

Cultural Values Assessment: Plan  
Change  
301-303 Buckland Rd  
Pukekohe.



IMAGE: Plain of Pukekohe, John Grant Johnson 1853. Auckland Museum: 63/44, PD-1963-8-37.

Compiled by Edith Tuhimata on behalf of Ngati Tamaoho Trust.

October 2021



*Ko Maungaroa te maunga  
Ko Waikato te awa  
Ko te Mānukanuka o Hoturoa te Moana  
Ko Tainui te waka  
Ko Mangatangi, ko Whātāpaka, ko Ngā Hau e Whā ngā marae  
Ko Ngati Tamaoho Matou.*

*“Kaua te tau e pōkea,  
Kaua te tau e rewanatia,  
Koia hoki te tūturutanga i heke iho nei i ō tātou tūpuna”*

*“Let us not be greedy,  
Let the land remain whole as handed down by our ancestors”*

## Table of Contents

1. Te Timatanga o Te Korero/Historical Context.....	5
2. Cultural Landscape .....	6
3. Project Background.....	7-8
4. Aims and Objectives.....	9
5. Environmental Enhancement.....	10
6. Project Area.....	11
7. Te Awanui O Taikehu/ Pukekohekohe.....	12
8. Land Alienation.....	14-15
9. Crown Invasion of Waikato .....	16-18
10. Tu Wakarerehenua.....	19
11. Soil Management and Erosion.....	21
12. Customary Activities.....	22
13. Water /Wai.....	26
14. Bio security and Natural Heritage.....	31
15. Air.....	34
16. Conclusions/Recommendations.....	36-38

**CIA Statement:**

For Ngati Tamaoho Waiohua a CIA provides a vehicle for communicating our own unique perspective, telling our story in our words, and incorporating our tikanga (the way we do 'things') into our decision-making and ultimately our findings, conclusions and recommendations.

A CIA ensures that all our issues, concerns and interests and impacts on our taonga are captured, recorded, and included as part of the overall documentation that goes before decision makers. A CIA is an essential prerequisite. The Cultural Landscape used alongside archaeological surveys and other technical reports ensures that we are making informed decisions regarding our Taiao.

A CIA is supported under the Resource Management Act's Fourth Schedule 88 (6) (b), which states 'matters that should be considered when preparing an assessment of effects on the environment include:

- a) Any effect on those in the neighborhood and, where relevant, the wider community, including any socio-economic and cultural effects
- b) Any physical effect on the locality, including any landscape and visual effects
- c) Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural, or other special value for present or future generations.'

This report:

- Provides an overview of the proposed application for Power Station.
- Describes the depth of engagement through the project phases and ongoing partner relationship.
- Identifies specific sites, features, values, and cultural context of the project area.
- Identifies potential effects of the project on cultural sites, features, values, and cultural context.
- Recommends measures for the avoidance, remediation, or mitigation of these effects.



Te Maunu A Tumatauenga/ Paerata

## 1. TIMATANGA KŌRERO - INTRODUCTION

1. Ngāti Tamaoho descend from the among the first peoples of Te Ika-roa-a-Māui (North Island). Our whakapapa stretches back to the earliest inhabitants of our rohe and the many descendants who came after them. This includes Ngā Tūrehu, Te Tini O Maruiwi and Te Tini O Toi.
2. Journeys from across Te Moananui a Kiwa (Pacific Ocean) also brought our tūpuna to these lands. These were the waka Tainui, Aotea, Mātaatua, Arawa and others. In particular, Tainui passed through Te Waitematā, Te Moananui O Toi, and Te Mānukanuka O Hoturoa, with many of its crew remaining in these places. These tūpuna, included, Rakataura, Marama, Poutūkeka, Pāpaka, Riukiuta and Taikehu, are vital parts of our people's whakapapa. These were the early ancestors of the great iwi known as Ngā Oho, descendants of the ariki Ohomairangi.
3. As these peoples grew and spread, hekenga from across the motu arrived in the rohe. These include Ngāti Awa on their hekenga from Te Tai Tokerau, and Ngā Iwi from the Taranaki coast.
4. From Waikato came Tamaoho, a warrior of great renown. After journeying from Marokopa, Tamaoho settled at Maungaroa with his relations of Ngā Iwi, Ngā Oho and Waikato. The descendants of these unions became known as Ngāti Tamaoho with interests stretching from the Waikato River to Tāmaki Makaurau, and from Tīkapa Moana to Te Pae O Rae.

