NGATI TE ATA
CULTURAL ASSESMENT REPORT

Prepared for

PW, SM & GM Askew Partnership

Proposed Plan Change from Rural zoned Land to Residential Land

"the striking with the mahoe branch"

***Patu**, to strike or kill;*

***mahoe**, the whitewood tree (Melicytus Ramiflorus)*

JANUARY 2019

HE TIKANGA Ā TE RŌPŪ KAITIAKI KI TE TIAKI TE WAIRUA-TANGA, TE AHUREA MŌ ŌNA AKE WHENUA ME NGĀ PUNA TAONGA.	*IT IS ESSENTIAL THAT WE, THE GUARDIANS HAVE SPIRITUAL AND CULTURAL COMMAND OVER OUR TRADITIONAL LANDS, WATERS, AND RESOURCES.*
TĒNEI WHAKAATURANGA KI TE WHAKAMŌHIA IA KOUTOU TO TĀTOU WHAKAPAPA, WHENUA, WHAKAHAERE Ā MANA WHENUA	*OUR INTENTION IS TO GIVE YOU A GLIMPSE INTO OUR CULTURE, REGION, CULTURAL RESOURCES, AND CARETAKER RESPONSIBILITIES*

1.0 BACKDROP

Ngati Te Ata Waiohua are one of the two manawhenua iwi regarding the Patumahoe area.

1.1 Ngati Te Ata Waiohua have had a long history in resource management and environmental issues within their tribal rohe [area]. Many changes over the years have not always been in the best interests of the tribe. Such change has often resulted in the continual degradation of many of the tribe's natural and physical resources, waahi tapu sites, and other taonga.

1.2 Ngati Te Ata descend from Waikato- Tainui and Te Waiohua. It is through these associations that connect us to the Kingseat, Patumahoe and Mauku area. With particular regard to the Manukau Harbour and its many tributaries.

1.3 The New Zealand Wars Author: James Cowan explanations the place-name of Patumahoe:

The chief Huritini, of the Ngaiwi or Waiohua Tribe, of the Tamaki district, came to these parts to make war upon Hiku-rere-roa and Te Ranga-rua, the leaders of the Ngati-Tamaoho Tribe, six generations ago. The pa of Ngati-Tamaoho was on the Titi Hill. The battle began on the western side of the present Mauku Railway-station, near the church. Huritini was killed with a blow delivered with a mahoe stake or part of a sapling snatched up hurriedly from the ground by a Ngati-Tamaoho chief who had dropped his weapon; and the Ngaiwi men were defeated and driven from the district. Hence the name: ***Patu****, to strike or kill;* ***mahoe****, the whitewood tree (Melicytus ramiflorus).*

2.0 PROJECT SITE

Carter Road, Patumahoe

As stated in the application to the Auckland Council:

This is for a plan change of the applicants rural zoned land to Residential Land (Single house zone). Before the unitary plan this land was zoned future residential however their zoning was changed as part of the unitary plan without notification.

It is proposed to leave the existing land form as close to the possible to the current landform to minimise the number of earthworks required, and also proposing to modify the existing small stream into a water feature as part of open space for the development.

3.0 PURPOSE OF THE REPORT

3.1 This cultural assessment will;

1. Inform the applicant and council of our historical heritage and traditional associations that relate to the proposed plan change that seeks to;

2. Identify issues, concerns and any effects of the proposal on our social, environmental and cultural heritage, interests and values including on the wider surrounding environment

3. Assist with the identification and formulation of methods and make recommendations to avoid, remedy or mitigate adverse effects (if identified) regarding our interests and values.

4. Assist the applicant and council with decision-making under the Resource Management Act 1991.

3.2 This assessment represents only a starting point for initial engagement and will require further consultation and dialogue between Ngati Te Ata Waiohua and the PW, SM & GM Askew Partnership. Further discussion will be needed around the implications of this proposal to identify information gaps in our thinking, raise issues or opportunities we had not foreseen, and clarify and reach agreement of those issues as identified in this report.

3.3 The ultimate goal for Ngati Te Ata Waiohua being the protection, preservation and appropriate management of natural and cultural resources, including landscapes, in a manner that recognises and provides for our interests and values, and enables positive environmental outcomes.

4.0 BRIEF HISTORY

4.1 When the Tainui waka arrived in Tamaki Makarau there were already people living here, including Te Waiohua of Nga Oho and Nga Iwi. Members of the Tainui waka settled around the isthmus and began to intermarry with the ancestors of Te Waiohua. It was this intermarriage and the development of other bonds between the people that settlement established.

4.2 The Ngati Te Ata Waiohua rohe [tribal area] is surrounded by water. Manukatanga O Hoturoa - Manukau Harbour to the north and east, Moananui O Rehua - Tasman to the west and Te Awa O Waikato, the Waikato River to the south. This includes the many significant waterways used for food harvesting and ceremonial purposes. The Mauku, Puhitahi, Taihiki, Whangamarie, Te Hihi, and Whangapouri waterways are but a few. Tamaki Makaurau (Auckland) we have historical and traditional ties to as well.

4.3 The main waka route used by all tribes traversing North and South was via the Waikato River then onto the Manukau harbour via the Awaroa River. Harbour headlands and promontories were settled and highly valued for their access to kaimoana in the harbour. Numerous Iwi and hapu were mobile throughout the area. Whether visiting, passing through or conquest, a number of complex inter-tribal relationships developed around the harbour shoreline. The Manukau harbour was the “food bowl” for everyone.

4.4 Ngati Tamaoho and Ngati Te Ata Waiohua were living as neighbours and were related to each other. However there was rivalry between the two over ownership of land and Ngati Te Ata Waiohua had built defences in anticipation of conflict in close vicinity to Tamaoho. Both were descendants and hapu of the Tini-o-Taunu of Maui origin, Ngati Te Ata Waiohua through Te-Ata-i-Rehia of Waiohua and Ngati Tamaoho through their chief Tamaoho. Our ties have been close ever since. Those tribes whom have dominated around the northern part of Franklin have been Te Waiohua, Kahukoka, Tamaoho, Ngati Pou and Ngati Te Ata Waiohua.

4.5 The Patumahoe Mauku area has always been regarded by iwi as having a strategic position to Tamaki Makaurau (Auckland). In pre-European times this landscape would have been more varied with swamps and bush. It was a well-travelled route and considered a ‘gateway’ into areas of settlement, resource use

and occupation. Waahi nohoanga (encampments) are still known among iwi today extending from Purapura, onto the Tamakae estuary, around Taihiki, Karaka, Hingaia headlands to Pahurehure, and onto Papakura.

4.6 The Patumahoe Mauku area was part of the domain that came under the watchful eye of the current occupiers of the Pa high ground. This domain stretched out over the flat land and extended to the shores of the Manukau Harbour. From these advantage points, it was possible to observe Waka movements and receive early warning of the approach of friend or foe. In this early time the rivers and streams were wider and had different courses than they do now. The waka were able to traverse the district with far greater ease than seems possible today. From here the main canoe portage between the East and West Coasts could be monitored and smoke from cooking fires observed.

4.7 As stated earlier, in those days numerous creeks originating from deep swamps dissected the Patumahoe Mauku area making travel difficult and reducing the amount of firm, habitable land. Many 'things' underlie the feelings from iwi regarding the drainage and settlement of these places, the swamps and wetlands. The damage which has been caused to the mauri (life force) of waterways, the cultural offence caused by practices such as sewage and effluent discharge, sediment intrusion from poor farming practices, the damage to and loss of mahinga kai (food harvesting areas), rongoa (natural medicines), and building resources, and therefore damage to physical and spiritual health of the iwi.

4.8 The relationship of the people to the water is evidenced by the many marae (and Pa in days gone by) in close proximity to the Manukau harbour shores. The marae have traditionally enjoyed particular rights to the water, its resources and access to them. The marae form an integral part of the harbour. The harbour provided building and weaving materials such as raupo, medicines and dyes used for seasoning timber and restoring precious artefacts, its waters for healing and medicinal purposes (rongoa).

4.9 The tupuna (ancestors) in those days recognised the various states of water including wai tapu, wai ora, wai kino, and wai piro and wai mate. Waiora - waters of life, purest form of freshwater, gives and sustains life, can rejuvenate damaged mauri, counteracts evil. Waimate - dead water, has no regenerative capacity, mauri is lost, can contaminate other

mauri of living things or other waters. Waitapu - waters of death, waters are tapu due to loss, or restrictive use.

The New Zealand Wars and Confiscation

4.10 As settler numbers grew, the Tainui tribes in the Waikato decided to resist selling any more land and to establish a king, Potatau Te Wherowhero, in 1858. Governor Gore Browne and his successor, Sir George Grey, as well as the settler government, viewed the Maori King as incompatible with British sovereignty and prepared for war.

4.11 On the 9th July 1863, the Government issued an order requiring all natives living in the Manukau district and on the Waikato frontier north of the Mangatawhiri to take the oath of allegiance to the Queen and to give up their arms, and warning the Maoris that those refusing to range themselves on the side of the British must retire to the Waikato. Those not complying with this instruction were to be ejected from their settlements. This ultimatum was followed by the following Proclamation sent to the Kingites summarizing the reasons which prompted the military measures adopted by the Government:

CHIEFS OF WAIKATO, —

Europeans living quietly on their own lands in Waikato have been driven away; their property has been plundered; their wives and children have been taken from them. By the instigation of some of you, officers and soldiers were murdered at Taranaki. Others of you have since expressed approval of these murders. Crimes have been committed in other parts of the Island, and the criminals have been rescued or sheltered under the colour of your authority.

