

CULTURAL IMPACT ASSESSMENT FOR HALL FARM OREWA WEST

Prepared By

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1.0 Introduction

This document provides a Tangata Whenua Cultural Impact Assessment (CIA) on behalf of Ngāti Manuhiri with regard to the proposed 105 lot subdivision on the property known as Hall Farm, located west of the Northern Motorway/Grand Drive interchange. The developer, Orewa West Investments Limited, as part of the project scoping and resource consent process, has already commissioned several technical reports, including an Assessment of Environmental Effects, Integrated Resource Consent, Archaeological, Landscape and Visual, and Ecological. These documents have been reviewed.

1.1 Cultural Background

Ngāti Manuhiri are the descendants of the eponymous ancestor Manuhiri, the eldest son of the Ngāti Awa rangatira and warrior chieftain Maki, who was a leading, influential Rangatira from northern Taranaki to south western Waikato in the mid 1600's. Maki and his brother Mataahu were of high lineage, able to trace their ancestry from the arrival of the early Tainui, Aotea, Tokomaru, Kahuitara and Kurahaupo waka. Particularly from Tainui ancestors, known collectively as Ngāoho, their descendents had occupied the greater Tāmaki Makaurau, Kaipara, Mahurangi districts and Hauraki Gulf Islands since the 14th Century. Thus Ngāti Manuhiri in their own right, through Maki, have unbroken ties to their ancestral rohe, extending back many years before the birth of Manuhiri. Manuhiri was born at Kāwhia in the mid seventeenth century. In adulthood he left Kāwhia with his parents, siblings and a large group of Ngāti Awa followers (approx. 300) to look for a new home amongst Tainui relatives to the north. After staying briefly at Tāmaki, and becoming involved in disputes among their Ngāoho relatives, Maki and his people settled permanently in the southern Kaipara, Waitākere, Whenua roa ō Kahu (North Shore) and Mahurangi districts. Because of an incident that took place in south Kaipara, Maki and his people became more generally known as 'Te Kawerau'.

According to Ngāti Manuhiri tradition, Manuhiri and his followers built a pā named Kōritotī, near Arapārera north of Helensville, and came to occupy the eastern coastline of the Kaipara Harbour extending north to the Hōteu River. It was in this area that Ngāti Manuhiri developed its own distinct identity as a tribal grouping. Manuhiri and his brothers Ngāwhetū, Maraeariki and Tawhiakiterangi went on to defeat the original occupants of Whakarewatoto (Long Bay), Karepiro (Ōkura) and Huhuruhuruwaea (Tāwharanui). As a result, by the late seventeenth and early eighteenth centuries, Ngāti Manuhiri and their Te Kawerau relatives came to occupy the eastern coastline from Takapuna to Te Ārai Point. Maki and his brother Mataahu and their sons later fought for and occupied both Te Hauturu ō Toi (Little Barrier Island) and Āotea (Great Barrier Island). To secure peace and to consolidate their occupation of the district, Ngāti Manuhiri made strategic marriages with the older tribal groupings of Ngāi Tāhuhu, who adjoined them to

the north-west and north, and Ngāti Manaia (Ngāti Wai) who occupied the eastern coastline north of Whāngarei and many of the offshore islands. Through these marriages Ngāti Manuhiri gained further ancient links with the land, sea, and islands on the eastern coastline from Paepae ō Tū (Bream Tail) to Takapuna and with eastern Kaipara (Figure 1).

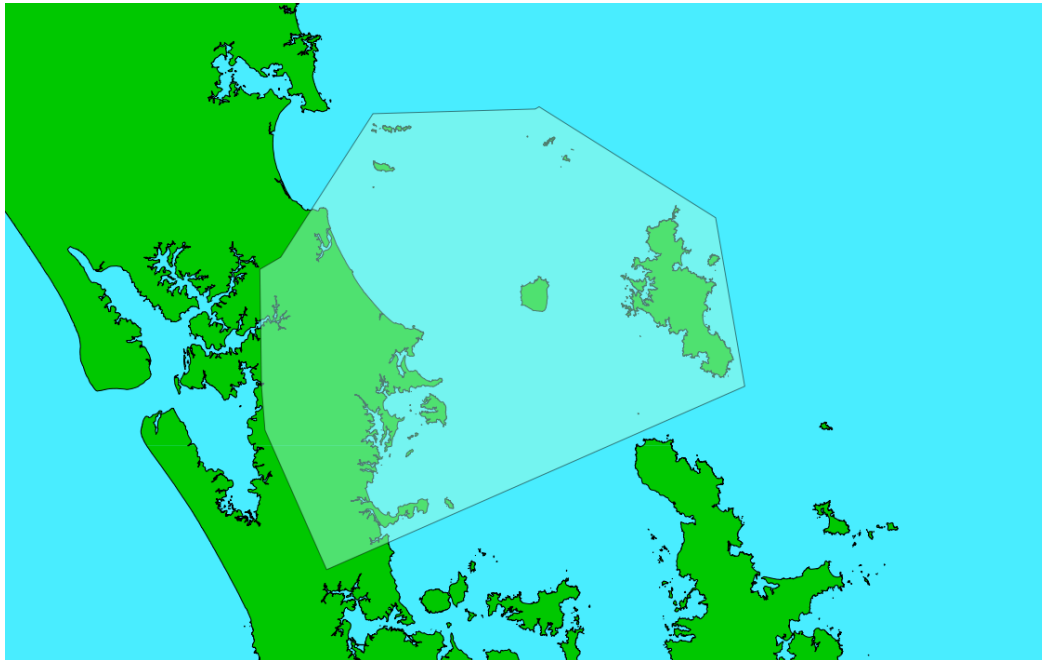


Figure 1: Ngāti Manuhiri Rohe (Area of Interest)

Ngāti Manuhiri remains part of Te Kawerau, and descent from Maki and his son Manuhiri is the basis of their mana today. Through the Ngāi Tahu descent Ngāti Manuhiri developed intimate ties with the neighbouring iwi of Te Uri ō Hau in the north west of the district and shared rights to the land there. Ongoing strategic marriages also saw Ngāti Manuhiri become an integral part of Ngāti Wai. Prior to the disruption associated with European contact, Ngāti Manuhiri occupied all parts of their ancestral domain in a seasonal cycle of cultivation and resource gathering. While predominantly a coastal tribe given the vast kaimoana resources of Te Moana Nui ō Toi (northern Hauraki Gulf), resources were also routinely gathered from the heavily forested interior, which was generally not occupied other than in times of conflict. The forest interior is also immensely significant as they were often the location of sacred burial places.

The impacts of post-European contact were devastating to the hapū, and included rewharewha (disease), alienation of land from illegal sales or confiscation (e.g. Whangaparaoa, Orewa River and Estuary included in the controversial Omaha Purchase (1841) and Wainui Block (1858), both concluded without the involvement of Ngāti Manuhiri), then further compounded by significant losses in battle during the Musket Wars. The loss of most of their lands, high levels of debt incurred through trying to get the land

back, lack of opportunity to compete in the new economy or even to live on and use their land, contributed to the impoverishment and disassociation of the hapū. Subsequently many dispersed away from their homeland to other districts in the late nineteenth century. Despite these challenges Ngāti Manuhiri the hapū, maintained the link with their rohe through ahi kā (occupation rights), traditions, songs, place names, tupuna (ancestral rights), urupā (burial grounds) and kaitiakitanga (guardianship and management of cultural and natural resources).

1.2 Legislative Framework

Through the Waitangi Tribunal process, the Ngāti Manuhiri Claims Settlement Act 2012 came in to effect 19 November 2012. The act mandates Ngāti Manuhiri as mana whenua for the rohe as outlined in the Deed of Settlement (and Figure 1.). It recognised and apologised for breaches of the Treaty by the Crown - as alluded previously - the actions of which have impacted negatively on the hapū for the last 150 years. The legislation provides statutory acknowledgement of statements by Ngāti Manuhiri regarding their particular cultural, spiritual, historical and traditional association, requiring relevant authorities to have regard to the views of Ngāti Manuhiri in all matters affecting these areas.

The Resource Management Act 1991 provides statutory recognition of the Treaty of Waitangi and the principles derived from the Treaty. It introduces the Māori resource management system via the recognition of kaitiakitanga and tino rangatiratanga, and accords Territorial Local Authorities with the power to delegate authority to iwi over relevant resource management decisions. The Act contains over 30 sections, which require Councils to consider matters of importance to tangata whenua. Some of the most important of these are:

- The principles of the Treaty of Waitangi and their application to the management of resources (Section 8).
- Recognition and provision for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga (Section 6(e)).
- Having particular regard to the exercise of kaitiakitanga or the iwi's exercise of guardianship over resources (Section 7(a)).
- Having regard to any relevant planning document recognised by an iwi/hapu authority (Sections 61(2)(a)(ii), 66(2)(c)(ii), 74(2)(b)(ii)).
- The obligation to consult with iwi/hapu over consents, policies and plans. (Combination of all the sections above and Clause 3(1)(d) of Part 1 of the first schedule of the Resource Management Act).

1.3 Ngāti Manuhiri Settlement Trust

The post settlement interests of Ngāti Manuhiri are managed and administered by the Ngāti Manuhiri Settlement Trust. The central purpose of Trust is to enhance the spiritual, cultural, social, and economic wellbeing of the hapū and to provide for the kaitiaki responsibility of ensuring the restoration and maintenance of the sociocultural and natural environment. These goals form the basis of any meaningful consultation or engagement with Ngāti Manuhiri.