## 2. TE TAKIWĀ – CULTURAL LANDSCAPE

1. For Ngāti Tamaoho, no place exists in isolation. Each mahinga kai (traditional food resource), each papakāinga (settlement), and each pā tauā (fortified village) exist as part of a wider cultural landscape that makes up our rohe (traditional territory). While each of these places has its own unique character and history, they are all connected by their whakapapa (genealogy), their history, the natural environment, and their use by generations of tūpuna (ancestors) before us.

2. Our whenua (land) is the basis for life itself. We have long protected and utilised the resources of our rohe, including the waters, forests, wetlands, and rich, fertile soils. This was land in which crops flourished, beside wetlands, waterways and harbours which supported prolific fisheries.

3. The over-reliance of some writers on archaeological evidence has often led to the conclusion that some areas were culturally or traditionally unimportant. This is reflected in much of the existing historiography and heritage studies relating to Ngāti Tamaoho's rohe.

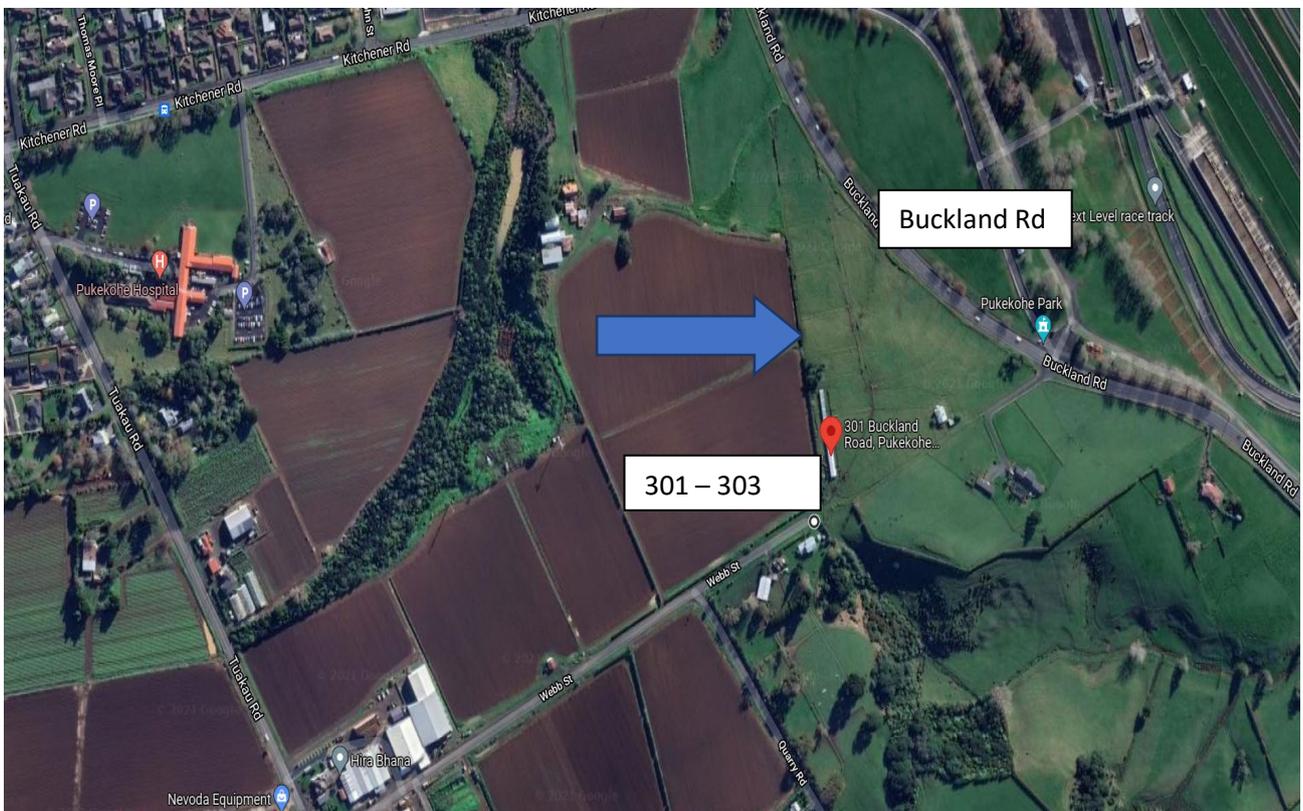
4. In turn this has become reflected in local and central government planning that disregards areas such as Pukekohekohe as lacking traditional or cultural value.

