)

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.

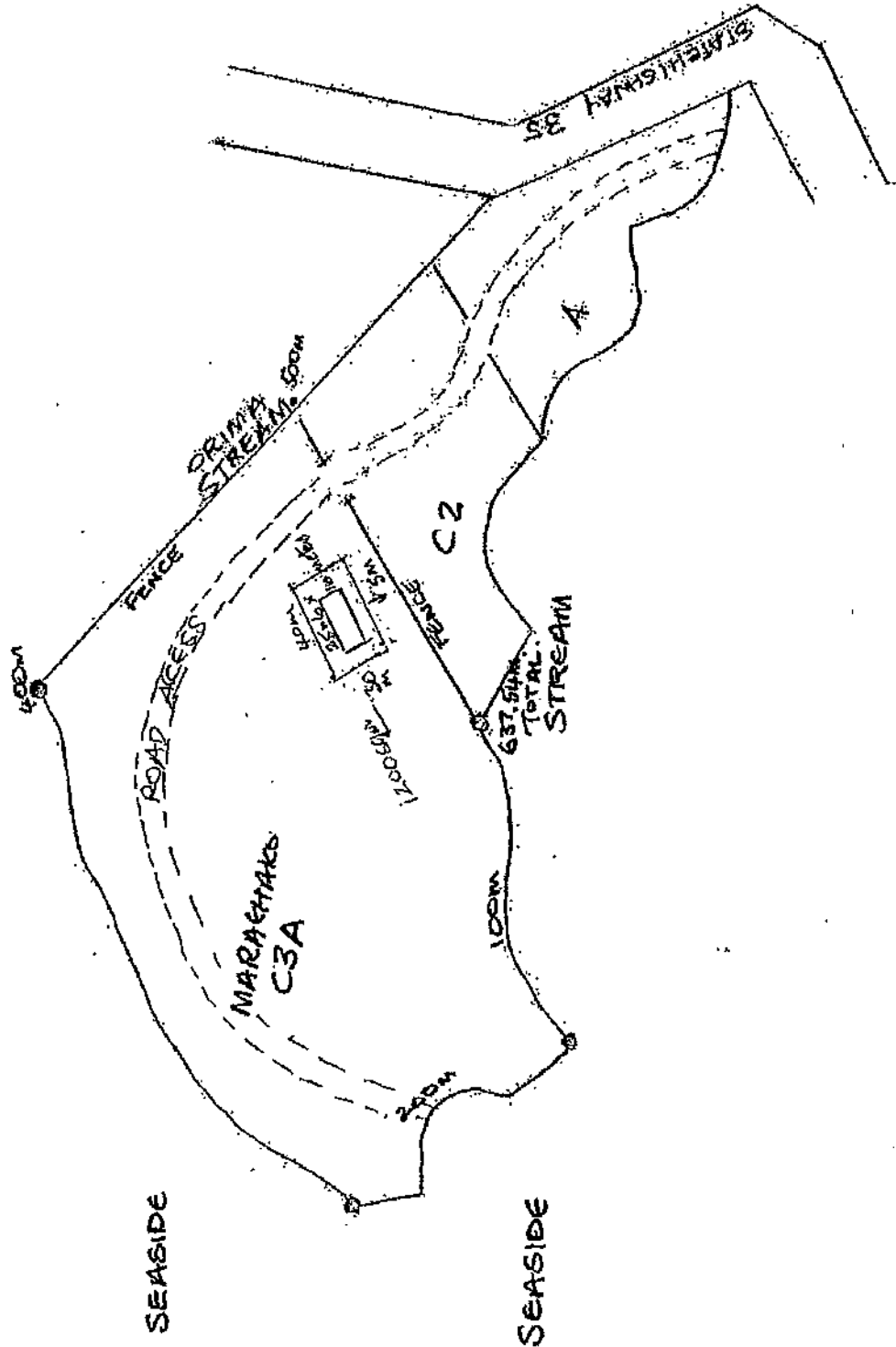
EXHIBIT "J"