1.4 Purpose

This assessment of actual and potential impacts on cultural values and interests will assist Orewa West Investments Limited in meeting their statutory obligations in a number of ways, including:

- having regard to the statutory acknowledgement of Ngāti Manuhiri as Mana Whenua for north-east Tamaki Makaurau
- preparation of an Assessment of Environmental Effects (AEE) in accordance with s88(2)(b) and Schedule 4 of the Resource Management Act 1991 (RMA)
- requests for further information under s92 of the RMA in order to assess the application
- providing information to assist the council in determining notification status under ss95 to 95F of the RMA
- providing information to enable appropriate consideration of the relevant Part II matters when making a decision on an application for resource consent under s104 of the RMA
- consideration of appropriate conditions of resource consent under s108 of the RMA.

1.5 Objective

The objective of this CIA report is to provide Orewa West Investments Limited with insights into the cultural impacts associated with their proposed subdivision planned for Hall Farm, and how they might be addressed.

1.6 Proposed Works

At this time it is understood the project relates to a subdivision of approximately 84 hectares and associated works. A description of the works outlined in the Assessment of Environmental Effects (AEE) prepared for Orewa West Investments Limited is as below:

It is proposed to subdivide the land into 105 private lots, with an area of land that will be in common ownership in accordance with the provisions of the plan. The lots will be approximately 3,000m² in size. The 50 hectare balance that will be held in common will comprise the roads,

stormwater and wastewater treatment areas, areas of pasture for farming purposes, and native and exotic bush held to maintain and enhance the environmental attributes of the property.

1.6.1 Access

Access into the site will be via the interchange at the western end of Grand Drive. The road network for the site will be created, servicing the proposed sections. A main arterial will follow a ridge line around the central core of the site. Side roads will feed off this arterial. Because of the steepness of the slopes on some these ridges, significant cutting operations will be needed to achieve appropriate grades for the roads.

1.6.2 Earthworks

Approximately 35 hectares or 40% of the site area will be subject to earthworks. This will amount to approximately 800,000m³ of earthworks. It is proposed to place much of the surplus fill at the head of the central gully, covering an area of approximately 3.4 hectares. To achieve this will necessitate the removal of 1.4 hectares of indigenous shrub land and exotic vegetation. Once filled, the entire area will be planted with indigenous vegetation.

1.6.3 Works in watercourses

Three vehicle crossings are needed over the watercourses. The access across the northern West Hoe stream near to the Motorway will be bridged to preserve the high ecological values in and around the stream. To provide access across what is termed the Middle Stream, also near the Motorway, it is proposed to insert a 1600mm diameter pipe over a length of approximately 70 meters. The final crossing, over the Orewa North tributary at the south west part of the property will also be bridged, once again because this option will better assist in preserving the high environmental values in that area.

1.6.4 Sediment controls

Extensive sediment control measures will be instigated throughout the site in accordance with Auckland Council Technical Publication 90, with all earthworks areas top-soiled and re-grassed on completion of the earthworks.

1.6.5 Re-vegetation

The proposal is to prepare a Planting Plan with the aim of ensuring the visual separation of houses and also to ensure the overall rural nature of the site is retained. Between 8 and 10 hectares of planting will be undertaken as part of the proposal. In accordance with the requirements of the zone provisions some of the common areas will be left open and available for farming, and in particular stock grazing.

1.6.6 Stormwater

There will be no reticulated stormwater system on the site. Stormwater currently discharges to three main gullies, all of which lead into culverts travelling under the adjacent Northern Motorway converging on the Orewa side of the motorway and discharging into the Orewa River. Stormwater from the road network will be directed into nine separate systems, each with a specifically designed stormwater treatment and detention pond. 75% of suspended solids will be removed by this system.

1.6.7 Wastewater

A community wastewater disposal system will be constructed. This will incorporate two wastewater treatment plants discharging to land using drip feed irrigation systems.

1.6.8 Services

Each lot will be provided with a roof fed water supply by way of rain water tanks. Ultimately it may be possible to connect to the Watercare water and wastewater networks that are planned for extension into the area immediately on the eastern side of the Northern Motorway. Existing telecommunications and electricity services in the area are along Grand Drive and underground connections following the roading network will be included.

1.6.9 Common Areas

All land not in private lots will be transferred into common areas to be used for farming and recreational activities. In addition, the roads, stormwater networks and treatment ponds, and the wastewater network and systems will be owned in common by all lot holders.

2.0 Ngāti Manuhiri Cultural Impact Assessment Process

2.1 Cultural Values

Our leaders are experts in our whakapapa, history matauranga and tikanga. We have leaders in all areas of environmental management, influencing stakeholders to protect Ngā Taonga tuku iho, providing guidance and inspiration for our people.

Ngā Tikanga – the values and principles which guide our role as kaitiaki, in environmental management:

- Manuhiritanga – our identity and uniqueness as Ngāti Manuhiri, upholding the mana of Ngāti Manuhiri
- Mana Motuhake – active leadership and decision making
- Kiatiaki – cultivating a sustainable healthy environment and healthy lifestyle for all people
- Kotahitangi – participating together; having open, honest and transparent communication
- Whanaungatanga – through our whakapapa, our identity; knowing our matauranga Ngāti Manuhiri
- Manaakitanga – caring for the environment so that Ngāti Manuhiri can care for the people

2.2 Ngāti Manuhiri Cultural Footprint

Our uniqueness and identity as Ngāti Manuhiri is expressed in all the things that we do. It is our tikanga and kawa, upholding the mana of Ngāti Manuhiri.

Our responsibility and obligation as kaitiaki to actively protect Ngā Taonga for the use and benefit of future generations is acknowledged in our governance and management protocols.

The role and responsibilities of kaitiaki in contemporary cultural and natural resource management includes, but is not limited to:

- Protection and maintenance of wahi tapu and other heritage sites
- Protection of taonga
- Placing of rahui (temporary ritual prohibition) to allow replenishment of harvested resources
- Restoration of damaged ecosystems
- Protection of sensitive environments
- Directing development in ways which are in keeping with the environment

- Ensuring the sustainable use of resources
- Observing the tikanga associated with traditional activities
- Providing for the needs of present and future generations

2.3 Methodology

This report is largely a desk top study, with oral korero from Manuhiri elders. However, previously, a Ngāti Manuhiri representative did undertake a site visit and prepared a preliminary Kaitiaki Report in response to initial notification of the resource consent application being submitted. It was indicated to the applicants at that time given the short time frame, that the Kaitiaki Report did not constitute appropriate engagement on the potential impacts of the development on Ngāti Manuhiri. Subsequent discussions resulted in this Cultural Impacts Assessment Report being commissioned. Material provided by the applicant, including site plans have been reviewed along with other relevant material. Satellite imagery, the Auckland Council's GIS and Cultural Heritage Inventory (CHI) database were also referenced. Historical material pertaining to Ngāti Manuhiri and the wider Orewa area was obtained internally, though a full history of association is not offered here.

3.0 Ngāti Manuhiri Association With Site

3.1 Physical Setting

Hall Farm, Orewa West is the remaining land under the Special 11 (Hall Farm Development Area) Zone, west of the Northern Motorway. The legal description of the two titles concerned is Lot 1 DP 310813 and Lot 3 DP 327701 which are able to be developed as Countryside Living Residential.



Figure 2: Map depicting location of Hall Farm (purple arrow) within the wider northeast Auckland coastal region

Currently farmed, the property features several ridges and associated gullies, with at least three perennial and other ephemeral waterways all of which are directed through long culverts underneath the Northern Motorway. Ultimately the water discharges into Te Moana Nui ō Toi (Hauraki Gulf) via the Orewa River and Estuary. The northern boundary is adjacent to the Nukumea Scenic Reserve. The entire eastern boundary is marked by the Northern Motorway. East of the motorway is Orewa township which is currently experiencing significant urban development. West of the site is rural.

3.2 Cultural Significance

As outlined previously, Ngāti Manuhiri links with the entire north east of Tāmaki Makaurau and eastern Kaipara date back to at least the 14th century. Pā were usually located in defensive, significant or strategic places throughout the rohe and there were both permanent and temporary (seasonal) kāinga (settlements), particularly adjacent to sheltered waters or rivers. Rivers were not only a source of fresh water and kai, but were the main highways inland to kāinga, cultivations or overland pathways. As previously stated, the entire rohe has been occupied and roamed by Ngāti Manuhiri and their whanaunga (relations) for generations. The area between Karepiro (Ōkura) and Pūhoi is no exception. This is evidenced by the large number of recorded archaeological sites (Figure 3) in general and in proximity to this site (Figure 4).