5. In reality, the lack of archaeological evidence of the occupation of these areas reflects the enormous and rapid loss of land that occurred after 1840, and the continued effects of colonisation.<sup>1</sup> These processes removed Ngāti Tamaoho people from most of our traditional lands, slowly eroded much of our associated mātauranga (knowledge) and tikanga (customs/protocols), and led to the limited understanding of the importance of this whenua today.

6. As mana whenua of this area, Ngāti Tamaoho assert the inherent and immutable cultural, spiritual, and traditional value of these lands and waters. Though many of the details of their use have been lost to us, their significance remains.

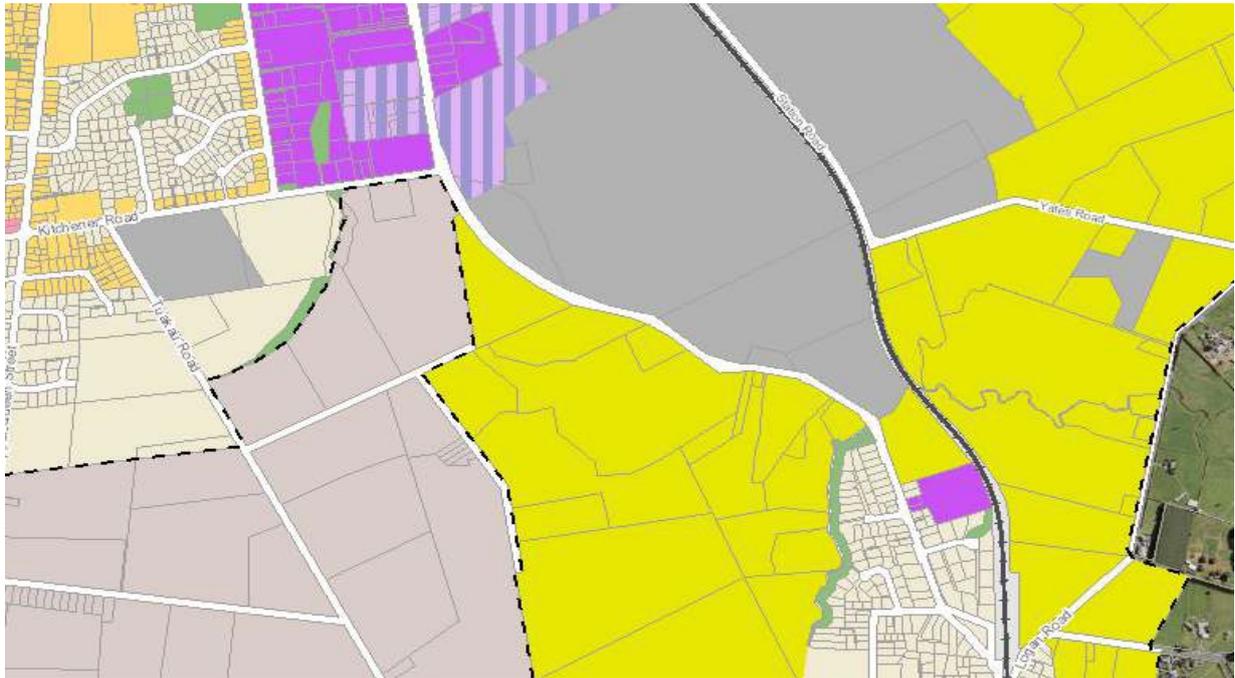
### 3. PROJECT BACKGROUND

1. Ngāti Tamaoho have been commissioned to do a Cultural Values Assessment (CVA) for a proposed plan change at 301-303 Buckland Road development.
2. The Clients development is in an area of the Ngāti Tamaoho rohe bordered by Buckland and Kitchener Rd, Pukekohekohe. The lot is currently zoned as a Rural Urban Zone.
3. This Cultural Values Assessment (CVA) report has been done by the mana whenua hapū of Tāmaki Makaurau (Auckland) and Waikato. The purpose of this CVA is to provide the client and relevant statutory agencies with documentation of Ngāti Tamaoho cultural values, interests, and associations with the project area and its natural resources, and the potential impacts of the proposed project activities on these.
4. This Assessment also provides recommendations as to how to avoid, remedy or mitigate any potential cultural effects that arise from the project. Ngāti Tamaoho engagement in statutory processes including provision of technical advice for impact assessments is guided by our tikanga and framed by Te Tiriti o Waitangi and our Ngāti Tamaoho Settlement Act 2018.