You are now assembling in armed bands; you are constantly threatening to come down the river to ravage the Settlement of Auckland and to murder peaceable settlers. Some of you offered a safe passage through your territories to armed parties contemplating such outrages. The well-disposed among you are either unable or unwilling to prevent these evil acts. I am therefore compelled, for the protection of all, to establish posts at several points on the Waikato River, and to take necessary measures for the future security of persons inhabiting that district. The lives and property of all well-disposed people living on the river will be protected, and armed and evil-disposed people will be stopped from passing down the river to rob and murder Europeans.

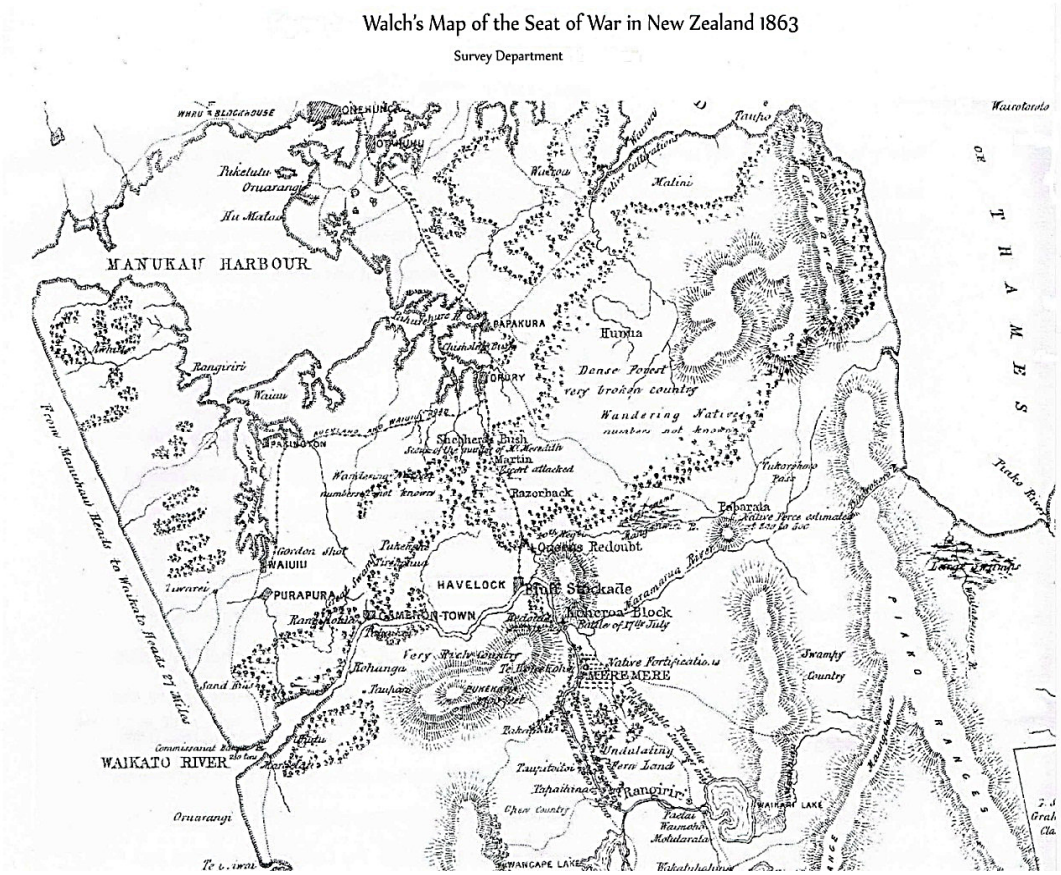
I now call on all well-disposed natives to aid the Lieutenant-General to establish and maintain these posts, and to preserve peace and order. Those who remain peaceably at their own villages in Waikato, or move into such districts as may be pointed out by the Government, will be protected in their persons, property, and land.

Those who wage war against Her Majesty, or remain in arms, threatening the lives of Her peaceable subjects, must take the consequences of their acts, and they must understand that they will forfeit the right to the possession of their lands guaranteed to them by the Treaty of Waitangi, which lands will be occupied by a population capable of protecting for the future the quiet and unoffending from the violence with which they are now so constantly threatened.

Auckland, 11th July, 1863.
G. Grey, Governor.

4.12 Grey's troops moved to invade the Waikato on 12 July 1863. Most Maori on the Manukau Harbour were forced to abandon their settlements and retreat into the Waikato. Government policy treated Waikato Maori as 'rebels' that included those from Manukau. The process of ejection of those natives who could not bring themselves to abandon their fellow-countrymen was now carried out at the Manukau, Papakura, Patumahoe, Tuakau, and other districts between Auckland and the frontier waters. Te Akitai, Ngati Tamaoho, and Ngati Te Ata lands on the Manukau were confiscated as 'punishment'.

4.13 The following narrative gives a very good description of the conditions the early pioneers and Maori faced: Chapter 32: Mauku and Patumahoe. Title: The New Zealand Wars Author: James Cowan, F.R.G.S. Publication details: R. E. Owen, 1955, Wellington Part of: New Zealand Wars (1845–1872):



THE MAUKU AND Patumahoe districts, contiguous to Pukekohe and extending to the southern tidal waters of the Manukau Harbour, are attractive to-day with the twin charms of natural landscape beauty and the improvements made by the farmers' hands during more than sixty years of settlement. Even before the Waikato War the Mauku, first settled in 1856, was a fairly-well-peopled locality, when the site of the present Town of Pukekohe was still a forest of puriri and rimu.

The branch railway-line from Pukekohe to Waiuku passes within a short distance of the pretty, antique-featured building upon which the war-history of Mauku is centred. The Church of St. Bride's is of an eye-pleasing design that belongs to many of the churches planted by the pioneers, whose first care, after establishing their homes, was to set up a place of worship in their midst. Built of totara, its shingled roof dark with age, its spire lifting above the tree-tops, it stands picture-like on a green knoll in the midst of its little churchyard. Walk round its walls and count the rifle loopholes in its sides—narrow slits that reminded one that the place was once a fort as well as a church.

There are fifty-four of those rifle-slits, now neatly plugged with timber or covered with tin and painted over. The cruciform design of the building exactly lent itself to fortification, and gave the defenders the necessary flanking bastions. When the Mauku men erected their stockade of split logs, small whole tree-trunks and heavy slabs, 10 feet high, they planted the timbers alongside one another close up against the walls of the buildings. The openings for rifle-fire were cut through walls and stockade; the garrison therefore could point their long Enfields through the double defence. These loopholes, at regular intervals all-round the church, at about 5 feet from the floor, are 9 inches in length vertically by about 3 inches in width; the cuts in the palisade were necessarily a little wider to give the rifles play.

At the tidal river-landing, about a mile distant to the west, stood the Mauku stockade, a small iron-roofed structure defended by a wall of upright logs. This stood at the spot where cutters from Onehunga landed stores for the local forces.

The first alarm of a racial war occurred in October, 1860, when a Maori of the Ngati-Tamaoho Tribe named Eriata was found shot dead in the bush at Patumahoe. The natives imagined he had been murdered by a European, and a war-party of Waikato and Ngati-Haua came down in canoes to Te Purapura to investigate the matter. Wiremu Tamehana accompanied them to exercise a restraining influence, for the chiefs of the war-party had declared that if it were true that a pakeha had killed the Maori they would begin a war.

Possibly war would have been precipitated but for the intervention of Bishop Selwyn and Archdeacon Maunsell, who met Tamehana and the taua and persuaded the force to return. Mr. Donald McLean and Mr. Rogan, of the Native Department, also went to investigate the matter and met the Patumahoe people. The conclusion arrived at was that the Maori had accidentally shot himself.

It was Mr. Daniel H. Lusk (afterwards Major Lusk), a surveyor by profession—he had helped to lay out the City of Christchurch in 1851—and owner of a bush farm in the district, who was chiefly instrumental in forming the Forest Rifle Volunteers. Mr. Lusk had been in New Zealand since 1849; he was a frontiersman of the best kind, energetic and observant, used to the bush, and endowed with a natural gift of leadership. To him more than to any other settler-soldier the credit was due of placing the district west of the Great South Road in a state of defence.

He had organized local Volunteers during the first Taranaki War. When that campaign ended Mr Lusk was firmly of the opinion in 1861 that many settlers imagined that fighting had definitely ceased in New Zealand, and most of the rifles at the Mauku were that there would be war in the Auckland District, and early in 1863 he was the principal means of forming three companies of Forest Rifles—one at Mauku, one at Waiuku, and one at Pukekohe East.

The first skirmish in which the Forest Rifles were engaged was fought on the 8th September—the morning after the encounter near Cameron town in which Captain Swift, of the 65th, was killed. Early that morning, a small body of colonial troops, consisting of about thirty-five of the Forest Rangers, under Lieutenant Jackson and Ensigns Von Tempsky and J. C. Hay, and fifteen of the Mauku Company of Forest Rifles, under Lieutenant Lusk, started out from the Mauku stockade on a bush-scouting expedition in search of Maoris. They began by reconnoitring the forest and the bush-clearings in the direction of Patumahoe and Pukekohe.

They reached the farms of Lusk and H. Hill, between Patumahoe and Pukekohe Hill, and found that the Maori marauders had been there. Lusk's house had been pillaged. On the edge of what was known as the "Big Clearing," belonging to Mr. Hill, they found traces of the raiders. The Maoris shot a bullock in this clearing, which was nearly half a mile square, covered with burnt stumps and logs. The force, hearing the shots, divided, and twenty, under Jackson, Lusk, and Von Tempsky, scouted about the fringes of the paddock, keeping under cover of the bush. They received a sudden volley at a range of a few yards, and replied briskly.