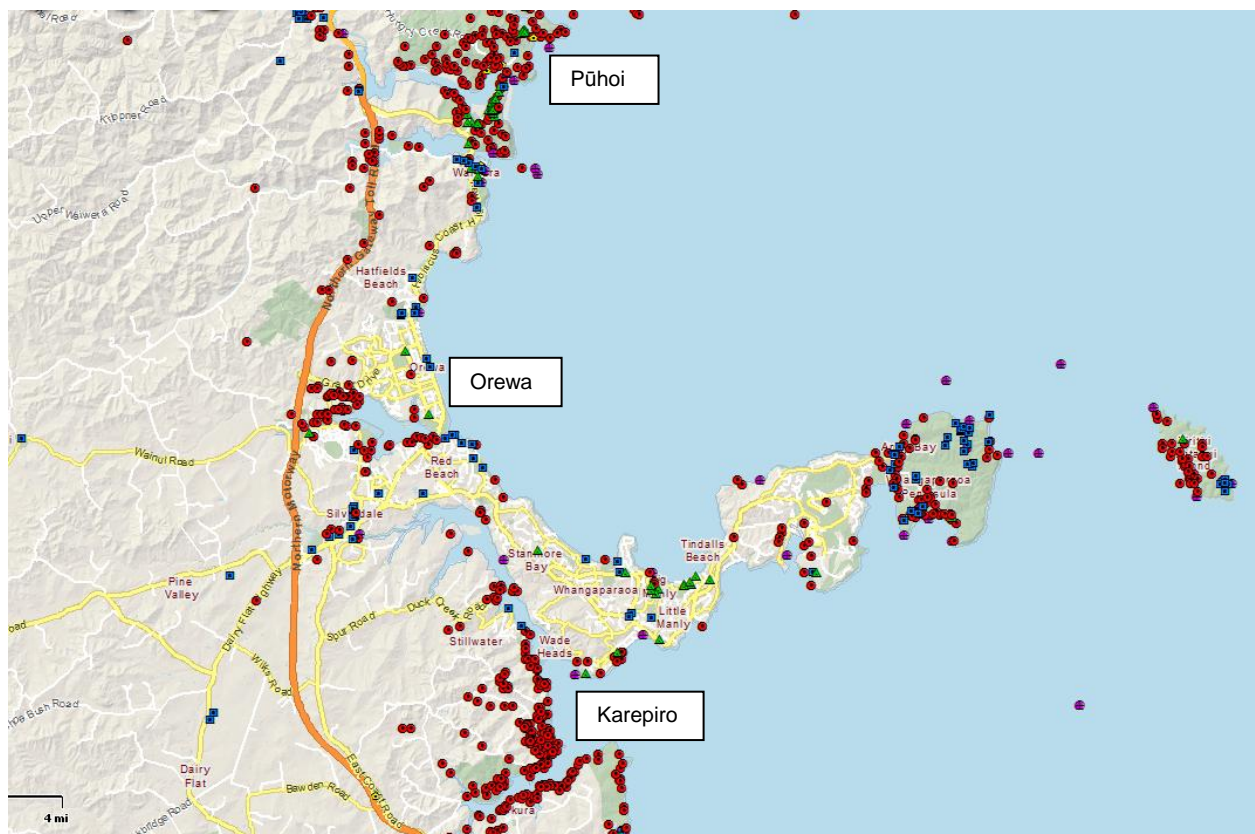


Figure 3: Map depicting location of recorded archaeological sites (red dots) around the wider Orewa area of occupation

Orewa is central to a number of significant places in the surrounding area including Pūhoi, Waiwerawera (Waiwera) and Te Koroto (Johnson Tunnels) to the north, all wāhi tapu to Ngāti Manuhiri. To the south at Albany is Oteha Valley, named for the grandson of Manuhiri.

The Orewa Estuary offered sheltered waters, a route inland and estuarine resources such as shellfish and patiki (flounder).

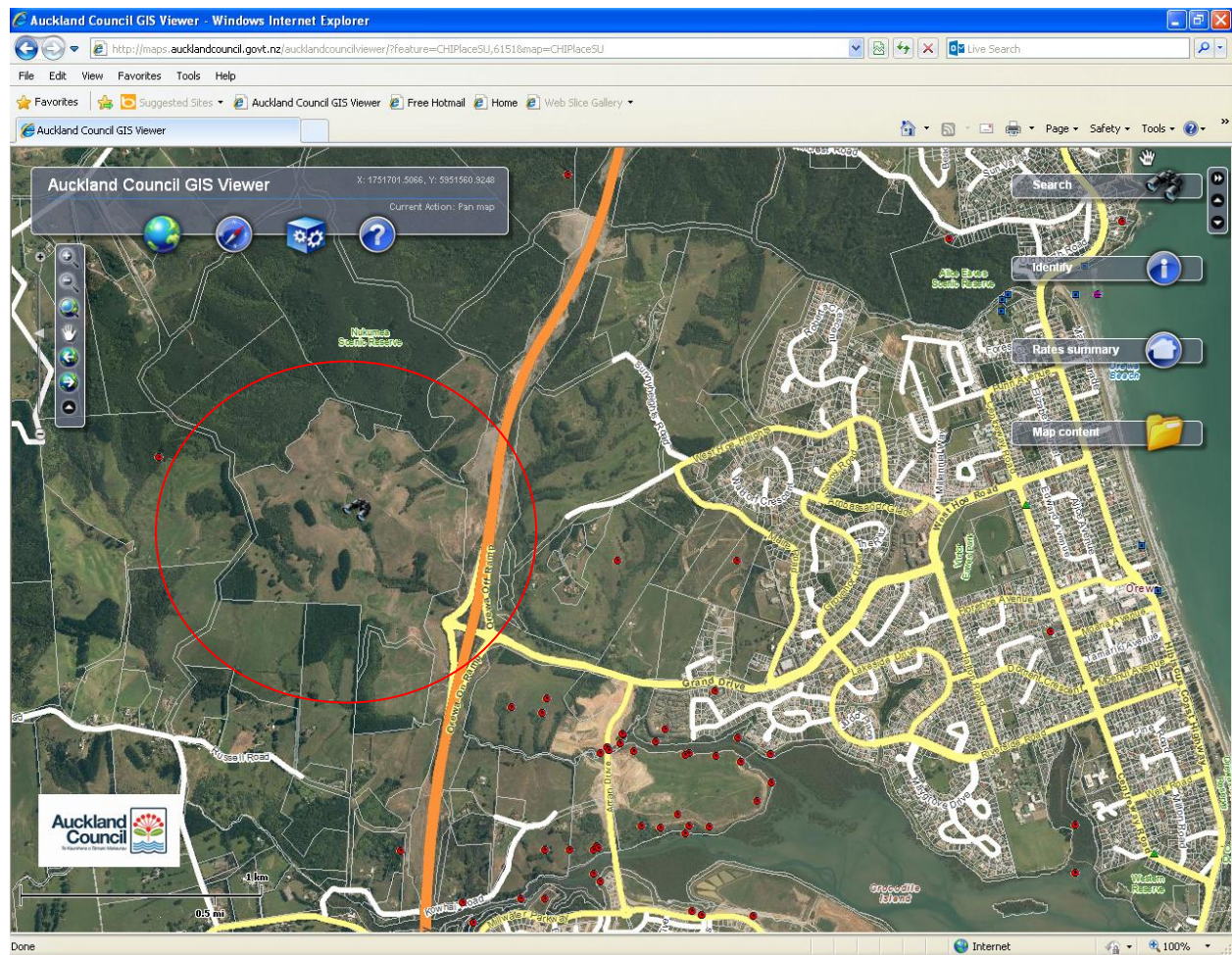


Figure 4: Map depicting location of recorded archaeological sites (red dots) in the vicinity of Hall Farm

Hall Farm is slightly inland and west of Orewa township. Its catchments form part of the tributaries and headwaters of the Orewa River. While not strictly coastal it is in very close proximity and therefore completely accessible. During pre-European times the land was forested and would have provided many forest resources including snaring forest birds; gathering fruits and berries for food or rōngoa (medicine); trapping and gathering eels, koura, kākahi (freshwater mussels) and waterfowl from streams and wetlands; felling trees for waka; harvesting flax for weaving.

Today Manuhiri's land and mana whenua interests are protected and watched over by his living descendents, with the Ngāti Manuhiri Settlement Trust the entity mandated to represent, manage and protect these interests.

4.0 Cultural Impact Assessment

The CIA involved a desktop study and field visit of the site to Hall Farm. It documents Ngāti Manuhiri's cultural values, interests and associations with the site and its resources, and the potential impacts of the proposed activity on these. Consideration of the proposal is made in regard to its impact upon Ngāti Manuhiri in the areas of wahi tapu, taonga, spiritual values, and wellbeing.

Any development, especially those involving cut or disturbance of the subsoil, has the potential to disturb archaeological materials and taonga. Given the extended period of Māori occupation and use of this region, the possibility of uncovering taonga or sites of significance to Ngāti Manuhiri does exist. Under the Historic Places Act (1993), any archaeological site or object, even if not previously recorded, is protected and it is prohibited to damage, modify, or destroy any such sites without an authority from the New Zealand Historic Places Trust.

4.1 Wāhi tapu

Wāhi tapu may include pā sites, battlefields, burial grounds, significant historic hapū sites, canoe landings etc.

No specific archaeological sites were identified in the Archaeological Report (Clough, 2013) within the boundaries of Hall Farm. Nor were any obvious modified land formations identified on the site walkover by Ngāti Manuhiri's representative. It is noted however, that the area immediately east of the site toward Orewa River and beach was heavily utilized by Ngāti Manuhiri. The identification of a midden to the west of this property highlights that occupation and use did extend further inland and that this property was likely traversed.