Site Area and Area Map

#### 4. SITE AERIAL 301-303 Buckland Rd



1. The area proposed for the plan change is on the north western slope of Pukekohekohe (Pukekohe Hill). It is bordered on the east by Buckland Rd, on two sides by abutting properties and Kitchener Rd to the west sloping up towards Pukekohekohe. The lot slopes upward from its north-western corner to its south-western corner at roughly 179m. The property slopes up toward the tihi of Pukekohekohe hill. Its main geographic characteristic is being on the northwestern-facing slope of Pukekohekohe. The main waterway is to the west of the site. There is one stream on the periphery of the site located in the north western area. This is an area of immense traditional, cultural, historical, spiritual, and economic importance to our people.

2. This part of the Ngāti Tamaoho rohe has been extensively settled and utilised by our people for centuries. In particular, this area was part of the traditional food-bowl of people because of its fertile volcanic soils. These are some of the best soils in the country and were one of Ngāti Tamaoho's taonga held and passed down by generations of our tūpuna. As a result, this area contained large areas of some of our peoples most productive māra-kai (cultivations). Kūmara, taro, hue, uwahi, rīwai were grown here in abundance. In the months of Hine-raumati, the crops were pulled up and stored in such abundance as to supply the people year-round.

3. As a result of the fertile soils, this area was also extensively settled by our tūpuna. The papakāinga (settlements) of this area were some of the oldest in the region. Te Awanui O Taikehu, in particular, was in use for centuries through the times of Te Tini O Toi, Ngā Oho, Te Uri O Pou, and Ngā Iwi. Tamaoho arrived in this area after his

journey from Marokopa and brought together the descendants of these people and his own people to form Ngāti Tamaoho. The entire Pukekohekohe region was recognised as falling under the mana of Tamaoho. In later generations, this area was held by his descendants Ruamano and his son Te Whare Aitu.

4. This CVA will discuss the cultural, historical, and traditional importance of this area to Ngāti Tamaoho. It will also discuss the historic alienation of this land from Ngāti Tamaoho customary ownership. This is an important and ongoing mamae (injury) to Ngāti Tamaoho that needs to be understood and acknowledged by all those engaged in works on this whenua.

## **5. AIMS AND OBJECTIVES**

1. The aim of this CVA is to document Ngāti Tamaoho's cultural values, interests, and associations with the site; identify specific cultural sites and resources; assess the values of these sites and resources; identify the potential impacts that arise from project activities and assess the significance of effect; and provide recommendations as to how to avoid, remedy or mitigate the potential effects to Ngāti Tamaoho.

This assessment will:

1. Provide a baseline of known environmental or natural features and resources that may hold cultural values.
2. provide a statement of cultural association Ngāti Tamaoho has with the study area.
3. identify any known cultural sites and resources within the study area.
4. describe the value or significance of such sites and resources.
5. identify the cultural constraints and risks associated with the study area and the potential significance of effects.
6. identify the aspirations of Ngāti Tamaoho for key values and features of this site so as to give the Client a basis for working with Ngāti Tamaoho to avoid adverse effects and protect cultural values.

## **6. ASSUMPTIONS AND LIMITATIONS**

1. Ngāti Tamaoho are the experts of our own culture and tikanga. Through a necessity to work within a western planning framework we utilise planning language where possible to aid in mutual understanding, however there is difficulty in the translation and application of some core cultural concepts to such a framework. This is particularly an issue when segmenting or demarcating value spatially, when ascribing a type of significance hierarchy, and when limiting value to tangible elements, whereas Māori hold a holistic perspective that operates counter to typical western paradigms. This means that where there is doubt or confusion over a term or point of discussion, readers should contact Ngāti Tamaoho directly for clarification.

2. Due to the sensitive nature of certain cultural knowledge, areas and sites (e.g., burial grounds), Ngāti Tamaoho reserves the right not to identify the exact spatial extents or provide full information of such areas to retain and protect this knowledge within the Ngāti Tamaoho. In other situations, while a general area may be known to be of cultural significance the exact spatial extent or location of the site may have been lost over successive generations. Where possible and appropriate, sites are described and defined to enable discussion of the impacts while acknowledging these limitations.

3. The environmental and archaeological data relied upon for elements of this report are derived from secondary sources and it is assumed the data and opinions within these and other secondary sources is reasonably accurate they do not include the cultural landscape as described by manawhenua.