The natives were sheltered behind masses of fallen trees and undergrowth interlaced with supple jack. The other party of Rangers skirmished up on Jackson's left and joined their comrades. At last the Maori fire grew slacker, and the Rangers and Mauku Rifles charged into the bush, but their opponents had disappeared. An encampment was found with about a dozen rough huts. Only fleeting glimpses of the Maoris had been obtained during the skirmishing, and any killed or wounded were carried off the field. It was reported afterwards that five had been killed. The war-party was composed chiefly of Patumahoe natives, the Ngati-Tamaoho and other hapu, who, after deserting their settlements, were prowling about the bush, plundering the outlying homesteads. The European force suffered no casualties, although several of the men had received bullets through cap or clothes.

It was the maiden fight of the Rangers and Mauku Rifles. The guerilla veteran Von Tempsky in his journal gave high praise to

some of the settler-soldiers. Lusk he described as "a man of consummate judgment about Maori warfare." In the height of the skirmish he found time to admire the sang froid of the Mauku men: "There are some cool hands amongst those Mauku Rifles. There are big Wheeler and little Wheeler, and Kelahan, watching the Maoris like cats; they have holes through their coats, but none through their skins as yet. Lusk is cool and collected, keeping the men together." The best marksmen were Jackson and Hay, both crack shots.

This was one of the first fights in the war conducted after the traditional manner of North American Indian warfare, skirmishing from tree to tree. For some time after this skirmish the Forest Rangers remained at Mauku, making the fortified church their headquarters and scouring the bush.

<u>The Engagement at Titi Hill, Mauku:</u>

Less than a mile south of the Mauku church and village is a gently rounded hill of red volcanic tufa, crowned by a farm-homestead and crossed by a road. In 1863 this hill, known as the Titi, was a partly cleared farm belonging to Mr. Wheeler. Beyond, on the southern side, the land slopes deeply to a valley, on the farther side of which, nearly a mile distant, are the heights known as the Bald Hills. The distance of the Titi from the nearest part of the Waikato River is about six miles; the intervening country in the war-days was mostly dense forest, threaded by one or two narrow tracks—old Maori fighting-trails.

Early on the morning of the 23rd October, 1863, the sound of heavy firing in the direction of the Bald Hills was heard by the little garrison of Forest Rifles and Militia at the Mauku church stockade and the lower stockade near the landing.

Lieutenant Lusk, commanding the Forest Rifles, was at the lower stockade at the time, and, thinking that possibly the church was being attacked, he advanced quickly with twenty-five men to St. Bride's to reinforce the force there. Then it was thought that the volleys in the distance might be the Waiuku Volunteers out practising, and Mr. John Wheeler and a comrade scouted up through the bush and the clearing to reconnoitre. They discovered Maoris shooting cattle on Wheeler's Farm, between the Titi summit and the Bald Hills.

When Lieutenant Lusk received this report he despatched a man to the lower stockade, instructing Lieutenant J. S. Perceval, who had been left in charge of the Militia (1st Waikato Regiment), to join

him at once at the church with half his force. At the same time one of the settler Volunteers, Mr. Heywood Crispe, was sent off to Drury for reinforcements. Lieutenant Perceval set out as ordered, at the head of twelve men, but instead of following instructions to join the others at the church he struck off to the right for the crown of the Titi Hill, with the object of taking the Maoris in the rear.
These rash tactics quickly involved Perceval and his small party in a perilous position from which it was necessary for Lusk to extricate them. Perceval entered the bush, but the natives, having ended their cattle-shooting, came skirmishing over the hill and almost surrounded the Militia. The fight was now visible from the church stockade, where Lusk had been waiting for Perceval to join him, and in a few moments the Forest Rifles were dashing up the rise towards Wheeler's Clearing.

Perceval when joined by the church-stockade party was retiring in good order, hotly pressed, but without casualties so far. At this time Lieutenant Norman, a Militia officer who was in charge of the church garrison, and who had ridden into Drury for the men's pay, returned and, armed with a rifle, caught up to the fighters on the hill.

Lieutenant Lusk, considering his force of about fifty was strong enough to drive back the Maoris and enable him to return, now boldly attacked, and before the steady advance with fixed bayonets the raiders fell back through a strip of Wheeler's felled but unburned bush to the open ground. The Maoris, however, skirmished rapidly through the standing puriri and rata forest on Lusk's left flank, and as they greatly outnumbered the riflemen it was necessary to retire in order to avoid being outflanked and surrounded.

The Kingites were endeavouring to cut the little force off from the church stockade, and Lusk had need of all his bush-fighting skill to counter their tactics. When recrossing this ragged strip of felled timber, taking advantage of every bit of cover and fighting from behind logs and stumps as they fell back, the Volunteers and Militiamen were charged fiercely by the warriors in their full strength, about a hundred and fifty.

Now came a desperate close-quarters battle, lasting ten minutes or a quarter of an hour. At very short range—Lieutenant Lusk afterwards stated it at 20 yards—the opposing forces poured bullets into each other as fast as they could load and fire. Every log and every stump and pile of branches was contested. In the centre, facing the Maoris' front, the gallant Perceval recklessly exposed himself, and it was with difficulty that the Mellsop

brothers, three young settlers, prevented him from charging at the enemy.

Twice they saved his life by pulling him under cover. At last, after shooting several of his nearest opponents, he was shot himself, and fell dead in front of his men. Lieutenant Norman was also shot dead, and several other men fell. Some of the Maoris, throwing down their guns, charged upon the bayonets with their long-handled tomahawks. Lusk, finding himself outflanked on both sides, ordered his men to take cover in the bush on the right. In this movement the troops had to run the gauntlet of a heavy cross-fire, and man after man was hit.

One of the Forest Rifles, Private Worthington, was tomahawked as he was reloading his rifle; another man was killed with the tomahawk while he was in the act of recovering his bayonet which he had driven through a Maori's body. One of the wounded, Johnstone, was assisted by two comrades into the bush, and as he could not walk he was concealed in a hollow rata tree, where he huddled until the relief force rescued him on the following day.

After his active service in command of the Forest Rifles, Major Lusk joined General Cameron's army in the Upper Waikato as an officer attached to the Transport Corps. When the steamer "Avon" sank in the Waipa River with her cargo of supplies (February, 1864) he succeeded in getting commissariat through to the troops at Te Rore with a Militia force, by rapidly cutting a pack-track from Raglan Harbour over the ranges to the Waipa, and kept the army supplied in this way till the "Avon" was replaced.

Under cover of the bush Lusk's force had a short breathing-space, and their accurate shooting soon cleared the smoky clearing of the Maoris, but it was impossible to venture into the open space to carry off the eight dead who lay there. The officer in command re-formed his men and retired in good order upon the church stockade, keeping carefully to the timber cover most of the way. This rear-guard action, firing by sections as the retirement was made, was carried out with excellent judgment, and the little force behaved with the steadiness and coolness of veterans.

The headquarters at the stockade and the post at the church were reached without further casualty. The force lost two officers and six men killed; but grief at the fall of good comrades and at the necessity of leaving their bodies to the tomahawk was tempered with the satisfaction of having killed or wounded several times that number of the enemy.

Lusk and his comrades during the fight had cast many an anxious glance towards the village in the direction of the church stockade, hoping for the reinforcements from Drury. But when the long-awaited troops at last arrived all was over, and the battle-grimed Volunteers and Militia were back in their quarters. Heywood Crispe, who had galloped the twelve miles to Drury in three-quarters of an hour, had an exasperating interview with the Imperial officers at the camp. "Colonel Chapman was in charge there," narrated Mr. Crispe, "and with him was young Colonel Havelock (Sir Henry Havelock, son of the Indian Mutiny hero), who was on General Cameron's staff. I told them that I had seen the Maoris shooting cattle, and they almost laughed me to scorn, and said it was impossible for natives to be there.

I most earnestly solicited them to send for Major Rutherford's 'Flying Column,' which I knew was in camp at the Bluff near Pokeno, and get the force to go through Tuakau and on to Purapura, on the Waikato, where they would be sure to intercept the Maoris returning from Mauku, as it was their only way of retreat to cross the Waikato." Crispe also begged for mounted men, some of the Defence Force Cavalry, to be hurried off to the Mauku, but all that was done was to send two companies of infantry—the Waikato Militia—who arrived there in the evening, too late to be of any use.

Early next morning firing was heard in the direction of the Bald Hills, and some natives were seen there, but when a force of about two hundred men advanced to the Titi Farm the Kingites had disappeared. It was learned afterwards that these Maoris were some who had met the returning war-party on the Waikato River, and, on hearing that they had not fired a volley over the battle-ground after the battle by way of claiming the victory, had marched in themselves and fired off their guns near the spot. The troops found the bodies of the slain men all tomahawked and stripped of arms and equipment and part of their clothes, laid out side by side on the grass in the clearing. A pole on which a white haversack had been tied indicated the place. The bodies, with the exception of Worthington's, which was buried at Mauku, were sent in to Drury for burial.

A force was sent through the bush to Purapura, following the trail of the Maoris, and numbers of kauhoa or rough bush-stretchers for carrying the dead and wounded were found. It was estimated that the natives had lost between twenty and thirty killed, besides many wounded. The "Flying Column" had in the meantime marched across country via Tuakau to intercept some of the raiders, but they only reached Rangipokia, near Purapura, in time

to open fire on the last of the canoes crossing the river. The Maoris returned to Pukekawa, the field headquarters of Ngati-Maniapoto

Confiscations

4.14 In early 1865, the Crown proclaimed 135,907 acres in South Auckland under the New Zealand Settlements Act 1863 (although there is some uncertainty of the actual extent of the lands confiscated because the acreage of some blocks was not documented and some lands were later returned). The confiscated land, which covered east Wairoa (estimated at 50,000 acres), west Pukekohe (1133 acres), Mangere, Pukaki, Ihumatao, and Kerikeri (2730 acres), also included the reserves from previous Crown purchases in the Waiuku North and Waiuku South blocks.