4.2 Taonga

Taonga can refer to artifacts or parts thereof, objects, flora, fauna, water bodies, or people.

While no artifacts or features associated with Māori activity have been identified on this site, there remains the possibility that such physical materials could be unearthed during earthworks.

Retaining the daylighting of the 15m stretch of stream between the motorway culvert and the new culvert required to facilitate one of the three stream crossings is the best outcome for the instream fauna. The addition of structures to aid fish passage through the new culvert will similarly allow fish to maintain their natural migrations.

The exclusion of stock from all waterbodies will afford protection of these taonga from further trampling and pollution.

4.3 Spiritual values

Spiritual values pertain to mauri (life force) and wairua (spiritual nature/forces/essences) of people, flora, fauna, land, bodies of water etc.

Although the site has been subject to modification (and the subsequent loss of indigenous flora and fauna), through farming its amenity and environmental value as open vegetated space means that the land retains its mauri today.

The new development will increase the built environment and includes considerable cut and fill for the formation of roads, ground stabilization and building platforms. The top of one gully will be completely filled, resulting in the loss of existing scrub vegetation and altering the headwaters of the catchment below.

Retaining cut to fill within the same site is the preferred practice by Ngāti Manuhiri to protect the mauri of the land.

Untreated storm and wastewater is culturally unacceptable. Appropriate sediment controls will be required throughout the earthworks to protect the streams. Permanent treatment areas for both are proposed as part of the development, and the entire development is designed to be hydrologically neutral. Discharge of treated wastewater to land is the preferred method for Ngāti Manuhiri (as opposed to discharge directly into water)

Despite the initial loss of some native scrub vegetation, the re-vegetation of 8-10 hectares of riparian, gully and other areas will mitigate this loss and enhance/restore the mauri and wairua of the landscape and waterways on site and beyond. It is the preference of Ngāti Manuhiri that all new plants be native.

4.4 Wellbeing

Wellbeing relates to the potential effects to the people of Ngāti Manuhiri by outside influences or events that affect their way of life or traditions.

While the proposal in isolation may result in minimal impact on the cultural landscape of the Orewa area, as a whole there is a cumulative issue which is worthy of consideration.

The historical associations of Ngāti Manuhiri with the area, including road names, may benefit this proposal and should be considered.

The opportunity presents to establish and jointly manage a Pā Harakeke (flax plantation) within the common areas of the subdivision, providing a cultural resource and activity for Ngāti Manuhiri.

5.0 Recommendations

The following recommendations for avoidance or mitigation of cultural impacts are provided as points of discussion between the applicant, statutory agencies, and tangata whenua.

5.1 That Ngāti Manuhiri support the proposed works in principle.

5.2 Prior to works commencing Ngāti Manuhiri be afforded the opportunity to perform a sod turning or blessing ceremony, to acknowledge the place and to protect those working on the development. This could be in conjunction with, or in addition to, a pre-construction site meeting.

5.3 As a minimum condition, Ngāti Manuhiri request that standard archaeological discovery conditions be adhered to throughout the earthworks, such that;

- If intact subsurface archaeological features or artifacts associated with māori are exposed during any works, it will be necessary to cease works in the vicinity and representatives of Ngāti Manuhiri and the Historic Places Trust should be notified immediately of the discovery (as outlined in section 6.0)
- If any koiwi (human remains) should be exposed in relation to any of the proposed trenching or other, works should cease in the immediate vicinity and the police, Ngāti Manuhiri and the Historic Places Trust should be contacted so that appropriate arrangements can be made (as outlined in section 6.0)
- These conditions should apply to future works associated with the final formation of individual building platforms or retaining walls.

5.4 Both ridgelines and streams are places that are more likely to be associated with archaeological sites. Following discussion and agreement with the developers, Ngāti Manuhiri require to monitor the removal of topsoil at such strategic locations.

5.5 Once installed, Ngāti Manuhiri require to inspect the silt/stormwater ponds and sediment controls in place prior to major earthworks associated with each commences. In addition, in the event of a severe adverse weather event occurring during earthworks, Ngāti Manuhiri are invited to inspect the integrity of the controls. All monitoring and inspection site visits are to be at the applicants expense.

- Appropriate sediment controls on individual lots will be required to prevent sediment laden runoff putting additional pressure on the stormwater network in the event of adverse weather events occurring during future earthworks.

5.6 Heavy machinery should be checked for leaks of fluids before entering riparian areas. Refuelling should take place well away from waterways.

5.7 Environmentally sustainable or recyclable materials and products can contribute to good cultural and environmental outcomes and should be used wherever practicable. For example consider natural floccing products.

5.8 That recognition of the cultural values associated with the area be incorporated into the subdivision. Ngāti Manuhiri be given the opportunity to put forward traditional names for the new roading and/or track network as a means to reflect our cultural footprint as Mana Whenua.

5.9 Native, eco-sourced vegetation wherever possible, including fruiting and flowering trees and plants should be used. This will ensure continuity and connectivity with Nukumea Scenic Reserve, enhancing the overall environment for native biodiversity (taonga). Appropriate plants should be used in the varying habitats to provide the natural, native foods and refuges for the differing species e.g. fruiting plants for forest birds, reptile friendly plants, habitat for fernbirds, protection and enhancement of wetland areas for swamp birds.

5.10 Considerable riparian and infill planting is proposed for the subdivision. Details of any sub-contract planting (fencing, weeding or other) work to be made available to Ngāti Manuhiri in good time for us to prepare a tender. Such opportunities allow the Trust to provide employment to rangatahi (young people).

5.11 Consideration be given to establishing a Pā Harakeke.

6.0 Discovery Protocols

Protocol for the discovery of koiwi or taonga unearthed during construction operations

The term 'koiwi' here refers to human remains such as skeletal material, while 'taonga' means cultural artefacts such as implements, weapons or decorations traditionally and historically used by tangata whenua and includes parts or the remains thereof. Features such as pits, midden or terraces are afforded the same legal protection as other archaeological materials or taonga. Iwi play an important role as kaitiaki in the care and management of koiwi tangata/human skeletal remains and taonga following discovery. It is essential that iwi are notified at the earliest opportunity should any koiwi or taonga be unearthed during earthworks or other operations.

The following procedures should be adopted in the event that koiwi, archaeological features or taonga are discovered or are suspected to have been unearthed during construction activities:

- If koiwi, archaeological features, or taonga are exposed during development, earthworks should immediately cease in the vicinity. It is important that any remains or artifacts are left undisturbed or *in situ* once discovered.
- The Site Supervisor should take steps immediately to secure the area so that koiwi or taonga remain untouched and site access is restricted.
- The Site Supervisor will ensure that eating, drinking, and smoking in the immediate vicinity is prohibited.
- The Project Manager will notify
 - a) the New Zealand Police (in the case of koiwi/skeletal remains only)
 - b) the New Zealand Historic Places Trust
 - c) Manuhiri Kaitiaki Charitable Trust
 - d) The Project Archaeologist (if applicable)
- Manuhiri Kaitiaki Charitable Trust will contact the appropriate kaumatua in order to guide and advise the parties involved as to the appropriate course of action. Any associated costs should be met by the developer.
- The Project Manager will ensure staff are available on site to guide police (as appropriate) and kaumatua to the site.
- In the case of koiwi, site access should be restricted to other parties until Police are satisfied the remains are not of forensic relevance.
- If the parties involved are satisfied that the koiwi or taonga are of Māori origin the kaumatua will decide how they are to be dealt with and will communicate

this to the New Zealand Police and other parties are appropriate.

- Activity on the site will remain on hold until the Police (in the case of koiwi), the kaumatua and New Zealand Historic Places Trust have given approval for activity to recommence.
- The Project Manager shall ensure that kaumatua have the opportunity to undertake karakia and other cultural ceremonies and activities at the site as may be considered appropriate in accordance with tikanga Māori (Māori customs and protocols).

7.0 Confidentiality

This report has been prepared for the particular brief given. The data and opinions contained in it may not be used in any other context, shared with any other person or organisation or for any other purposes without prior review and agreement with Ngāti Manuhiri.

8.0 Disclaimer

This report does not reflect the opinions, traditions or recorded history of any other iwi who express an interest in the Orewa West region.

9.0 References

Murdoch, G. (2011). Ngāti Manuhiri – Mana Whenua, Mana Moana. Unpublished Report.

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UPDATED CULTURAL IMPACT ASSESSMENT FOR HALL FARM OREWA WEST

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1.0 Introduction

This document provides an updated Tangata Whenua cultural impact assessment on behalf of Ngāti Manuhiri with regard to the proposed plan change (Council ref:1365HAL18) for the property known as Hall Farm Orewa West. In 2013 Ngāti Manuhiri prepared a cultural impact assessment (NM-CIA-2013-0101) for the proposed 105 lot subdivision at Hall Farm Orewa West. This was the first report addressing potential impacts on Tangata Whenua values relating to the proposed development. Since then, in 2017, a new resource consent was sought and granted for the development of a more intensive subdivision of up to 750 dwellings (BUN20441333). Ngāti Manuhiri did not provide an amended CIA to address the more intensive subdivision plan. In July 2019 AV Jennings, on behalf of Orewa West Investments Ltd, made a request for a private plan change of the Auckland Unitary Plan (AUP) to rezone the site from “Future Urban Zone” to a range of residential zones. In response, this updated CIA includes all elements of the original with additional considerations regarding the proposed plan change and the more intensive development plan.

