



14th January 2026

The Hearings Panel (PC 85)
Kaipara District Council

email address: planchanges@kaipara.govt.nz

Kia Ora,

**RE: THE RESOURCE MANAGEMENT ACT 1991 AND PROPOSED PRIVATE PLAN CHANGE 85 TO THE
KAIPARA DISTRICT OPERATIVE DISTRICT PLAN: MANGAWHAI EAST**

Heritage New Zealand Pouhere Taonga (HNZPT) lodged a submission on Proposed Private Plan Change 85 (PC85) – Submission Number: 85 (a copy is attached as Attachment 1).

The key matters raised in the HNZPT submission are;

- As the proposed development site fronts onto the Mangawhai estuary there is a high likelihood of undiscovered archaeology that could be disturbed by major earthwork activities needed to support any urban development.
- HNZPT considers a development site archaeological assessment reporting process should be required before major earthworks are undertaken due to the above identified risk.
- HNZPT requests that an archaeological assessment reporting process be required within the plan change development provisions.
- HNZPT has also requested that a Heritage Management Plan be required to guide the development of the whole site.
- Specifically, HNZPT has requested that Midden R08/256 be archeologically surveyed to ensure its total extent is included within the proposed esplanade reserve and it remains undisturbed.

HNZPT has subsequently reviewed the submissions and further submissions lodged on PC85. HNZPT has also reviewed the Council Section 42a Report on the plan change request, dated 1 December 2025. We note that the Section 42a report recommends:

- That PC 85 be declined due to a lack of servicing capacity.
- Also, the plan change does not give effect to the NPS-HPL direction to avoid the rezoning of HPL.

NZPT also supports the following comments made in the Section 42a report;

- Archaeological values have been identified as being low, and future earthworks are subject to separate regulatory approval processes under the Heritage New Zealand Pouhere Taonga Act as the site is associated with human activity that pre-dates 1900 (Section 431-433 Page 88);



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- Notes can be included throughout the development sections of the proposed plan change highlighting the need for an authority to be sought for major earthworks within the area (Section 431-433 Page 88).
- The planner also recommends that an ADP note be included throughout the development sections of the plan change (Section 431-433 Page 88).

If the Panel determines that the plan change should be granted, HNZPT requests the key matters in its submission (as outlined above) be addressed as part of this decision.

I confirm HNZPT no longer wishes to directly address its submission at the hearing.

Yours sincerely

Bill Edwards,

Northland Area Manager

HNZPT



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18 August 2025

File ref: Private Plan Change 85

Kaipara District Council,
Private Bag 1001,
Dargaville 0340

Dear Sir/Madam

SUBMISSION ON PRIVATE PLAN CHANGE 85 – MANAGWHAI EAST

To: Kaipara District Council

From: Heritage New Zealand Pouhere Taonga

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 protection of historic heritage from inappropriate subdivision, use and development is identified as a matter of national importance under Part 2 Section 6(f) of the Resource Management Act 1991 (RMA).
4. The private plan change is to rezone 95 hectares land within the Mangawhai Harbour overlay to a mix of residential and commercial zone land.

The specific provisions of the proposal that Heritage New Zealand's submission relates to are:

5. The entire proposed private plan change (PPC).

HNZPT's submission is:

6. HNZPT supports in part PPC 85 to re-zone the identified 95 hectares of land for urban development purposes.
7. HNZPT's submission seeks to improve the required archaeological assessment and protection of any heritage features, that potentially can be found in the areas proposed to be rezoned for Residential and Commercial purposes.

The reasons for Heritage New Zealand's position are as follows:

8. Archaeological values

- 8.1. The PPC area fronts onto the estuary where there is an increased likelihood of finding undiscovered archaeological sites once soil stripping commences.
- 8.2. HNZPT is seeking direct focus on Archaeological Assessment requirements prior to any development activity involving earthworks commencing within the PPC area. HNZPT is



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seeking that the following note be included in any earthwork sections of the PPC and resource assessment criteria.

8.2.1.1. *An Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act 2014 will be required for any development in the immediate vicinity of the identified archaeological sites and features and adjacent areas, which are highly archaeologically sensitive.*

8.2.1.2. *That where any archaeological assessment is completed, the recommendations of the archaeologist shall be followed in any resource consent implementation activity.*

- 8.3. The outcome HNZPT is seeking that site specific heritage, cultural and archaeological assessment reporting be included throughout resource consent assessment criteria within the PPC. The PPC provisions should ensure that advice provided within archaeological assessment reports be implemented through any resource consenting processes
- 8.4. HNZPT is seeking Midden R08/256 be formally surveyed by the project Archaeologist to ascertain its extent so it is contained wholly within the boundary of the proposed esplanade reserve or similar protective tools such as fencing.
- 8.5. HNZPT recommends that a Heritage Management Plan be required for the Plan change area to outline the process for managing any discovered archaeological features, including engagement with iwi.

9. Cultural values

- 9.1. HNZPT acknowledges that the Te Uri o Hau have developed a culturally based environmental management plan that covers the area of the PPC. Te Uri o Hau Kaitiakitanga o Te Taiao (2011) is an environmental management plan that advocates and support kaitiakitanga and the management and development of natural resources within the statutory area of Te Uri o Hau. This plan is addressed to Te Uri o Hau whānui (all whānau), the Crown and their representative agencies, resource consent applicants, research institutions, landholders, a wider community and non-government organisations.
- 9.2. HNZPT has read the Cultural Effects Assessment (CEA) undertaken by Te Uri o Hau (Environs Holding Limited). HNZPT recognises that Te Uri o Hau has an important relationship with the Mangawhai area due to the numerous cultural sites already known to be present in the area. Parts of the PPC area are also identified as areas of Significance to Māori in the Operative and proposed Kaipara District Plan.

10. Planning

- 10.1 HNZPT notes the development area provision (PPC provision) DEV1 X-R1.e Subdivision relates to historic heritage and archaeological sites. HNZPT recommends amending this to read –

Any area of archaeological, cultural or spiritual significance is identified and physically and legally protected and avoided. If the site will be modified or destroyed, obtain an Authority ~~is obtained~~ from Heritage New Zealand.

- 10.2 HNZPT recommends PPC provisions be amended to include implementation of Accidental Discovery Protocols in the discovery of archaeological sites during earthworks within the earthwork provisions, either as an advice note or rule.



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Heritage New Zealand seeks the following decision from the local authority:

11. That the plan change be accepted with amendments designed to better protect heritage, cultural and archaeological values, as outlined in this submission.
12. HNZPT does wish to be heard in support of this submission.
13. If others make a similar submission, HNZPT will consider presenting a joint case with them at a hearing.

Yours sincerely

Bev Parslow
Director Northern Region
HNZPT