4.15 Land was also forcibly taken by the Crown at Patumahoe (702 acres), Pokeno (19,000 acres), Pukekohe (5381 acres), Tuakau (10,887 acres), and Tuhimata (640 acres). The Crown reserved about 4 percent of the total area for Maori from earlier Crown purchases, but it then confiscated a further 7000 acres, leaving less than 3 percent as Maori land. An estimated 100,000 acres were confiscated from Maori overall within the district.

The Principal modes of land alienation in the District were:

- Old land claims (including surplus lands);
- Pre-1865 Crown purchases;
- Confiscations;
- Purchases under the Native Land Acts; and
- Pre-emption waiver purchases.

4.16 This sense of grievance still exists today with those tribes that continue to have a relationship to these traditional areas. It began with the land confiscations of the 1860's. By confiscation the tribes lost most of their lands including villages and sacred places. We live with this loss today. To many of our people that confiscation just didn't stop in 1863. It continued in one form or another, from then to the present day.

4.17 Today the guardian families of the Manukau Harbour are represented in various marae all in close proximity to its shores. Each of these marae once thrived and relished in easy access to the bounty of the harbour; Whatapaka, Tahunakaitoto, Reretewhioi, Te Puea, Makaurau, and Pukaki marae.

ASSESSMENT AND EVALUATION

5.0 GENERAL

5.1 This knowledge of the workings of the environment and the perceptions of humanity as part of the natural and spiritual world is expressed in the concept of mauri and kaitiaki. Mauri can be described as the life force that is present in all things. Mauri generates regenerates and upholds creation, binding physical and spiritual elements of all things together. Without mauri things cannot survive. Practices have been developed over many centuries to maintain the mauri of all parts of the world. Observing these practices involves the ethic and exercise of kaitiakitanga.

5.2 Kaitiakitanga underpins everything we do in 'our' world. Kaitiakitanga or guardianship is inextricably linked to tino rangatiratanga and is a diverse set of tikanga or practices which result in sustainable management of a resource.

For Ngati Te Ata Waiohua kaitiakitanga involves a broad set of practices based on a world and environmental view. The root word is tiaki, to guard or protect, which includes the ideas and principles of:

- guardianship
- care
- wise management
- resource indicators, where resources themselves indicate the state of their own mauri.

5.3 The prefix kai denotes the agent by which tiaki is performed. A kaitiaki is the person or other agent who performs the tasks of guardianship. The addition of a suffix brings us kaitiakitanga or the practice of guardianship, and contains the assumption that guardianship is used in the Maori sense meaning those who are genealogically linked to the resource. Kaitiakitanga is practised through:

- maintaining wahi tapu/sacred sites, wahi tupuna/ancestral sites and other sites of importance
- the management and control of fishing grounds
- good resource management
- environmental protection through formal processes such as the Waitangi Tribunal, council hearing and the environment court or informal ones such as protesting the dumping of raw

sewage adjacent to wahi tapu/sacred sites, and mining urupa and koiwi.

5.4 Kaitiaki can be iwi, hapu, whanau and/or individuals of the region. Whilst tribal authorities themselves may not be considered kaitiaki, they can represent kaitiaki and can help to identify them.

5.5 For our people it is vital that three key considerations are provided for regarding this project:

1. that the mana of our people is upheld, acknowledged and respected
2. that our people have rangatiratanga (opportunity to participate, be involved and contribute to decision making) over our ancestral taonga
3. that as kaitiaki we fulfil our obligation and responsibility to our people (current and future generations) as custodians, protectors and guardians of our cultural interests and taonga.

5.6 There has been more than a thousand years of Maori settlement in the Tamaki (Auckland), Manukau and Franklin regions. It is pointless to view our heritage resources in isolation, as separate from each other. They all inter connect and inter relate forming a wider and more comprehensive 'landscape' of a networked settlement of occupation and use. From coast to harbour and from sea to river.

5.7 The Askew Plan Change proposal lies within this networked settlement of occupation and use.

6.0 ARCHAEOLOGY

6.1 In the historic period much of land in Franklin District was sold to Europeans in the 1850s and 1860s. Patumahoe was within the Waiuku No. 1 Block sold to the Crown in April 1854 by 25 signatories from ten tribes (Turton 1874: Deed 273, pp. 329-31). This sale reserved several areas from the sale, the boundaries of which were to be established when the block was surveyed and final payment made:

"These are the spots of land within these boundaries which are to be reserved as places for ourselves when the boundaries are given over then shall the boundary lines of the portions for us be pointed out then shall also the final payments be arranged and fixed for these lands. The names of the places so reserved are Patumahoe

Puhitahi te Marie Rawhitiroa Ko Purapura ko te Uku ko te Akaaka te Papa until it reaches Waikopurepure te Papa Kaikihikihi te Uauanga te Awa matangi ko Rangipokia." (Turton 1874: 330-1)

6.2 Almost immediately afterwards (29 June 1854) the sale of the Okokeka No. 1 Block is recorded (Turton 1874: Deed 274 pp. 231-2). This block had essentially the same boundaries as the Waiuku No. 1 Block but was sold by Ngati te Ata alone, the 32 signatories including leading chiefs Katipa and Ahipene Kaihau, neither of whom were amongst the Ngati te Ata signatories of the first sale. The deed makes no mention of any reserved areas. A third sale, yet again for much the same area, but named as the Whakaupoko Block, was undertaken on 11 November 1854 when payment was made to ten tribes represented by 48 signatories (Turton 1874: Deed 275, pp. 232-5). In this sale several areas (Puhitahi, Patumahoe, Titi, Aongaonga, Te Aka aka, Tokatiraha and Purapura) were reserved.

6.3 The Patumahoe reserve was described as:

"Patumahoe - The eastern boundary commences at Mataraua, thence to Takaraho; thence, turning in a southerly direction, to Tapuikaretu; thence, in a westerly direction to Karengahuanui turning thence to Whakapae-o-te-Kauri, turning thence to Otonga, turning thence, for the northern boundary, to Kiriotu, to Hunuhununga, to Puketoa, to Mataraua, where the boundaries meet."

6.4 It should be noted that archaeological survey techniques (based on visual inspection and minor subsurface testing) can not necessarily identify all subsurface archaeological features or detect wahi tapu and other sites of traditional significance to Maori, especially where these have no physical remains. Some parts of the development property were covered by thick patches of gorse or other vegetation, and the ground surface in these areas could not be examined effectively.

6.5 It is always possible that unidentified subsurface archaeological remains may be exposed during development. In this case such remains could relate to early settlement and farming in the area, or possibly to early 20th century quarrying activities. They could also relate to Maori occupation, as although no archaeological features relating to Maori occupation have been identified on the property, there are several recorded sites in the general vicinity. Any effects on recorded or unrecorded archaeological deposits or features can be appropriately mitigated through archaeological

investigation and recording to recover information relating to the history of the area

6.6 It is possible that topsoil stripping of the area would expose evidence for prehistoric occupation and use. Particularly the watershed catchment [existing wetland] onsite, this could possibly contain cached items such as Maori agricultural implements. Therefore, cultural Protocols and Monitoring for uncovery/discovery of koiwi [skeletal remains] and artefacts are stated in the recommendation section of this report.

6.7 Although lack of any archaeological evidence in the study area is clear, the possibility that some evidence remains is still a possibility. Where such evidence is accidentally discovered during future development it would be a requirement to notify iwi and the New Zealand Historic Places Trust (NZHPT), as well as obtaining any necessary approvals from the NZHPT before works could resume in the area where the archaeological evidence was uncovered.

7.0 WHENUA (LAND)

7.1 Ngati Te Ata Waiohua descends from the land. The word whenua also refers to the placenta. At birth, this is traditionally buried in the land of the hapu, strengthening relationships with the land and with whanau. Land, water, air, flora and fauna are nga taonga i tuku iho, treasures handed down to our descendants.

7.2 Without a relationship with the land, Ngati Te Ata Waiohua is dispossessed and have no place to stand. The land gives identity and also turangawaewae, a place to stand. Ngati Te Ata Waiohua has strong spiritual bonds to the land. Papatuanuku our Earth Mother provides unity and identity to the people and sustains us. Papatuanuku is seen as a living organism, sustained by species that facilitate the processes of ingestion, digestion and excretion. Pou whenua, the prestige of the land, relies on marae and human activity for its visible expression and the environment also provides sustenance. In return, mankind as the consciousness of Papatuanuku has a duty to sustain and enhance her life support systems.

<u>Earthworks</u>

7.3 Predictably, Ngati Te Ata Waiohua will have concerns with the expected large-scale number of earthworks of the proposal and the implications that this may have on cultural heritage, stability,

water sources and other related issues. It is therefore imperative that *cultural monitoring* is undertaken by iwi kaitiaki (alongside the project archaeologist) and *monitoring agreements* with Ngati Te Ata Waiohua (and other iwi that choose to) are in place as cultural remnants and taonga will undoubtedly be exposed during the course of these works.

Soils

7.4 Soil resources are important for plant cultivation and for use as dyes. For instance, kumara gardens were an important source of food. Our tupuna would also add stone chippings and sand to the soil used for growing kumara. Large areas of land were modified for food production, and many of the borrow pits; excavation pits are still visible today.

7.5 Taonga such as carvings and whariki were stored in peat soils in wetlands to both hide and preserve them during times of trouble. Soil also has an important cleansing role as well. Only by-passing treated waste through Papatuanuku can the mauri of water be restored. Regarding the expected large amounts of fill that will be needed - are they locally sourced or brought in from offsite and if so where will the source be from and will it be assessed for contaminants? It would be our assumption that that the vast majority of the fill will be overburden from other development and infrastructure project in Auckland currently underway.

7.6 The major earthworks expected in this project will involve cut to fill in order to create roads and various subdivisions to accommodate building platforms. This has the potential to release sediment, and in the case of contaminated soils, contaminated sediment and alike into the environment. Most contaminants, while they can become inert over time, are activated when disturbed.