1.1 Cultural Background

Ngāti Manuhiri are the descendants of the eponymous ancestor Manuhiri, the eldest son of the Ngāti Awa rangatira and warrior chieftain Maki, who was a leading, influential Rangatira from northern Taranaki to south western Waikato in the mid 1600's. Maki and his brother Mataahu were of high lineage, able to trace their ancestry from the arrival of the early Tainui, Aotea, Tokomaru, Kahuitara and Kurahaupo waka. Particularly from Tainui ancestors, known collectively as Ngāoho, their descendents had occupied the greater Tāmaki Makaurau, Kaipara, Mahurangi districts and Hauraki Gulf Islands since the 14th Century. Thus Ngāti Manuhiri in their own right, through Maki, have unbroken ties to their ancestral rohe, extending back many years before the birth of Manuhiri. Manuhiri was born at Kāwhia in the mid seventeenth century. In adulthood he left Kāwhia with his parents, siblings and a large group of Ngāti Awa followers (approx. 300) to look for a new home amongst Tainui relatives to the north. After staying briefly at Tāmaki, and becoming involved in disputes among their Ngāoho relatives, Maki and his people settled permanently in the southern Kaipara, Waitākere, Whenua roa o Kahu (North Shore) and Mahurangi districts. Because of an incident that took place in south Kaipara, Maki and his people became more generally known as ‘Te Kawerau’.

According to Ngāti Manuhiri tradition, Manuhiri and his followers built a pā named Kōritotī, near Arapārera north of Helensville, and came to occupy the eastern coastline of the Kaipara Harbour extending north to the Hōteu River. It was in this area that Ngāti Manuhiri developed its own distinct identity as a tribal grouping. Manuhiri and his brothers Ngāwhetū, Maraeariki and Tawhiakiterangi went on to defeat the original occupants of Whakarewatoto (Long Bay), Karepiro (Ōkura) and Huhuruhuruwaea (Tāwharanui). As a result, by the late seventeenth and early eighteenth centuries, Ngāti Manuhiri and their Te Kawerau relatives came to occupy the eastern coastline from Takapuna to Te Ārai Point. Maki and his brother Mataahu and their sons later fought for and occupied both Te Hauturu o Toi (Little Barrier Island) and Aotea (Great Barrier Island). To secure peace and to consolidate their occupation of the district, Ngāti Manuhiri made strategic marriages with the older tribal groupings of Ngāi Tāhuhu, who adjoined them to the north-west and north, and Ngāti Manaia (Ngāti Wai) who occupied the eastern coastline north of Whāngarei and many of the offshore islands. Through these marriages Ngāti Manuhiri gained further

ancient links with the land, sea, and islands on the eastern coastline from Paepae ō Tū (Bream Tail) to Takapuna and with eastern Kaipara (Figure 1).

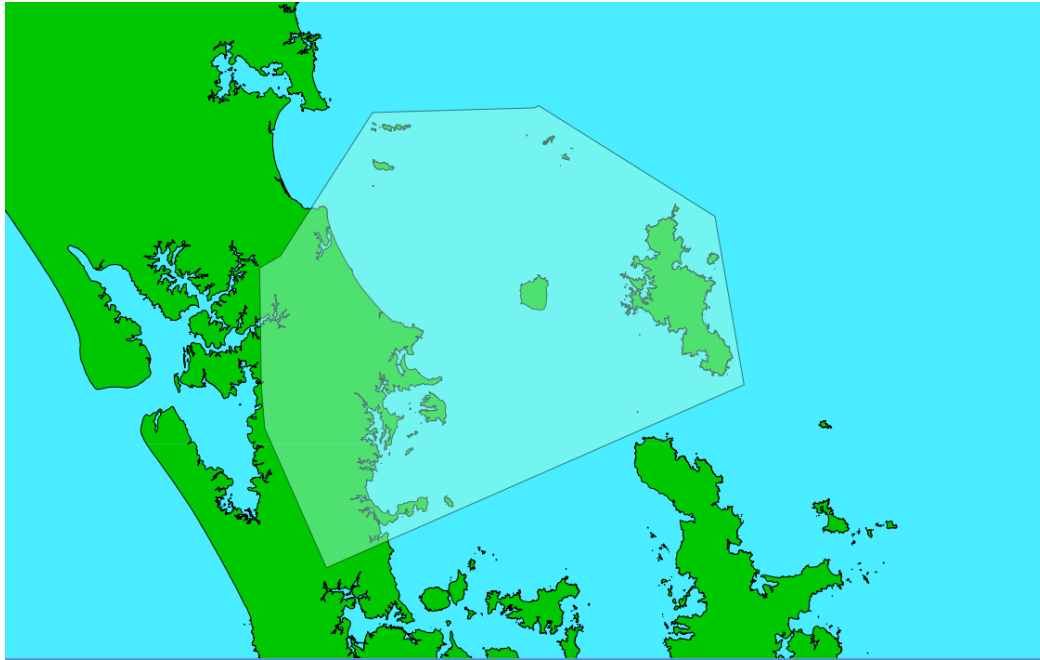


Figure 1: Ngāti Manuhiri Rohe (Area of Interest)

Ngāti Manuhiri remains part of Te Kawerau, and descent from Maki and his son Manuhiri is the basis of their mana today. Through the Ngāi Tahu descent Ngāti Manuhiri developed intimate ties with the neighbouring iwi of Te Uri ō Hau in the north west of the district and shared rights to the land there. Ongoing strategic marriages also saw Ngāti Manuhiri become an integral part of Ngāti Wai. Prior to the disruption associated with European contact, Ngāti Manuhiri occupied all parts of their ancestral domain in a seasonal cycle of cultivation and resource gathering. While predominantly a coastal tribe given the vast kaimoana resources of Te Moana Nui ō Toi (northern Hauraki Gulf), resources were also routinely gathered from the heavily forested interior, which was generally not occupied other than in times of conflict. The forest interior is also immensely significant as they were often the location of sacred burial places.

The impacts of post-European contact were devastating to the hapū, and included rewharewha (disease), alienation of land from illegal sales or confiscation (e.g. Whangaparaoa, Orewa River and Estuary included in the controversial Omaha Purchase (1841) and Wainui Block (1858), both concluded without the involvement of Ngāti Manuhiri), then further compounded by significant losses in battle during the Musket Wars. The loss of most of their lands, high levels of debt incurred through trying to get the land back, lack of opportunity to compete in the new economy or even to live on and use their land, contributed to the impoverishment and disassociation of the hapū. Subsequently many dispersed away from their homeland

to other districts in the late nineteenth century. Despite these challenges Ngāti Manuhiri the hapū, maintained the link with their rohe through ahi kā (occupation rights), traditions, songs, place names, tupuna (ancestral rights), urupā (burial grounds) and kaitiakitanga (guardianship and management of cultural and natural resources).

1.2 Legislative Framework

Through the Waitangi Tribunal process, the Ngāti Manuhiri Claims Settlement Act 2012 came in to effect 19 November 2012. The act mandates Ngāti Manuhiri as mana whenua for the rohe as outlined in the Deed of Settlement (and Figure 1.). It recognised and apologised for breaches of the Treaty by the Crown - as alluded previously - the actions of which have impacted negatively on the hapū for the last 150 years. The legislation provides statutory acknowledgement of statements by Ngāti Manuhiri regarding their particular cultural, spiritual, historical and traditional association, requiring relevant authorities to have regard to the views of Ngāti Manuhiri in all matters affecting these areas.

The Resource Management Act 1991 provides statutory recognition of the Treaty of Waitangi and the principles derived from the Treaty. It introduces the Māori resource management system via the recognition of kaitiakitanga and tino rangatiratanga, and accords Territorial Local Authorities with the power to delegate authority to iwi over relevant resource management decisions. The Act contains over 30 sections, which require Councils to consider matters of importance to tangata whenua. Some of the most important of these are:

- The principles of the Treaty of Waitangi and their application to the management of resources (Section 8).
- Recognition and provision for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga (Section 6(e)).
- Having particular regard to the exercise of kaitiakitanga or the iwi's exercise of guardianship over resources (Section 7(a)).
- Having regard to any relevant planning document recognised by an iwi/hapu authority (Sections 61(2)(a)(ii), 66(2)(c)(ii), 74(2)(b)(ii)).
- The obligation to consult with iwi/hapu over consents, policies and plans. (Combination of all the sections above and Clause 3(1)(d) of Part 1 of the first schedule of the Resource Management Act).

1.3 Ngāti Manuhiri Settlement Trust

The post settlement interests of Ngāti Manuhiri are managed and administered by the Ngāti Manuhiri Settlement Trust. The core purpose of Trust is to enhance the spiritual, cultural, social, and economic wellbeing of the hapū and to provide for the kaitiaki responsibility of ensuring the restoration and maintenance of the sociocultural and natural environment. These goals form the basis of any meaningful consultation or engagement with Ngāti Manuhiri.

1.4 Purpose of this Cultural Impact Assessment

This assessment of actual and potential impacts on cultural values and interests will assist Orewa West Investments Limited in meeting their statutory obligations in a number of ways, including:

- having regard to the statutory acknowledgement of Ngāti Manuhiri as Mana Whenua for north-east Tamaki Makaurau
- preparation of their “proposed plan change (private): Orewa 4 precinct”

1.5 Objective

The objective of this CIA report is to provide Orewa West Investments Limited and Auckland Council with insights into the cultural impacts associated with their proposed plan change for Hall Farm, and how they might be addressed.