4. The Auckland Council's Cultural Heritage Index and New Zealand Archaeology Association Arch Site databases are a record of known archaeological and historic sites. They are not an exhaustive record of all surviving historic or cultural sites and resources and do not preclude the existence of further sites which are unknown at present. The databases also utilise a site location point co-ordinate system rather than detailing site extents or cultural landscapes.

## **7. ENVIRONMENTAL ENHANCEMENT - TE WHAKAPAKARI I TE TAIAO**

1. The goal of Ngāti Tamaoho is to ensure that the needs of the present and the future generations are provided for in a manner that goes beyond sustainability and enhances/restores the environment. An 'enhancement' approach requires the consideration not only of individual resource use, and activities, but also a holistic approach to the whole environment. It aims for positive ecological and social outcomes where the resource use and activities affecting the environment become a conduit for producing resources and energy, improving physical and psychological health, remedying past pollution, and transforming and filtering waste into new resources.

2. Sustainability requires the resource to be maintained at a specified level so that future generations can enjoy at least the same use of the land, air, and water that we do currently. The 'enhancement' approach aims not only to maintain but also, through our actions, to improve/restore the quality of the environment for future generations. Therefore, Ngāti Tamaoho is in favour of an approach to resource use and activity operation that sees a net benefit back to the environment in such a way that the environment is actually enhanced from the resource use, activity, or development.

3. Ngāti Tamaoho recognises that the implementation of an enhancement approach is something that can take time and education for full implementation. Resource users and activity operators need to consider how their existing or proposed use or activity can actually enhance and restore the natural environment. This is a strategic approach which recognises that those that utilise an environmental resource for some type of benefit (whether economic, social, cultural, spiritual or environmental) have a responsibility to create a reciprocal benefit back to the natural environment. In practice in some cases, and

particularly in the case where environmental resources are depleted (e.g., mineral mining), there needs to be a broader consideration of how to provide a reciprocal benefit.

4. Ngāti Tamaoho recognizes that the achievement of environmental enhancement can include use of regulatory and non-regulatory methods, [such as achieving “over and above” council minimum requirements]. Tamaoho will always advocate for environmental enhancement/restoration.

## 8. PROJECT AREA.

1. Stephen Smith (Peterex Properties Limited) at 301 Buckland Road and Jason Woodyard (Pukekohe Limited) at 303 Buckland Road, propose to rezone their land under the Auckland Unitary Plan – Operative in Part (Unitary Plan) from its current Future Urban Zone (FUZ) to Business – General Business Zone (BGBZ). This is a request to change the zoning from FUZ to BGBZ only and no other changes the provisions of the Unitary Plan are proposed. Requests to the Council for a private initiated plan change are enabled subject to Part 2 of the First Schedule of the Resource Management Act 1991 (RMA). Consultation with iwi authorities is mandatory pursuant to Clause 4A of the First Schedule.

## 9. PLAN CHANGE DETAILS:

Address: 301 and 303 Buckland Road, Pukekohe

Legal Description: 301 Buckland Road Pt Lot 1 DP 3363

303 Buckland Road Lot 1 DP 64805

Land Area: 301 Buckland Road 4.3602

303 Buckland Road 3.5038

Unitary Plan Overlays: Natural Resources: High-Use Aquifer Management Areas Overlay - Pukekohe

Central Volcanic

Natural Resources: Quality-Sensitive Aquifer Management Areas Overlay - Franklin

Volcanic Aquifer

## 10. EXISTING RESOURCE CONSENTS:

- 301 Buckland has an existing resource consent granted to Peterex Properties Limited on 9 September 2019 (BUN60333645) to establish a Trade Supplier activity (Franklin Plumbing). This consent has not been implemented.
- 303 Buckland Road has an existing resource consent to Pukekohe Limited on 15 April 2021 use up to 4,320m<sup>2</sup> of the site as an industrial service storage yard for a period of 10 years (BUN60368560). This consent is in the process of being implemented.

2. The general characteristics of the area is on the north - western facing slope of Pukekohekohe, it is undulating rolling hill country the land use has been largely used as cropping areas, the main volcanic puke of the region. It is flanked on two sides by Buckland and Kitchener Rd the land is part of a large area of rich volcanic soils from the Pukekohekohe volcanic eruption. As such, this area was primarily used

by Ngāti Tamaoho as an area of maara-kai (cultivations). In fact, this area represents some of the largest and most important maara-kai of Ngāti Tamaoho, a significant taonga and resource for our people for centuries.