Erosion and Sediment control

7.7 Under the current Auckland Council TP90 guidelines it is allowable to release up to ten percent of sediment into the receiving environment. That is one tonne of ten tonne of earth moved, or ten tonnes per hundred, and so forth. When there are thousands of tonnes of earthworks carried out, this amounts to extremely large volumes of sediment per development entering the receiving environment, through pipes, into streams, waterways and finally the estuaries and harbours.

7.8 When a site is confined due to available land space, developers are required to use a variety of methods of containing silt, through silt fences, hay bales, silt ponds and if and when it rains a flocculent. These flocculants are generally a chemical product that binds the sediments together so that they fall out of the muddy water and settle and are not released into the waters. These flocculants are generally a chemical poly aluminium chloride (PAC) and can have a devastating effect on the receiving environment if accidental over-dosing occurs. Our preference is the use of organic flocculent, there are a variety of organic flocculent available currently on the market.

7.9 When undertaking earthworks applicants must strive to achieve a much higher percentage of silt retention onsite and not just rely on meeting TP90 guidelines 'bottom lines'. There are proven ways to reduce the amount of sediment entering the ecosystem and those which Ngati Te Ata Waiohua supports are:

- Creating a series of sediment pools instead of just one fore bay silt pond
- Using organic flocculent compounds when flocculation is necessary.
- Using super silt fences in conjunction with silt ponds as a 'treatment train approach'.

8.0 WAI (WATER)

Ko te wai te ora o nga mea katoa
Water is the life giver of all things

8.1 All things in the Maori world can be traced and explained through whakapapa. The whakapapa of the natural world – animals, plants, mountains, rivers, lakes, air, and coasts - is linked to that of Maori. Ngati Te Ata Waiohua has an obligation to ensure that these taonga are protected and managed when passed on to the next generation. Mauri is the life force that generates, regenerates, and binds the physical and spiritual elements of resources together.

8.2 Ngati Te Ata Waiohua has strong cultural, traditional and historic links with wetlands and inland waterways, including lakes, rivers, streams and springs. These taonga are spiritually significant and closely linked to our identity. Water is the life giver; it represents the blood of Papatuanuku, the Earth Mother, and the tears of Ranginui, the Sky Father.

8.3 Waterways are home to our many taniwha that look after our people and ensure their physical and spiritual protection The Manukau, Taihiki Stream, and the lowland stream catchments of Franklin, and other associated tributaries continue to be under threat and are not managed in accordance with our tikanga preferences. Our traditional activities, fisheries and our access to them are compromised. Our traditional practices and lore are not observed. Ngati Te Ata Waiohua continue to advocate the importance of healthy uncontaminated water throughout Tamaki Makaurau.

8.4 Ngati Te Ata Waiohua does not accept the altering of a natural waterway; this alters its natural state. Also, we do not accept that because an area of swamp, wetland or stream has become degraded through past land use (diary, horticulture, etc) that it becomes the 'base line' if the intent is to develop it. It is always achievable to restore and enhance any degraded waterway through the development process. It is usually only a matter of willingness from the Auckland Council to achieve this.

8.5 Ngati Te Ata Waiohua aspires to have waters that are drinkable, swimmable, and fishable. The ability to have drinkable and fishable water is limited by a number of factors such as the concentrations of E.coli, eutrophication, suspended sediments, arsenic and mercury and stormwater runoff contaminants. Ngati Te Ata Waiohua right to drink clean water at any of our marae throughout Tamaki Makaurau. It is also our right to eat the kai from our land and waterways without fear of being poisoned or suffering some other aspect of ill health.

8.6 Mauri is the binding force between spiritual and physical; when mauri is extinguished, death results. Mauri is the life force, passed down in the genealogy through the atua to provide life. It is also strongly present in water; the mauri of a water body or other ecosystem is a measure of its life-giving ability (or its spiritual and physical health). Where mauri is strong, flora and fauna will flourish. Where it is weak, there will be sickness and decay.

8.7 Water is highly valued for its spiritual qualities as well as for drinking, transport, irrigation and as a source of kai. Bodies of water that our iwi include in whakapapa have mana as ancestors, the Waikato River as an example. Their physical and spiritual qualities are key elements in the mana and identity of Ngati Te Ata Waiohua iwi, hapu and whanau. Water is defined in terms of its spiritual or physical state as shown below:

Table Categories of Water (Douglas, 1984)

Waiora	Purest form of water, with potential to give and sustain life and to counteract evil.
Waimāori	Water that has come into unprotected contact with humans, and so is ordinary and no longer sacred. Has mauri.
Waikino	Water that has been debased or corrupted. Its mauri has been altered so that the supernatural forces are non-selective and can cause harm.
Waipiro	Slow moving. typical of swamps, providing a range of resources such as rongoa for medicinal purposes, dyes for weaving, eels and birds.
Waimate	Water which has lost its mauri. It is dead, damaged or polluted, with no regenerative power. It can cause ill-fortune and can contaminate the mauri of other living or spiritual things.
Waitai	The sea, surf or tide. Also used to distinguish seawater from fresh water.
Waitapu	When an incident has occurred in association with water, for example a drowning, an area of that waterway is deemed tapu and no resources can be gathered or activities take place there until the tapu is lifted.

8.8 Mixing water of different types is a serious concern for Ngati Te Ata Waiohua. The mauri of a water body can be destroyed by an inappropriate discharge, with serious consequences for the ecosystem concerned. Our reliance on the spiritual and physical well-being of the water body will also be affected. The diversion or combining of waters from different sources or catchments is considered inappropriate.

Groundwater

8.9 We anticipate issues with the Askew development regarding future groundwater implications in the long term, especially if the groundwater lowering of levels is to be permanent. The key issue is to ensure the aquifer does not get contaminated. That's why it

is vital to identify puna (spring water) and the potential impact on these resources.

8.10 Concerns also that contaminant levels measured in groundwater will exceed the permitted activity criteria and will not be consistent with water quality in the receiving environment. On-going discharge of low levels of contaminants in groundwater from land at within the Askew development area, of this scale, will generate levels of risk to the environment and human health.

8.11 We recommend commissioned reports are undertaken to carry out an initial groundwater study based on information and results from previous studies. We request to be updated and informed, as these reports become available. What effects will the lowering of groundwater have on the aquifer with possible long-term saline intrusion? The lowering of the groundwater will create ground settlement, which is of major concern. This has been our experience with large scale housing and industrial subdivisions in the past. Groundwater recharge is vital to retain base flows within streams, and to keep aquifers recharged. In some areas, depending on soil type, rainwater can take between 1-100 years to seep down into the aquifer. Surface water (stream) base recharge does not take so long.

8.12 Dr. Tom Schueller is a leading expert in groundwater recharge, and his evidence was taken into account at a recent Environment Court hearing regarding the Long Bay marine reserve area during a proposed development. Piping of any water flow lowers the base flow of a stream, piping causes higher peak flows, and lower base flows. Impervious cover also has a devastating effect on stream base flow health. Up to 10% impervious cover of any site reduces base flow by 50%. Up to 50% and over of impervious cover of an area totally negates the ability for stream base flow recharge. The impervious surface exposure as a result of the Askew development may be major.

<u>Stormwater</u>

8.13 Ngati Te Ata Waiohua will always advocate the highest level of treatment of stormwater before it is discharged into our waterways and that the protection of the mauri of all-natural waterways and the food producing capacity of natural waterways is protected and enhanced, as is their life supporting capacity. Our cultural position is that we advocate water conservation and efficient use of water, opposes the direct disposal of any waste into waterways and requires that waste pass through the soils, or through other innovative means, before discharge. Ngati Te Ata

Waiohua living both on the Waitemata and Manukau despair at the despoiling of our harbours, long treasured for its fisheries.

8.14 Estuaries also were favoured for food by Ngati Te Ata Waiohua gathering and provided safe, sheltered waters with an abundance of fish, shellfish, and birds for eating. Estuaries also gave access to the interior of the country and its wealth of resources-tall timbered rain forests, abundant bird life, flax swamps and rivers full of eels. Because estuaries were viewed by many European settlers as unproductive wastelands, estuarine land was reclaimed for harbours, and filled in for pasture, sewerage schemes and stormwater discharge. Many are still under threat from:

- Excess silt.
- Pollution from sewerage, industrial/agricultural runoff and stormwater.
- Invasion by introduced species (plant and animal).
- Reclamation.
- Extraction of sand and gravel.

8.15 While it is generally accepted throughout New Zealand that our streams, rivers, lakes, estuaries and harbours are of poor water quality. Until the Auckland Council TP10 and TP90 standards are reviewed and strengthened there is not going to be a change in water quality to our receiving environments.

8.16 There has always has been a strong argument within New Zealand society regarding economic gain versus environmental and cultural gain. Because money talks, the gains more often than not are weighted on behalf of the economic argument. Water and water quality is such an important part of life for all, and as such new approaches to treating contaminated road runoff and stormwater in general and methods becoming more 'naturalised' regarding treatment is vital.

Stormwater Detention Devices

8.17 There are a number of ways to effectively treat stormwater prior to discharge to a natural water body, listed below are three options, and our opinion on them, that are not disposal to land, land disposal being most preferred, but due to land value costs and scarcity in Auckland, this appears often unachievable.

The Stormwater Pond

8.18 Each stormwater pond needs to be 'relevant' to the size of the catchment to treat and clean the polluted inflow. This option works by having different ground levels to the pond. These are underwater and not able to be seen. They work by collecting heavy particles as they drop and settle out of the water into the underground 'bays'. The stormwater then gets to settle out over two or three of these bays prior to discharge to the natural water body. It is preferable to iwi that there are at least two ponds for each treatment and that they are 'separate' or 'offline' to the natural stream/waterway they discharge into. The stormwater pond often attracts ducks and other exotic bird species which contribute to water pollution through their faeces but are an 'attractive' amenity to some public. Often in the common stormwater pond the sediments that have dropped out during the settlement phase within the ponds are re-suspended during heavy rain fall and inundation, and so all those contaminants become mobile again and are flushed out of the pond and into the water ways, making the pond ineffective, and a source of contaminants.