1.6 Proposed Works

The applicant proposes to change the Auckland Unitary Plan overlay for Hall Farm from “Future Urban Zone” to a range of residential zones. This will provide for up to 750 homes.

The applicants approved resource consent permits the subdivision of the two existing rural lots providing for 575 lots, including 17 mixed use lots, ranging from 230m² up to 2,000m², roads and utility/recreational reserves, the taking of water for domestic consumption, the diverting, bridging and reclamation of streams, associated earthworks and vegetation removal and re-planting, and the discharge of storm water and occasional wastewater overflows. At the time of writing this updated CIA substantial cut and fill earthworks had already been undertaken under the approved subdivision resource consent.

1.6.1 Access

Access into the site will be via the interchange at the western end of Grand Drive. A network of roads will be constructed to access the various proposed sections. Because of the steepness of the slopes across site significant cutting operations will be needed to achieve appropriate grades for the roads.

1.6.2 Earthworks

Due to the steep sloping topography across the precinct a significant amount of cut and fill earthworks are necessary to create appropriate building and roading platforms. Earthworks are proposed to be undertaken over eight stages and environmental mitigations established at each stage as required.

1.6.3 Works in watercourses

Three vehicle crossings are needed over the watercourses. The access across the northern West Hoe stream near to the Motorway will be bridged to preserve the high ecological values in and around the stream. To provide access across what is termed the Middle Stream, also near the Motorway, it is proposed to insert a 1600mm diameter pipe over a length of approximately 70 meters. The final crossing, over the Orewa North tributary at the south west part of the property will also be bridged, once again because this option will better assist in preserving the high environmental values in that area. Extensive riparian revegetation (10m buffer either side of waterways) as well as water sensitive urban design principles will be utilized to minimise impacts on freshwater ecology.

1.6.4 Sediment controls

Extensive sediment control measures will be instigated throughout the site in accordance with Auckland Council Technical Publication 90, with all earthworks areas top-soiled and re-grassed on completion of the earthworks. A number of raingardens will also be used to remove a significant amount of sediment from road runoff before it is discharged into the Orewa stream network.

1.6.5 Re-vegetation

The proposal is to prepare a planting and maintenance plan for areas of revegetation. Whilst certain areas of vegetation will be removed for development, a net gain of 104,985m² terrestrial plantings and 1,289m² riparian plantings are proposed. Appropriately eco-sourced native plants will be used for revegetation. Revegetation is to occur within: the “no-development buffer” adjacent to Nukumea Scenic Reserve, 10m riparian borders either side of watercourses, raingardens, around retained mature exotic trees, and in other newly created Open Space Conservation Zones creating corridors of vegetation throughout the precinct.

1.6.6 Stormwater

Residential roof runoff across site will be directed to constructed wetlands at the heads of selected ephemeral and intermittent on site waterways to ensure stream recharge. The remainder of the runoff from impermeable surfaces across site will be directed into a number of rain gardens for treatment and then discharged ultimately to Orewa stream network via three culverts running under the motorway.

1.6.7 Wastewater

A public wastewater connection exists on the eastern side of the motorway which has capacity to service the maximum residential units proposed. All wastewater from the proposed development will be directed there and then gravity fed to the Orewa wastewater pump station. Three pump stations are proposed to move wastewater from lower areas up to the gravity portion of the site.

1.6.8 Services

Water will be supplied from the public main supply on the eastern side of the motorway. Drilling under the motorway will be required to run the necessary pipe work. Existing telecommunications and electricity services in the area are along Grand Drive and underground connections following the roading network will be included.

1.6.9 Common Areas

A mixture of recreation and conservation open space zones is proposed for the precinct and designed in a way to ensure green linkages for pedestrian and biodiversity movement. These two distinct open space zones will be owned and managed in perpetuity by all land owners through the use of appropriate legal mechanisms. Other common areas include a pedestrian/cycleway network through the precinct and Nukumea Scenic Reserve which will be accessible to the public via a single entrance from the precinct. Discussions with DOC and Ngati Manuhiri are currently underway to scope and explore access track options within Nukumea Scenic Reserve.

2.0 Ngāti Manuhiri Cultural Impact Assessment Process

2.1 Cultural Values

Our leaders are experts in our whakapapa, history matauranga and tikanga. We have leaders in all areas of environmental management, influencing stakeholders to protect Ngā Taonga tuku iho, providing guidance and inspiration for our people.

Ngā Tikanga – the values and principles which guide our role as kaitiaki, in environmental management:

- Manuhiritanga – our identity and uniqueness as Ngāti Manuhiri, upholding the mana of Ngāti Manuhiri
- Mana Motuhake – active leadership and decision making
- Kiatiki – cultivating a sustainable healthy environment and healthy lifestyle for all people
- Kotahitangi – participating together; having open, honest and transparent communication
- Whanaungatanga – through our whakapapa, our identity; knowing our matauranga Ngāti Manuhiri
- Manaakitanga – caring for the environment so that Ngāti Manuhiri can care for the people

2.2 Ngāti Manuhiri Cultural Footprint

Our uniqueness and identity as Ngāti Manuhiri is expressed in all the things that we do. It is our tikanga and kawa, upholding the mana of Ngāti Manuhiri.

Our responsibility and obligation as kaitiaki to actively protect Ngā Taonga for the use and benefit of future generations is acknowledged in our governance and management protocols.

The role and responsibilities of kaitiaki in contemporary cultural and natural resource management includes, but is not limited to:

- Protection and maintenance of wahi tapu and other heritage sites
- Protection of taonga
- Placing of rahui (temporary ritual prohibition) to allow replenishment of harvested resources
- Restoration of damaged ecosystems
- Protection of sensitive environments
- Directing development in ways which are in keeping with the environment
- Ensuring the sustainable use of resources

- Observing the tikanga associated with traditional activities
- Providing for the needs of present and future generations

2.3 Methodology

This report is largely a desk top study, with oral korero from Manuhiri elders. However, previously, a Ngāti Manuhiri representative did undertake a site visit and prepared a preliminary Kaitiaki Report in response to initial notification of the resource consent application being submitted. It was indicated to the applicants at that time given the short time frame, that the Kaitiaki Report did not constitute appropriate engagement on the potential impacts of the development on Ngāti Manuhiri. Subsequent discussions resulted in this Cultural Impacts Assessment Report being commissioned. Material provided by the applicant, including previous development/subdivision plans plus the plan change application and associated assessment documents have been reviewed along with other relevant material. Satellite imagery, the Auckland Council's GIS and Cultural Heritage Inventory (CHI) database were also referenced. Historical material pertaining to Ngāti Manuhiri and the wider Orewa area was obtained internally, though a full history of association is not offered here.

3.0 Ngāti Manuhiri Association With Site

3.1 Physical Setting

Hall Farm, Orewa West is the remaining land under the Special 11 (Hall Farm Development Area) Zone, west of the Northern Motorway. The legal description of the two titles concerned is Lot 1 DP 310813 and Lot 3 DP 327701 which are able to be developed as Countryside Living Residential.



Figure 2: Map depicting location of Hall Farm (purple arrow) within the wider northeast Auckland coastal region

The property was previously farmed. The property features several ridges and associated gullies, with at least three perennial and other ephemeral waterways all of which are directed through long culverts underneath the Northern Motorway. Ultimately the water discharges into Te Moana Nui ō Toi (Hauraki Gulf) via the Orewa River and Estuary. The northern boundary is adjacent to the Nukumea Scenic Reserve. The entire eastern boundary is marked by the Northern Motorway. East of the motorway is Orewa township which is currently experiencing significant urban development. West of the site is rural.

3.2 Cultural Significance

As outlined previously, Ngāti Manuhiri links with the entire north east of Tāmaki Makaurau and eastern Kaipara date back to at least the 14th century. Pā were usually located in defensive, significant or strategic places throughout the rohe and there were both permanent and temporary (seasonal) kāinga (settlements), particularly adjacent to sheltered waters or rivers. Rivers were not only a source of fresh water and kai, but were the main highways inland to kāinga, cultivations or overland pathways. As previously stated, the entire rohe has been occupied and roamed by Ngāti Manuhiri and their whanaunga (relations) for generations. The area between Karepiro (Ōkura) and Pūhoi is no exception. This is evidenced by the large number of recorded archaeological sites (Figure 3) in general and in proximity to this site (Figure 4).