Maraehako C3A Ahuwhenua Trust - Sketch Plan

ML 5804

7.9014 acres = 3.1975m²

SEASIDE



TMW

Find address or place



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

AREAS OF

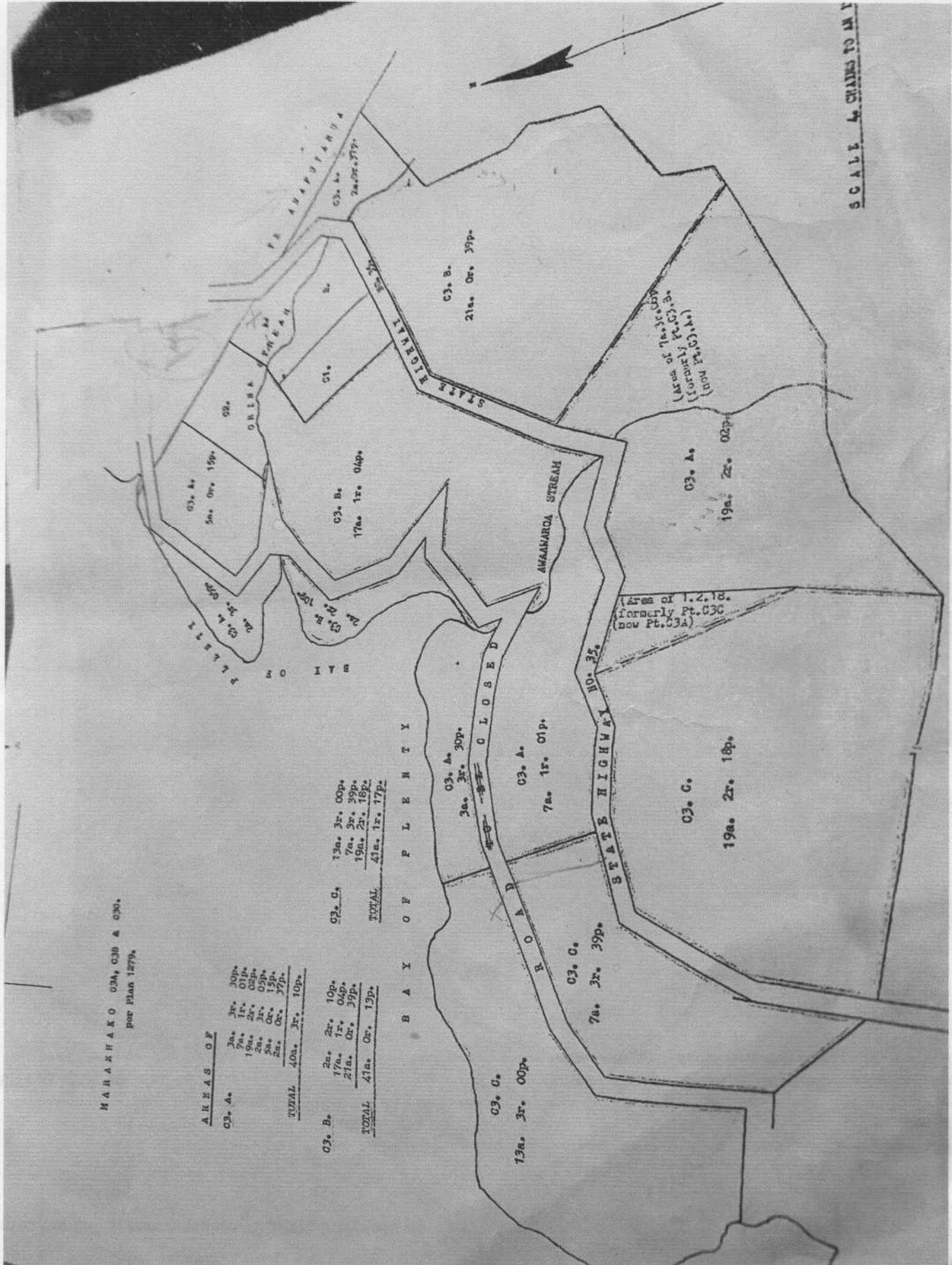
03. A.	2a. 3r. 30p.
	1r. 01p.
	2a. 3r. 05p.
	2a. 3r. 13p.
	2a. 0r. 13p.
	2a. 0r. 27p.
<u>TOTAL</u>	<u>40a. 3r. 10p.</u>

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. A.
	3a. 3r. 30p.
	7a. 1r. 01p.
	03. C.
	7a. 3r. 39p.
	19a. 2r. 18p.



SCALE 4 CHAINS TO AN INCH

Subject: Opposition to Te Ara Tipuna – Ngai Tamahaua Hapū Member Submission

Tēnā koe,

I am writing to formally express my opposition to the Te Ara Tipuna project. As a member of Ngai Tamahaua hapū, I have serious concerns about the impact of this proposal on our whenua, taiao, and mana as kaitiaki of our rohe.