The Stormwater Wetland

8.19 This option works similar to a stormwater pond but doesn't necessarily have the same underwater 'bays'. It is planted in native water wetland plants that help to filter out pollutants prior to discharge to the natural environment. As with the option 1, stormwater pond, two wetlands or a combination of a pond and a wetland is preferred by iwi as the most effective method of cleansing polluted stormwater inflows prior to discharge to a natural water body. This option is most preferable as it works the best, however usually costs more than the ordinary stormwater pond. Options 1 and 2 are often 'on-line' meaning that any overflows are directly into the receiving environment. A preferred option for iwi and best practice stormwater detention is for at least two 'off-line' wetlands/detention ponds (preferably a mix of both) prior to being able to enter a receiving environment.

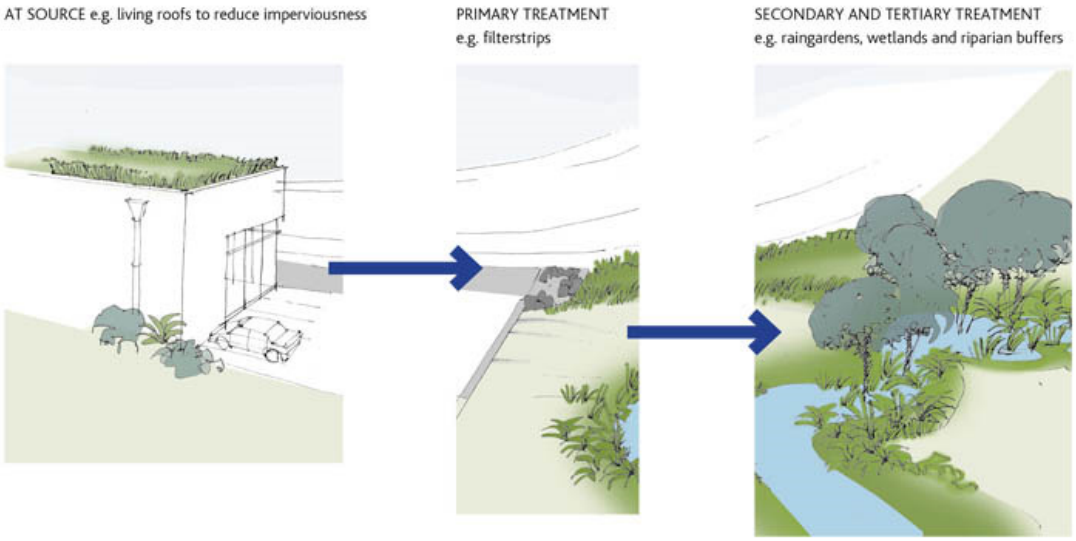
The Coarse Sediment Trap (CST)

8.20 This option is a series of baffles device designed to be incorporated into stormwater conveyance systems for pre-treatment of stormwater and primarily to filter sediment, oil and grease prior to discharge or final treatment. They are designed to help reduce the pollutant load prior to entering wetland or detention ponds. While CST's are easier to clean than a wetland

or detention pond, maintenance is required regularly. If not maintained they can act as a source of contaminants. Many devices have limited flow capacity and must be inspected regularly during storms and high rainfall periods. Accumulated sediment must be removed (usually by truck) and need to be maintained and inspected at least biannually.

8.21 Monitoring may be warranted if discharge is directly to surface or ground water. Often in the instances of our roading pollution problem, we see the best solution being a combination on of option 3 (CST device) and option 2 (wetland). There are many stormwater detention methods which can help to cleanse the water prior to discharge to our natural environment. Three are mentioned above, however there are also sand filters, rapid dispersion (where water is passed down a series of rocks/structures resembling a waterfall effect), gabion structures. The list is many and varied and often different developments can utilise a number of these methods.

Ngati Te Ata Waiohua Stormwater Treatment Preferred Approach:



8.22 For Ngati Te Ata Waiohua the 'treatment train' approach is promoted as current best practice as this promotes at source retention, provides quality contaminant removal, less inundation at the final stage, ensures the cost is more evenly spread, and

easier to maintain. The treatment train approach includes methods such as roof water detention on site via rain tanks and or soakage pits, where clean rain water can be reused or used to recharge the underground water systems. Rain gardens and swales for contaminated road water retention and detention, underground 360 or Hynds Up-Flo devices can be used where a site is already developed if space is available and then a wetland or attenuation device and a large vegetated dry swale system for a final 'polish'.

8.23 This system is currently best International practice; it serves to reduce initial runoff by infiltrating the first 10mm back into source, while containing contaminants, and adding to the recharge of the ground water. This also lessens the volumes to the device which in turn improves the function of the device.

Wastewater

8.24 Historically, the British brought with them an old system which had caused many diseases and illness regarding their waste. It was common English practise to dispose of waste into moats surrounding castles, and into streams, rivers and harbours. These practises were continued in their 'new colonised land'. Unfortunately, towns were built with the mind set of disposing waste to water.

8.25 The discharge of human effluent into natural water bodies is culturally offensive and unacceptable for Ngati Te Ata Waiohua. Only land-based treatment through Papatuanuku can cleanse this type of waste. Our preference is for land-based disposal or a significant percentage of it. We assume that no on site disposal is proposed and that all wastewater will be reticulated from the area to the Mangere treatment system? We assume wastewater requirements will use existing infrastructure and will not add pressure to its capacity load, both residential and industrial trade wastes. Can this be confirmed by Askew Partnership Ltd?

8.26 New ideas and innovative technologies need to be explored for the treatment of wastewater for example using power free natural aerating processes, instead of mechanical pumps etc, to treat wastewater to advanced secondary levels. Nature is one huge recycling mechanism by harnessing these forces, that have been quietly working together for thousands of years to break down and decompose waste all around us and positioning them in an enclosed eco-system that simulates the forest floor, to treat and break down your wastewater until it is perfectly safe to be re-introduced into the environment, vie the soil.

8.27 Moving up the chain of life-forms capable of digesting solid matter from human and food wastes, early conclusions form the opinion that early that vermiculture and biological processes offered by far the best means of treatment, for the solid waste, without using mechanical or electronic means. It has been shown, through extensive trialling worldwide, these vermiculture processes which reduce the solids by up to 95%, are unmatched by any other process. There are no mechanically moving parts in these processes and nature's power is free.

9.0 SUSTAINABILITY and BIODIVERSITY

"Ngati Te Ata Waiohua goal is to support the creation of great places to live. That means adding to the urban environment in a way that is socially, economically and environmentally sustainable for the people who will make those communities their home - both today and for future generations".

Sustainable development for Ngati Te Ata Waiohua means *all* new development should in some, if not most ways, be self-reliant and self-sustainable. Sustainable development is the organizing principle for meeting human development goals while at the same time sustaining the ability of natural systems to provide the natural resources and ecosystem services upon which the economy and society depend.

The desired result is a state of society where living conditions and resource use continue to meet human needs without undermining the integrity and stability of the natural system and sustainable development can be classified as development that meet the needs of the present without compromising the ability of the future generation.

There are many options for sustainability, with solar panels and green roofs to roof water capture for re-use and groundwater recharge being among a few. Each new development should be considering 'where is my generated power coming from' and 'how can we not waste any of the good clean water that falls from the sky'. Sustainable also includes the retention of landscapes, cultural, visual and archaeological features, enhancement of streams, bush areas, flora and fauna.

9.1 Biodiversity is integral to Ngati Te Ata Waiohua. We are not separated from it; rather it is part of us and our conception of health and wellbeing. Biodiversity continues to be under threat despite successive plans to turn the tide. Its value cannot be over-estimated and it is interwoven with many of our traditional values and practices. As Kaitiaki we take an ecosystem view and we have a responsibility to manage and protect healthy ecosystems and the biodiversity that they support.

9.2 Increasing biodiversity can positively affect three realms:

- Ecosystem: Diverse ecosystems are better able to maintain high levels of productivity during periods of environmental variation than those with fewer species.
- Economic: Stabilized ecosystems ensure the delivery of ecological goods (e.g. food, construction materials, and medicinal plants) and services (e.g. maintain hydrological cycles, cleanse water and air, and store and cycle nutrients).
- Social: Visual and environmental diversity can have positive impacts on community and psychological well-being.

9.3 Ngati Te Ata Waiohua aspirations and outcomes sought:

- Embrace and empower kaitiakitanga and rehabilitate and heal the natural systems that support us all.

- Restore Ngati Te Ata Waiohua capacity to manage our natural and physical resources according to our own preferences.
- Implement programmes such as riparian planting and protect sensitive receiving environments and protect and enhance water quality.
- Give special attention to the Manukau Harbour, Taihiki and associated tributaries to rehabilitate it and secure its future.
- No ashes of the deceased to enter into our sacred waterways as this is a cultural insult and in conflict with the traditional harvest of our kai moana.
- That Ngati Te Ata Waiohua be supported to conduct its own monitoring of the effectiveness of environmental regulation in the protection of its cultural resources, biodiversity waahi tapu and other taonga within its rohe.

Sustainable Development

9.4 Ngati Te Ata Waiohua along with other Tamaki Makaurau manawhenua are having to 'culturally accommodate' another million people in our rohe by 2040. Our challenge is to reduce and manage our ecological footprint. We support proposals for energy efficiency and transition away from fossil fuels. We support zero waste minimisation initiatives and proposals to reduce, reuse and recycle.