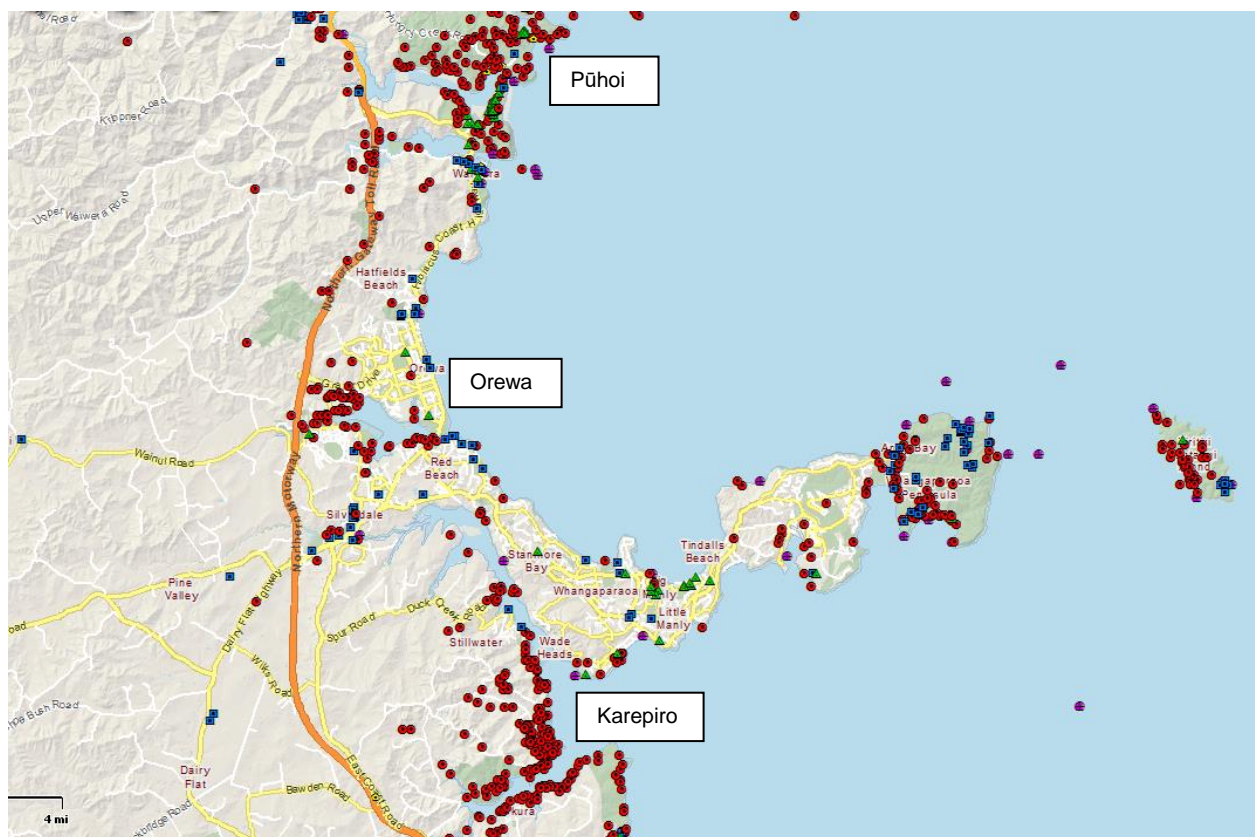


Figure 3: Map depicting location of recorded archaeological sites (red dots) around the wider Orewa area of occupation

Orewa is central to a number of significant places in the surrounding area including Pūhoi, Waiwerawera (Waiwera) and Te Koroto (Johnson Tunnels) to the north, all wāhi tapu to Ngāti Manuhiri. To the south at Albany is Oteha Valley, named for the grandson of Manuhiri.

The Orewa Estuary offered sheltered waters, a route inland and esturine resources such as shellfish and patiki (flounder).

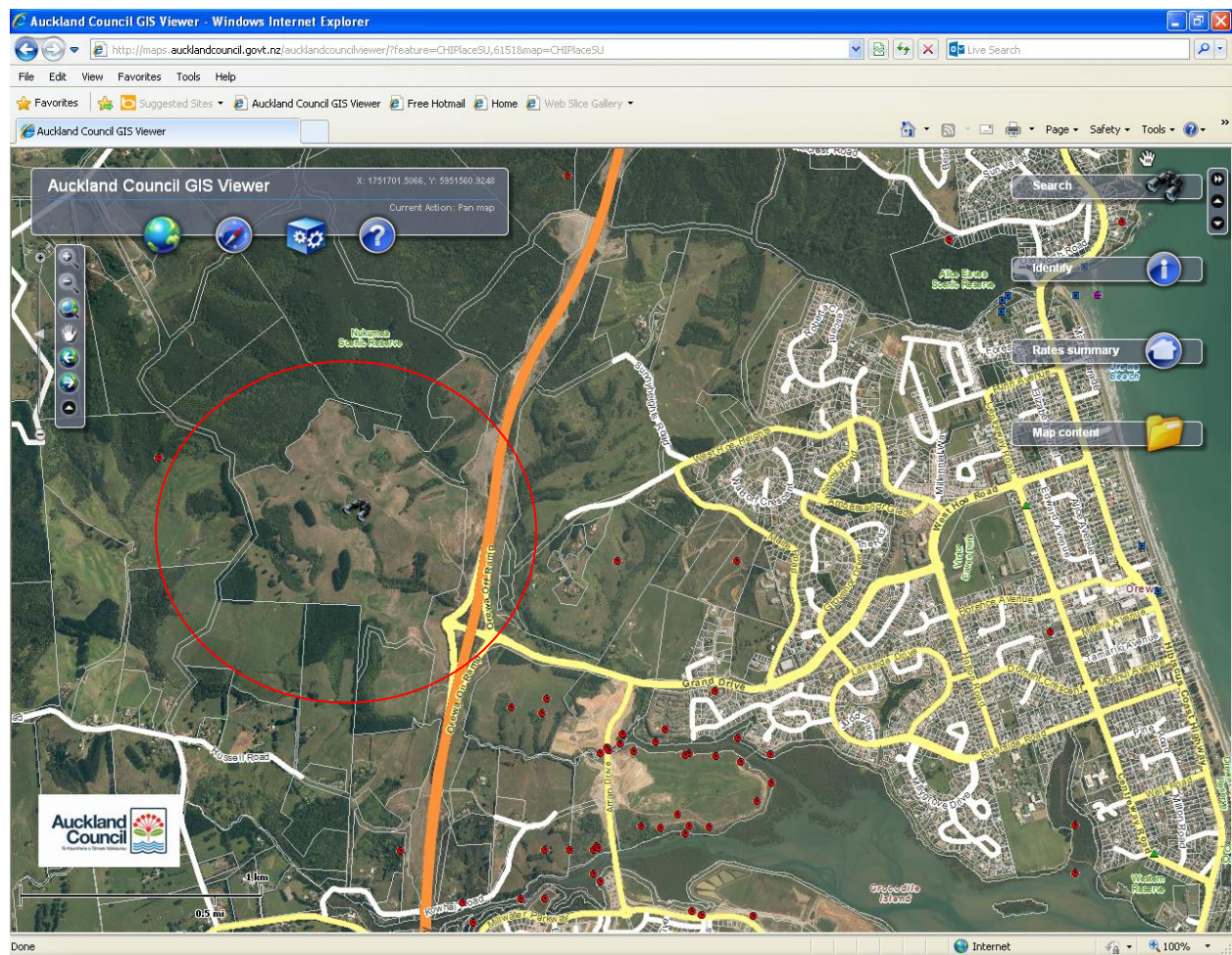


Figure 4: Map depicting location of recorded archaeological sites (red dots) in the vicinity of Hall Farm

Hall Farm is slightly inland and west of Orewa township. Its catchments form part of the tributaries and headwaters of the Orewa River. While not strictly coastal it is in very close proximity and therefore completely accessible. During pre-European times the land was forested and would have provided many forest resources including snaring forest birds; gathering fruits and berries for food or rōngoa (medicine); trapping and gathering eels, koura, kākahi (freshwater mussels) and waterfowl from streams and wetlands; felling trees for waka; harvesting flax for weaving.

Today Manuhiri's land and mana whenua interests are protected and watched over by his living descendants, with the Ngāti Manuhiri Settlement Trust the entity mandated to represent, manage and protect these interests.

4.0 Cultural Impact Assessment

The CIA involved a desktop study and several field visits of the site to Hall Farm. It documents Ngāti Manuhiri's cultural values, interests and associations with the site and its resources, and the potential impacts of the proposed activity on these. Consideration of the proposal is made in regard to its impact upon Ngāti Manuhiri in the areas of wahi tapu, taonga, spiritual values, and wellbeing.

Any development, especially those involving cut or disturbance of the subsoil, has the potential to disturb archaeological materials and taonga. Given the extended period of Māori occupation and use of this region, the possibility of uncovering taonga or sites of significance to Ngāti Manuhiri does exist. Under the Historic Places Act (1993), any archaeological site or object, even if not previously recorded, is protected and it is prohibited to damage, modify, or destroy any such sites without an authority from the New Zealand Historic Places Trust.

4.1 Wāhi tapu

Wāhi tapu may include pā sites, battlefields, burial grounds, significant historic hapū sites, canoe landings etc.

No specific archaeological sites were identified in the Archaeological Report (Clough, 2013) within the boundaries of Hall Farm. Nor were any obvious modified land formations identified on the site walkover by Ngāti Manuhiri's representative. It is noted however, that the area immediately east of the site toward Orewa River and beach was heavily utilized by Ngāti Manuhiri. The identification of a midden to the west of this property highlights that occupation and use did extend further inland and that this property was likely traversed.

4.2 Taonga

Taonga can refer to artifacts or parts thereof, objects, flora, fauna, water bodies, or people.

While no artifacts or features associated with Māori activity have been identified on this site, there remains the possibility that such physical materials could be unearthed during earthworks.