3. It is difficult to overstate the importance of the soil of this area and its gardens for Ngāti Tamaoho. This was our people's intergenerational food basket, one of our most treasured sources of sustenance, especially during the winter months when kaimanu, kaimoana, and mātaimai were less available. The soils of this area provided our people with the food they needed to thrive.

4. Primarily the food grown here was kūmara, though other crops such as hue and uwhi were grown also. The climate was warm enough for long growing periods and the friable and well-draining soil was perfect for these kinds of root crops. Pukekohekohe, and particularly the northern sun-drenched slopes such as the study area in question, could support large cultivations and produce substantial amounts of food.

5. The growing and storage of these crops was a highly skilled activity that required expertise and mātauranga of everything from the soil, to the maramataka, to the pests that could threaten the crops. The growing of kumara was undertaken with expertise from the tōhunga who could read the tohu of te taiao and te maramataka. Meanwhile, the work required every member of the hapū at some point in the growing process, whether at the planting phase or during the busy late summer/autumn period when the crops were pulled up and prepared for storage.

6. Alongside the maara-kai, areas were set aside and used for pātaka kai (food storage and preparation), umu (ovens), and rua kumara (storage pits). All of these activities carried cultural and spiritual elements, as well as tikanga and mātauranga. This only adds to the traditional importance of this land to our people.

7. Pukekohekohe is also important in our people's whakapapa, an ancestor of Ngāti Tamaoho and one of our wāhi tūpuna. As such the importance of this place goes even further beyond the value of its volcanic soils and maara-kai. This place is part of the whakapapa and cultural identity of Ngāti Tamaoho.

## 9. TE AWANUI O TAIKEHU

1. Te Awanui O Taikehu is an ancient area of settlement lying to the north and east of Pukekohekohe. It is an area that has seen settlement by our tūpuna since the earliest peoples of the rohe. The area contains some of the most fertile soil in the entire country, making it an attractive places for settlement. These soils became one of our peoples most valuable resources, supplying our people with food for our whānau and trade with our whanaunga for a wide range of other goods. These taonga soils were the wealth and wellbeing of our peoples.

2. The name of the of this area refers to its proximity to the Waikato River. In former times this waterway was known as Te Awanui O Taikehu, the great river of Taikehu. Taikehu is one of our tūpuna who arrived in Te Ika-roa-a-Māui aboard the Tainui

waka and explored much of this land. It is a name of great significance and speaks to the regional significance of this area.

3. As a result of the fertile volcanic soils of the area, Te Awanui O Taikehu was an area of settlement for our people. The papakāinga here was an ancient one, having been in use since the time of the first peoples and the arrival of the Ngā Oho aboard the Tainui waka. At its peak the papakāinga is thought to have been home to hundreds, making it one of the largest in the region. Among these people were some of Ngāti Tamaoho's most well-known rangatira such as Te Whare Aitu and his father Ruamano.

4. Te Awanui O Taikehu also includes one of Ngāti Tamaoho's oldest and most significant urupā. As such, the area is considered a wāhi tapu of great significance.



Pukekohe Block No.2, 17 June 1853, ABWN 8102 153 Archives New Zealand Wellington, AVC 87.

## 10. PUKEKOHEKOHE

1. In the south-west of Te Awanui O Taikehu is the maunga Pukekohekohe. This is a site of great cultural significance to our people, being the main strategic high points of the region. Its northern slopes were the site of some of the largest maara-kai in the region.
2. After the confiscation of the Pukekohe block in 1865 (following the invasion of our rohe in 1863), the township of Pukekohe was built to the north of the maunga. As Ngāti Tamaoho returned to the area from the 1870s, they came to Pukekohe to gain work as labourers in the market gardens that had once been theirs.
3. These workers lived in substandard housing, supplied by the market garden owners and were subjected to racism on both a structural and individual level. Despite their landlessness at the hands of the Crown, these whānau worked tirelessly picking the crops of potatoes, onions, and other vegetables.
4. The contrast between itinerant Māori workers and the Pākehā residents of Pukekohe became increasingly stark. Appalling housing conditions and consequent widespread ill-health were the norm for Ngāti Tamaoho in Pukekohe in this time.
5. A large number of Māori children attended the Pukekohe public school. Because whole families worked in the gardens, Māori pupils fell far behind their Pākehā counterparts, and the prevalence of disease among them caused a panic among Pākehā parents who feared that their children would be exposed to contagious diseases. Māori students were, for example, only permitted to use the school swimming pool late on Friday afternoons, just before the water was changed. This led, in 1952, to the establishment of a separate Maori school in Pukekohe. Segregation continued in Pukekohe well into the 1960s with Māori not welcome in certain barbers, bars, and cinema seating.
6. Despite the immense challenges Ngāti Tamaoho faced in Pukekohe, they were eventually able to establish the Ngā Hau E Whā community hall under the guidance of Te Puea Herangi for their cultural and social gatherings. Eventually, land for a marae was purchased and the Ngā Hau E Whā marae on Beatty Street became one of the three modern Ngāti Tamaoho marae as it remains to this day.