9.5 Outcomes sought for Ngati Te Ata Waiohua from practices and impacts during the Askew development construction and procurement, include;

- Greenhouse gas emission reductions on the build footprint.
- Improved biodiversity connection.
- Reduced material lifecycle impact.
- Enhanced water quality.
- Increased energy efficiency.
- Zero waste.
- Minimised waste material creation.
- Fuel and energy reduction.
- Minimised impacts to air, land and water.

9.6 Ngati Te Ata Waiohua promotes sustainable development, and believes, that all new development should in some form, if not in most ways, be self-reliant and sustainable. There are many options for sustainability to be built into the build design, with solar panels and green roofs being among a few.

9.7 Advantages of solar power include the following:

- Renewable, the sun provides a constant and consistent power source. It won't run out and can provide electricity for our world indefinitely. It won't contribute to global climate change and doesn't require hazardous waste disposal like nuclear power.
- Quiet Solar cells are completely silent. Unlike wind energy or oil extraction, solar energy does not disrupt the local environment or annoy people. Additionally, solar energy is freely available. Solar electric power is available everywhere electricity is used.
- Effective After the initial outlay for solar panels and installation, there is very little cost for solar power. It does not cost anything to harness the power of the sun, unlike paying for oil or gas – which continues to increase in price over time. In some countries, financial and tax incentives make solar electricity even more cost effective when compared with conventional electricity.

9.8 Advantages of green roofs include the following:

- The greater insulation offered by green roofs can reduce the amount of energy needed to moderate the temperature of a building, as roofs are the sight of the greatest heat loss in the winter and the hottest temperatures in the summer.
- Green roofs have excellent noise attenuation, especially for low frequency sounds. An extensive green roof can reduce sound from outside by 40 decibels, while an intensive one can reduce sound by 46-50 decibels.
- Green roofs can sustain a variety of plants and invertebrates and provide a habitat for various bird species. By acting as a stepping stone habitat for migrating species they can link species together that would otherwise be fragmented.

9.9 As stated earlier, the current management regime of stormwater and wastewater is in contravention of our principles. Water recycling is a major opportunity that should be pursued and primary stormwater retention and treatment methods should be universally applied, and in this case with the Askew development.

9.10 Developments are not sustainable if their waste products and wastewater cannot be managed consistently with our cultural values. Discharging hazardous, toxic, wastewater into our waterways and water bodies remains a cultural and spiritual offence. It is one of the greatest contributors to Maori ill health. Others may not understand that but our wairua does. Landfills

(contaminated fill from development) which poison the environment as a result of appalling land use practices should be remediated. What known landfills, commercial refuse areas, and contaminated industrial sites within the Askew development project footprint are known?

9.11 Aspirations and outcomes sought:

- Restrict and limit urban sprawl, better and more sensitive urban design is needed.
- Acknowledge areas of cultural significance as 'no go' areas.
- Promote water recycling.
- Significantly to improve the stormwater and wastewater management and treatment to acknowledge our cultural values.
- Identify and remediate old landfills which impact on environmental health and heal the land.
- The use of sustainable practices and reuse of existing resources i.e., reusing rock from a development on site, and water both ground and rain, solar power, green roofs, etc.
- Reduce current levels of greenhouse emissions

Native Trees and Plants

9.12 Ngati Te Ata Waiohua is interested in collaborating with the Askew Partnership Ltd and other stakeholders to initiate a 15-year planting programme for the Askew development. Native trees and biodiversity are what make New Zealand unique. In the time of the tupuna native trees were abundant and used only following karakia (prayer) and for specific purposes. To Ngati Te Ata Waiohua these old trees were tupuna taonga, living entities that commanded respect. Unfortunately, our current Auckland Council Unitary plans to not offer blanket protection to these remaining old trees. Each tree has to be individually protected if not within a covenant.

9.13 Ngati Te Ata Waiohua position is that all trees over 200 years old should be automatically protected. There are so many exotic plants and trees within our society today, and not all of them are welcomed. Some have proven to be pests, while others drop their leaves in the autumn and block stormwater infrastructure, while adding to the nitrate content within the waterways. There are also a lot of 'hybrid' trees and plants around, as people meddle with nature to achieve better looking' or produce producing trees and plants. It is distressing to see areas denuded of original flora. Ngati Te Ata Waiohua will support and promote the use of Eco

sourced trees and plants within the Askew develpment, to achieve the outcome of original native species returned to the area from locally sourced seed.

Our preferred Native Plant List:

Species	Common name	Depth Range
Esplanade reserve: Coastal Bank Revegetation		
Astelia banksii	coastal astelia	
Coprosma robusta	karama	
Cordyline australis	cabbage tree	
Hebe stricta	koromiko	
Sophora microphylla	kowhai	
Macropiper excelsum	kawakawa	
Vitex lucens	puriri	
Hebe stricta	koromiko	
Phormium tenax	NZ flax	
Myoporum laetum	ngaio	
Pseaudopanix lessonii	coastal five finger	
Metrosiderous excelsa	pohutukawa	
Entelea arborescens	Whau	
Cyathea dealbata	Silver fern	
Dicksonia fibrosa	Wheki ponga	
Pittosporum crassifolium	karo	
Coprosma robusta	karamu	
Blechnum novae-zelandiae	kiokio	
Myoporum laetum	ngaio	
Coprosma sp.		
Pittosporum eugenioides	tarata	
Wetland and stream: Bank planting		
Sophora microphylla	kowhai	
Macropiper excelsum	kawakawa	
Vitex lucens	puriri	
Hebe stricta	koromiko	
Phormium tenax	NZ flax	
Carex lessoniana	ruatahi	
Phormium cookianum	harakeke	
Cyathea dealbata	Silver fern	
Dicksonia fibrosa	Wheki ponga	
Pittosporum crassifolium	karo	
Coprosma robusta	karamu	
Blechnum novae-zelandiae	kiokio	
Myoporum laetum	ngaio	
Coprosma sp.		

Species	Common name	Depth Range
Wetland: Margin moist soil planting		
Cortaderia fluvida	toetoe	
Phormium tenax	NZ flax	
Cordyline australis	cabbage tree	
Blechnum nocae-zealandiae	swamp kiokio	
Carex virgata	small samp sedge	
Carex secta	purei	
Sophora chathamica	kowhai	
Macropiper excelsum	kawakawa	
Carex flagellifera		
Wetland: Shallow bench (0-0.3m)		
Apodasmia similis	oioi	0-0.3m
Baumea arthrophylla		0-0.1m
Carex secta	ruatahi	0-0.4m
Carex ustulatus	giant umbrella sedge	0-.1m
Eleocharis acuta	sharp spike sedge	0-.1m
Bolboschoenus fluviatilis	march clubrush	0-.15
Wetland: Shallow pond slopes (0.3 - 1.1m)		
Baumea articulata	joint twig rush	0-0.36m
Eleocharis sphacelata	kuta	0-01.5m
Schoenoplectus tabernaemontani	lake clubrush	0-1.2m
Typha orientalis	raupo	0-1m
Wetland: Open water (1.1 - 2m)		
Myriophyllum propinquum	water milfoil	0-3.5m
Mitella hoorerii	stonewart	0.3-10m
Ruppia polycarpa	horses main weed	0.1-3m
Stream: Edge planting		
Carex dissuta	flat leaved sedge	
Carex secta	purei	
Carex lessoniana	ruatahi	
Carex virgata	small swamp sedge	
Dacrycarpus dacrydioides	white pine, kahikatea	
Stream: Marginal planting		
Carex lambertiana	-	
Carex virgata	small swamp sedge	
Cordyline australis	cabbage tree	
Kunzea ericoides	kanuka	
Leptospermum scoparium	manuka	
Carex secta	ruatahi	
Cortaderia fulvida	toe toe	
Carex lessoniana	ruatahi	

Open Space

9.14 Ngati Te Ata Waiohua agrees that more open space is needed in urban environments. It is our expectation that a fundamental aim would be to maintain and encourage kaitiaki responsibility of manawhenua by implementing a partnership approach to the sustainable management of the Askew development natural and physical resources, including parks and open spaces. We acknowledge that there will be issues for manawhenua, relating to waahi tapu, protection and restoration of the mauri of natural eco-systems of land, water and air, the harvesting of kai and cultural materials, as well as the future management of significant open spaces.

9.15 Aspirations and outcomes sought:

- That the cultural values and manawhenua associations are known first to any proposed planned open space and/or reserve before a determination is made on the use and designation of it.
- That tikanga Maori and customary activities influence how parks and open spaces are planned, developed and managed.
- That a focus is on visually and physically connecting the Askew development network of parks, open spaces and streets to create opportunities for residents to move around their neighbourhoods and to enhance native biodiversity.
- First Rights of Naming: Iwi naming rights regarding reserves and open spaces.

Greenways Strategy

9.16 Ngati Te Ata Waiohua is supportive of the Auckland Greenways Strategy.

"The aim of the Greenways Plan is to provide cycling and walking connections which are safe and enjoyable, while also improving local ecology and access to recreational opportunities".

9.17 Ngati Te Ata Waiohua are supportive of walkways that connect people to place and in particular access to the coastal margin. The objective being the long-term improvement of walking, cycling and ecological connections across the Auckland region. The primary reason we support this are that the network typically follows natural landforms such as streams and coastlines as well as man-made features such as streets and motorways. Also, Greenways cross existing parkland and follow street connections between parks if people have access to the coastal margin and

the stream catchment than attention will start to focus on the restoration and healthy upkeep of these waterways, and ultimately the Manukau Harbour.

9.18 We all want our waterways to be proud of. It will hopefully be clean and have local walking and cycling paths connecting our neighbourhoods from one side of the river to the other and re-establish a new portage from one harbour to the other. As stated earlier in this report that is why it is so crucial to re-establish these connections through landscape, cultural, heritage, geological, environmental and water linkages.