Retaining the daylighting of the 15m stretch of stream between the motorway culvert and the new culvert required to facilitate one of the three stream crossings is the best outcome for the instream fauna. The addition of structures to aid fish passage through the new culvert will similarly allow fish to maintain their natural migrations.

The exclusion of stock from all waterbodies will afford protection of these taonga from further trampling and pollution.

4.3 Spiritual values

Spiritual values pertain to mauri (life force) and wairua (spiritual nature/forces/essences) of people, flora, fauna, land, bodies of water etc.

Although the site has been subject to modification (and the subsequent loss of indigenous flora and fauna), through farming its amenity and environmental value as open vegetated space means that the land retains its mauri today.

The new development will increase the built environment and includes considerable cut and fill for the formation of roads, ground stabilization and building platforms. The top of one gully will be completely filled, resulting in the loss of existing scrub vegetation and altering the headwaters of the catchment below.

Retaining cut to fill within the same site is the preferred practice by Ngāti Manuhiri to protect the mauri of the land.

Untreated storm and wastewater is culturally unacceptable. Appropriate sediment controls will be required throughout the earthworks to protect the streams. Permanent treatment areas for both are proposed as part of the development, and the entire development is designed to be hydrologically neutral. Discharge of treated wastewater to land is the preferred method for Ngāti Manuhiri (as opposed to discharge directly into water)

Despite the initial loss of some native scrub vegetation, the re-vegetation of 8-10 hectares of riparian, gully and other areas will mitigate this loss and enhance/restore the mauri and wairua of the landscape and waterways on site and beyond. It is the preference of Ngāti Manuhiri that all new plants be native.

4.4 Wellbeing

Wellbeing relates to the potential effects to the people of Ngāti Manuhiri by outside influences or events that affect their way of life or traditions.

While the proposal in isolation may result in minimal impact on the cultural landscape of the Orewa area, as a whole there is a cumulative issue which is worthy of consideration.

The historical associations of Ngāti Manuhiri with the area, including road names, may benefit this proposal and should be considered.

The opportunity presents to establish and jointly manage a Pā Harakeke (flax plantation) within the common areas of the subdivision, providing a cultural resource and activity for Ngāti Manuhiri.

5.0 Recommendations

The following recommendations for avoidance or mitigation of cultural impacts are provided as points of discussion between the applicant, statutory agencies, and tangata whenua. Recommendations are presented here under two headings to distinguish the difference between the two different activities relating to the site (Proposed plan change and consented development).

5.1 Recommendations/comments relating to Proposed Plan Change

5.1a That Ngāti Manuhiri support the Proposed Plan Change in principle.

5.1b That Ngāti Manuhiri strongly support consent notices prohibiting the keeping of mustelids, rodents, and cats anywhere in the precinct, and all consent notices associated with works within the Nukumea Reserve Protection Overlay.

5.1c Native, eco-sourced vegetation wherever possible, including fruiting and flowering trees and plants should be used. This will ensure continuity and connectivity with Nukumea scenic reserve, enhancing the overall environment for native biodiversity (taonga). Appropriate plants should be used in the varying habitats to provide the natural, native foods and refuges for the differing species e.g. fruiting plants for forest birds, reptile friendly plants, habitat for fern birds, protection and enhancement of wetland areas for swamp birds.

5.1d Considerable riparian and other revegetation works are proposed for the precinct. Details of any planting and maintenance plan drafting to be made available to Ngāti manuhiri in good time for us to prepare a tender. Such opportunities allow Ngāti Manuhiri to provide ecological and cultural input into the whenua restoration process.

5.1e That Ngāti Manuhiri support restricted access for dogs in the precinct especially within the Nukumea Reserve Protection Overlay and Nukumea Scenic reserve itself, if and when tracks are developed in the future.

5.1f Given the precinct's close proximity to Nukumea Scenic Reserve, Ngāti Manuhiri suggest a pest management strategy be required for the precinct and that Ngāti Manuhiri to be involved in its preparation.

5.2 Recommendations/comments relating to development works

5.2a Prior to works commencing Ngāti Manuhiri be afforded the opportunity to perform a sod turning or blessing ceremony to acknowledge the place and to protect those working on the development.

(Completed)

5.2b As a minimum condition, Ngāti Manuhiri request that standard archaeological discovery conditions be adhered to throughout the earthworks, such that;

- If intact subsurface archaeological features or artifacts associated with māori are exposed during any works, it will be necessary to cease works in the vicinity and representatives of Ngāti Manuhiri and the Historic Places Trust should be notified immediately of the discovery (as outlined in section 6.0)
- If any koiwi (human remains) should be exposed in relation to any of the proposed trenching or other, works should cease in the immediate vicinity and the police, Ngāti Manuhiri and the Historic Places Trust should be contacted so that appropriate arrangements can be made (as outlined in section 6.0)
- These conditions should apply to future works associated with the final formation of individual building platforms or retaining walls.

5.2c Both ridgelines and streams are places that are more likely to be associated with archaeological sites. Following discussion and agreement with the developers, Ngāti Manuhiri require to monitor the removal of topsoil at such strategic locations.

5.2d Once installed, Ngāti Manuhiri require to inspect the silt/stormwater ponds and sediment controls in place prior to major earthworks associated with each commences. In addition, in the event of a severe adverse weather event occurring during earthworks, Ngāti Manuhiri are invited to inspect the integrity of the controls. All monitoring and inspection site visits are to be at the applicants' expense.

- Appropriate sediment controls on individual lots will be required to prevent sediment laden runoff putting additional pressure on the stormwater network in the event of adverse weather events occurring during future earthworks.

5.2e Heavy machinery should be checked for leaks of fluids before entering riparian areas. Refuelling should take place well away from waterways.

5.2f Environmentally sustainable or recyclable materials and products can contribute to good cultural and environmental outcomes and should be used wherever practicable. For example consider natural floccing products.

5.2g That recognition of the cultural values associated with the area be incorporated into the subdivision. That Ngāti Manuhiri be given the opportunity to put forward traditional names for the new roading and/or open space/track network as a means to reflect our cultural footprint as Mana Whenua.

5.2h Consideration be given to establishing a Pā Harakeke garden to provide access to cultural materials.

5.2i That Ngāti Manuhiri be invited to participate in the design and implementation of any entranceways and new tracks that adjoin Nukumea Scenic Reserve, including input into cultural markers and/or interpretative signage at key sites associated with any recreational development at Nukumea Scenic Reserve (i.e. carpark and access points, etc).

6.0 Discovery Protocols

Protocol for the discovery of koiwi or taonga unearthed during construction operations

The term 'koiwi' here refers to human remains such as skeletal material, while 'taonga' means cultural artefacts such as implements, weapons or decorations traditionally and historically used by tangata whenua and includes parts or the remains thereof. Features such as pits, midden or terraces are afforded the same legal protection as other archaeological materials or taonga. Iwi play an important role as kaitiaki in the care and management of koiwi tangata/human skeletal remains and taonga following discovery. It is essential that iwi are notified at the earliest opportunity should any koiwi or taonga be unearthed during earthworks or other operations.

The following procedures should be adopted in the event that koiwi, archaeological features or taonga are discovered or are suspected to have been unearthed during construction activities:

- If koiwi, archaeological features, or taonga are exposed during development, earthworks should immediately cease in the vicinity. It is important that any remains or artifacts are left undisturbed or *in situ* once discovered.
- The Site Supervisor should take steps immediately to secure the area so that koiwi or taonga remain untouched and site access is restricted.
- The Site Supervisor will ensure that eating, drinking, and smoking in the immediate vicinity is prohibited.
- The Project Manager will notify
 - a) the New Zealand Police (in the case of koiwi/skeletal remains only)
 - b) the New Zealand Historic Places Trust
 - c) Manuhiri Kaitiaki Charitable Trust
 - d) The Project Archaeologist (if applicable)
- Manuhiri Kaitiaki Charitable Trust will contact the appropriate kaumatua in order to guide and advise the parties involved as to the appropriate course of action. Any associated costs should be met by the developer.
- The Project Manager will ensure staff are available on site to guide police (as appropriate) and kaumatua to the site.
- In the case of koiwi, site access should be restricted to other parties until Police are satisfied the remains are not of forensic relevance.
- If the parties involved are satisfied that the koiwi or taonga are of Māori origin the kaumatua will decide how they are to be dealt with and will communicate this to

the New Zealand Police and other parties are appropriate.

- Activity on the site will remain on hold until the Police (in the case of koiwi), the kaumatua and New Zealand Historic Places Trust have given approval for activity to recommence.
- The Project Manager shall ensure that kaumatua have the opportunity to undertake karakia and other cultural ceremonies and activities at the site as may be considered appropriate in accordance with tikanga Māori (Māori customs and protocols).

7.0 Confidentiality

This report has been prepared for the particular brief given. The data and opinions contained in it may not be used in any other context, shared with any other person or organisation or for any other purposes without prior review and agreement with Ngāti Manuhiri.

8.0 Disclaimer

This report does not reflect the opinions, traditions or recorded history of any other iwi who express an interest in the Orewa West region.

9.0 References

Murdoch, G. (2011). Ngāti Manuhiri – Mana Whenua, Mana Moana. Unpublished Report.

Ngāti Manuhiri and the Crown (2011). Deed of Settlement of Historical Claims