My Key Concerns:

- **Lack of Consultation with Landowners:** I am deeply concerned that there has been no meaningful engagement with landowners who will be directly affected by the project.
- **Unclear Management and Monitoring:** It is not clear who will be responsible for managing and monitoring visitors entering our rohe, raising concerns about the control of visitor activities and the protection of our whenua.
- **Environmental Protection:** I believe that the project does not provide a clear plan to protect our whenua, awa, and significant cultural sites.
- **Recognition of Our Mana:** I feel that the proposal has failed to appropriately recognise or consider the mana of Ngai Tamahaua and our role as tangata whenua in decision-making.

Given these concerns, I strongly oppose the Te Ara Tipuna project. I encourage other whānau members to submit their own opposition to ensure our voices are heard and our mana, whenua, and taiao are protected.

Ngā mihi, Nani Lloyd
nanilloyd@gmail.com
Whakatōhea



7 February 2025

Awhina White
Resource Consents Manager
Gisborne District Council,
15 Fitzherbert Street, Whataupoko
Gisborne, 4010

Tēnā Koe Awhina,

SUBMISSION ON THE NOTIFIED RESOURCE CONSENT APPLICATION – TE ARA TIPUNA TRAIL

**RE – GDC: DL-2023-112074-00, LR-2023-112076-00, LL-2023-112077-00, LV-2023-112078-00 BOPRC:
RM23-0508-AP ODC: RC2024-04 AT 721 WAINUI ROAD, 3000 WHANGARA ROAD, 3000 WAIAPU
ROAD, 3000 TE ARAROA ROAD.**

1. Heritage New Zealand Pouhere Taonga (HNZPT) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation, and conservation of New Zealand’s historical and cultural heritage. HNZPT is New Zealand’s lead agency for heritage protection.
2. HNZPT could not gain an advantage in trade competition through this submission.
3. The focus for HNZPT is for the identification, protection, preservation, and conservation of historic heritage (HNZPTA, section 3) and advocate that historic heritage is fully considered in accordance with section 6(f) of the Resource Management Act 1991 (RMA).
4. The proposal is to enable Stage 1 of the Te Ara Tipuna Trail – a public walking trail from Gisborne around the coast to Opotiki.
5. HNZPT supports the application.

The reasons for HNZPT’s position are as follows:

Cultural heritage values

6. For the areas concerning Gisborne District Council, the archaeological assessment and mana whenua engagement is adequate.
7. For the other three mana whenua groups (Te Whānau-a-Apanui, Ngāi Tai and Te Whakatōhea) there are no named iwi representatives in the documents, and it is not the rohe of Ngāti Porou or TRONP.

Archaeological values

8. The desk-top heritage assessment by InSitu Heritage Ltd is a desk-based broad-brush approach because of the scale of the area involved and the lack of detailed design at this stage of the project. The categorizing of sections of Te Ara Tipuna into zones based on risk to archaeology is a



sensible approach which Heritage New Zealand supports and notes that this is linked to the Draft Historic Heritage Management Plan that InSitu Heritage Ltd also prepared.

HNZPT seeks the following decision from the consent authority:

9. The resource consent in its current form is accepted.

10. However, we ask for the following:

- Please contact the iwi representatives of Te Whānau-a-Apanui, Ngāi Tai and Te Whakatōhea to engage support for Te Ara Tipuna as it crosses through their tribal boundaries and provide proof of those engagements and their potential support.
- That the Management Plan be followed specifically section 4.2¹ to ensure that detailed archaeological field survey and assessment occurs prior to development once the detailed design occurs in the red and yellow zones.
- Apply for archaeological authorities where required under HNZPTA.
- The modification of the route to avoid archaeological sites where possible.
- Encourage design-based solutions to minimise the impact on archaeological sites where they cannot be avoided.
- Stress the importance of interpretation where the trail goes close to archaeological sites.
- Require systems to be put in place for on-going monitoring of archaeological site condition beyond the construction phase to manage visitor impact throughout the life of the trail.

11. HNZPT does wish to be heard in support of this submission.

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

Nāku noa, nā

Ben Pick
Area Manager, Lower Northern

¹ InSitu: *Historic Heritage Management Plan (HHMP) Te Ara Tipuna*, 1 May 2024, p.7. URL: [Appendix-22-Historic-Heritage-Management-Plan.pdf](#)