9.19 The Franklin Local Board Plan (2017) states;

"Local boards work in partnership with local communities and iwi to deliver projects and programmes to improve local environments. Our focus is on indigenous biodiversity, healthy waterways and sustainable living. These activities include stream restoration, waste minimisation programmes, supporting environmental volunteers and partnering with schools to provide a range of environmental initiatives".

Infrastructure

9.20 Inadequate, outmoded infrastructure is not keeping up with the rate of growth and contributing to environmental degradation. Ngati Te Ata Waiohua is concerned with leaking and deteriorating stormwater and wastewater pipes and wastewater overflows. Noncompliant and unconsented Wastewater Treatment Plants do not meet acceptable environmental standards and many need to be upgraded. There are better alternatives out there in treating wastewater. Transport options will need to be improved with the Askew development to a focus on creating environments for people not cars and de-emphasising road building. More roads just equal more vehicles.

9.21 Broadband supports our intent to live locally but be global players. Fast broadband is required for rural areas and in support of the marae, papakainga, puna reo, whareoranga and other services that Ngati Te Ata Waiohua provides to its people. Access will assist Ngati Te Ata Waiohua network with its members, to communicate more effectively and to deliver services and benefits.

9.22 Aspirations and outcomes sought:

- Actively explore alternative wastewater treatment and disposal options including removal of trade wastes, recycling of grey water, disposal to land (or other innovative methods) and not using water as a waste transport system.
- De-emphasise road building and car parking and create people-friendly environments.
- Reduce current transport congestion levels.
- Support fast broadband rollout including to rural areas.

Urban Design

9.23 To make these cultural aspects functional to the urban design, we need to examine a process of deriving design principles and criteria that are important to Ngati Te Ata Waiohua. The intention is that these design principles are reflective of our culture rather than bringing our ideas to abide in a modernized approach. When it comes to urban design Ngati Te Ata Waiohua are often frustrated that our culture is rarely reflected in the urban built environment, particularly across Auckland, which we identify as a unique cultural landscape featuring significant historical pa on volcanic cones like the Patumahoe volcanic feature (weathered volcanic cone to the west of the Patumahoe town).

9.24 Indigenous, local character is a vital ingredient in good urban design, in contrast to the increasingly homogenised urban environments that arise out of globalisation. Urban design that responds to cultural-specific values and features will foster healthy expressions of different cultural identities and realities within our urban environments.

9.25 The Askew development design opportunities (see below) are supported by Ngati Te Ata Waiohua and provide an opportunity to incorporate and activate the Te Aranga design principles.

- Key connections and amenity improvements that the Askew Partnership Ltd may like to facilitate as part of the planned development work. In addition to the delivery of social, market and affordable homes key considerations are:
- Improving walking routes around Patumahoe.
- Improving the quality and safety of neighbouring reserves.
- Potentially adding additional reserve space.
- Improving the connectivity within the neighbourhood, especially for pedestrians and cyclists, through additional road and lane connections.
- Improving footpaths.

- Strengthening of Patumahoe town centre as high-quality urban environments offering easily accessed work, play, sense of community, living and transport opportunities.
- Enhancement and joining up of key greenway corridors connecting the town centre, to future open space.

Te Aranga Design Principles

9.26 Ngati Te Ata Waiohua has been involved since the inception of these principles. These principals have been adopted by Auckland Council and are being applied to all projects with iwi involvement within the Auckland region.

9.27 Ngati Te Ata Waiohua seek that the Askew development endorses the adoption of these principles as a way to incorporate Ngati Te Ata Waiohua values and outcomes into the design of elements of the project. During future consultation on this project we expect these principles to be fundamental to be applied wherever possible to underpin our relationship to these significant areas.

9.28 The principals supported are as follows:

- Mana. Treaty based relationships. We require a high-level Treaty based relationships with all key stakeholders which recognise our status as manawhenua in Tamaki Makaurau so that we are able to better fulfil our roles as kaitiaki in an engaging way. Such relationships can then inform our participation in collaborative design and the development processes. Such relationships are a precursor to actualising the other 6 principles:
- Whakapapa. Names/Naming. Ancestral or historical events. Names provide entry points for exploring historical narratives, tupuna and critical events relating to development sites.
- Tohu. The wider cultural landscape acknowledges wider significant Iwi land marks and the ability to inform the design of projects. Such Tohu can include wahi tapu, maunga, awa, puna and ancestral kainga.
- Taiao. Natural environments, exploring opportunities to bring natural landscape elements back into urban modified areas – trees, water, insects, birds, aquatic life, mahinga kai (food gathering areas) allow for active kaitiakitanga.
- Mauri Tu. Environmental health, ensuring emphasis on maintaining or enhancing environmental health and life essence of the wider site – in particular focussing on the quality of wai, puna (springs), whenua and soil and air.

- Mahi Toi. Creative endeavour drawing on names, local tohu and appropriate plant species to develop strategies to creatively re-inscribe iwi narratives into architecture, interior design, landscape, urban design and public art. Iwi designers and artists are readily available to assist in such collaborative projects.
- Ahi Ka. Visibility and living presence, we need to explore opportunities to facilitate living presences for iwi and hapu to resume ahi-ka and kaitiaki roles.

Design Values important to Ngati Te Ata Waiohua:

9.29 Apart from the Te Aranga design values also need to be considered and incorporated into the Askew development project design framework.

- Whanau ora (safety, healthy, non-threatening environment).
- Strong public space, not a corporate space (no advertising), but a public space, a strong sense of space.
- A place not overwhelmed with art and sculpture but simplistic in its design.
- Strong cultural values.
- A welcoming place, arriving at a destination.
- Strong conservation values.
- Strong geological values.
- Diversity, place of gathering (people from the four winds of all cultures).
- Wai (water) the life-giving element.
- Place of spiritual wellbeing.
- Linkage between ranginui, whenua and moana.
- Place of attitude that invokes emotion, feelings, and experiences, when entering and leaving area.
- Utilising viewpoint to significant other places.
- Design that makes public takes ownership of the place.
- Sufficient and a mix of lighting ambient and bright and strong on places where needed.
- A place designed that is self-contained using sustainable renewable resources.

10.0 CONCLUSIONS AND RECOMMENDATIONS

Conclusions

10.1 Over many centuries Ngati Te Ata Waiohua established numerous settlements on and around the Manukau Harbour shoreline and major rivers of the Tamaki Makaurau isthmus. Many were substantial long-term settlements; others were occupied seasonally or temporarily while resource gathering or gardening. Tamaki Makaurau was the area of various waves of iwi and hapu occupation by rights of take tupuna (ancestral rights to the land through whakapapa), take raupatu (conquest), ahi ka (permanent or seasonal occupation), kaitiakitanga (exercise of authority and control) and rangatiratanga (a combination of the above). Prior to the mid-18th century many Pa on the isthmus were occupied by Waiohua of Tamaki Makaurau.

10.2 The ultimate goal for Ngati Te Ata Waiohua is the protection, preservation and appropriate management of natural and cultural resources in a manner that recognises and provides for our interests and values, and enables positive environmental, social and economic outcomes. Ngati Te Ata Waiohua supports engagement and involvement that respects and provides for our cultural and traditional relationship to the Patumahoe area, its unique cultural identity, and input into shaping the physical, cultural, social and economic regeneration of the area.

10.3 Ngati Te Ata Waiohua seeks to have meaningful relationships, 'rangatira to rangatira' with the Askew Partnership Ltd, and Franklin Local Board and the Auckland Council. Ngati Te Ata Waiohua today is an iwi which looks forward, is optimistic, creative and purposeful. Our mokopuna are foremost in our mind as we endeavour to design a healthy and prosperous future. We seek to mitigate past wrongdoings which occurred through breaches of our rights under the Treaty of Waitangi. The provision of eventual settlement and redress will provide a foundation for Ngati Te Ata Waiohua, a foundation which will allow us to support the aspirations of our people and their social and economic needs and to reoccupy our traditional rohe.

10.4 Our general socio-economic position is low. We must address a raft of associated issues including our educational attainment, housing, employment and health. Ngati Te Ata Waiohua have a lot to offer and contribute to the development of the Askew development. This can be best realised if we are at the decision-making table.

Recommendations

1. That this cultural values assessment represents only a starting point for initial engagement and will require further consultation and dialogue between Ngati Te Ata Waiohua and the Askew Partnership Ltd. Further discussion will be needed around the implications of the project to identify information gaps in our thinking, raise issues or opportunities we had not foreseen, and clarify and reach agreement of those issues as identified in this assessment. It is intended that this assessment will assist with ongoing decision making from all relevant parties involved and ensure that Ngati Te Ata Waiohua issues, concerns, interests and values are provided for, including resource consent requirements.

2. Ngati Te Ata Waiohua **supports** this Plan Change providing that our environmental and cultural preferences to protect and mitigate against the potential adverse effects on the environment and our cultural heritage as a result of this subdivision (as outlined in this report) are provided for as part of the Askew Partnership Ltd Plan Change and further anticipated development with decision making moving forward.

3. That Ngati Te Ata Waiohua participates on a regular basis with regard to the cultural monitoring of any proposed earthworks from a kaitiaki perspective and that all earthworks are culturally monitored for potential taonga by iwi in conjunction with the project archaeologist.

4. That Ngati Te Ata Waiohua are engaged directly with the Askew development project manager (including their agents) regarding any further required consultation requirements, are informed of the results of all monitoring and consent related assessments relating to the proposed subdivision.

5. That iwi has the first right to name any new roads and access ways to ensure the old names are retained and that the history is relevant to the area of Patumahoe.

6. Should there be any significant changes to the proposed subdivision application then Ngati Te Ata Waiohua are to be notified and consulted with immediately and reserve the right to reconsider any of our earlier decision.