## 11. TE KAIĀ O TE WHENUA – LAND ALIENATION

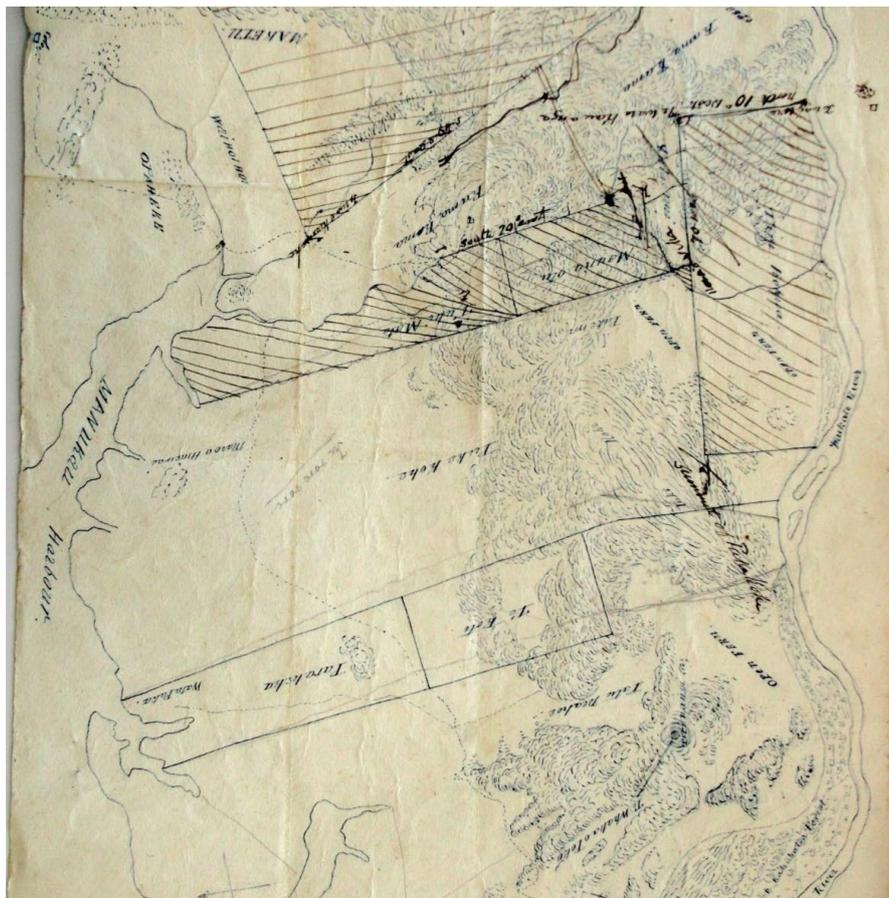
1. During the early 19<sup>th</sup> century, Pākehā began arriving in Ngāti Tamaoho's rohe. This included the British Crown and their representatives. From the 1830s onward, Pākehā began seeking land from Ngāti Tamaoho and from 1840 onward the Crown assumed a pre-emptive right to trade with Ngāti Tamaoho for land rights under Te Tiriti O Waitangi.
2. This phase of colonisation includes many nuanced concepts of tikanga and its intersection with the Crown's concepts of law and ethics. For instance, the degree to which the Crown could assume pre-emptive rights to land is undermined by the fact that Ngāti Tamaoho never signed Te Tiriti O Waitangi. However, there is evidence that at least some rangatira used Te Tiriti as a basis for ongoing relationships with the Crown.

3. Ignorant of Ngāti Tamaoho tikanga, the Crown sought to 'purchase' lands around the project area 1842.<sup>ii</sup> The land of the study area was alienated from Ngāti Tamaoho against the will of our tūpuna through the 'Pukekohe block' sold by some of our whanaunga in 1842.

4. The Pukekohe block was massive and included some of our most important lands and taonga guaranteed to our people by Te Tiriti O Waitangi. The land was thought to comprise either 20,000 or 30,000 acres at the time, though this turned out to a serious underestimate. The land was 'purchased' for £500.

5. A £50 deposit was paid, and a surveyor was instructed to accompany the interpreter Edward Meurant and the vendors on a perambulation of the boundaries. This immediately led to complaints from Ngati Tamaoho. Our tūpuna petitioned the Crown for the next ten years, trying to reach a resolution. However, they were rebuffed and turned aside at every turn.

6. In June 1853, ten years after the initial transaction, our tūpuna were forced to finally accept the Crown's terms.



The Pukekohe Block and others of the Ngāti Tamaoho rohe. Sketched by J. Johnson, 1853. Archives New Zealand, Wellington: IA 1 1853/12070.

7. These events shed light on a number of important matters. Firstly, Ngati Tamaoho's objectives in entering into land dealings with the Crown are evident. A cession of land resulted in an initial 'down-payment' consisting of cash, livestock

and other items which would help them develop their remaining land, and agricultural and other produce would be traded with the settlers who would take up residence the block. There were thus both short and long-term advantages, and there is no doubt that Ngati Tamaoho were encouraged in their expectations of future rewards by promises of 'collateral' advantages held out by Crown purchase agents.

8. There were also a number of serious problems. The Crown's insistence on purchasing large blocks necessarily involved a number of iwi, and the Crown's habit of paying the first tribe to come forward was clearly a fruitful source of tension and conflict which might easily get out of hand.

9. With respect to the Pukekohe block, Ngati Tamaoho were forced into accepting the Crown's terms.

10. In several key respects the Pukekohe transaction was a tragic and unjust experience for Ngati Tamaoho. While it is one the Crown has since apologised for, the mamae (hurt) remains and the land is still alienated from our people's customary ownership.

11. The Pukekohe block did include a number of reserve areas where Ngāti Tamaoho were able to continue living in traditional papakāinga and practice Ngāti Tamaoho tikanga. However, these were also taken from our tūpuna by the Crown.

12. On 17 June 1853 Mohi Te Ahi O Te Ngu, his cousin Ihaka Takanini, Pepene Te Tihi (Takanini's father) and several other rangatira sold the Pukekohe Block No. 2 to the Crown for £200. This sale followed the earlier Pukekohe No. 1 deed signed by Ahipene Kaihau and others in December 1843.

13. The deed of sale states that:

*"That portion of Pukekohe called Te Awa nui o Taikehu is reserved for us [the sellers] and is encircled by a line on the plan annexed."*

14. The deed map laid out the boundaries of the Pukekohe Block No. 2 and the Taikehu reservation, although in poor detail and using boundary markers now lost. The setting out of reserves in this way had become common practice by 1853, Maori vendors often wishing to retain cultivations, settlement areas, urupa and other wahi tapu. Setting aside Te Awanui O Taikehu as an inalienable reservation was of vital importance to the Pukekohe No. 2 sale and the deal would have almost certainly failed without it. It was essential to Ngati Tamaoho that they retained Te Awanui o Taikehu for future generations.

15. After the conclusion of the Pukekohe No. 2 deed, it was assumed that a further survey and plan of the reserve would be completed. However, there were significant delays on the Crown's part, and it was not until 1857 that the issue was first addressed. In the intervening years a steady stream of settlers had begun to acquire land in Pukekohe and the surrounding district. The area was soon in high demand. In fact, parts of the reserve had already been sold and it was only then that the Taikehu reservation became a pressing issue for the Crown.

16. On February 3, 1857, the Chief Land Commissioner Donald McLean wrote to Land Commissioner Mr. Johnson to ask if Johnson would survey and lay out the Taikehu Reservation that had been agreed to in the Pukekohe 2 purchase. In this letter McLean noted that the reserve had never been properly defined and that land in the area was selling quickly at a high price. He requested that Johnson survey a reserve in the area and also that he induces the Maori vendors to relinquish “an equal quantity of waste land” so that “the Government may fulfil its engagement with the European purchasers who have selected portions of this reserve”. The Chief Commissioner noted that the reason for this being such an urgent priority is that land meant for the reservation had already been sold and that the Land Commissioner’s Office wished to avoid certain “difficulties and litigations”.

17. On 1 August the Assistant Native Secretary sent Mr Johnson two letters Mohi had written to the Chief Land Commissioner. The letters stated that Mohi and his cousin Ihaka Takanini did not accept the previous surveys of the reserve land, given that they were not present when the survey was completed. Mohi also stated that he and his people intended to work their cultivations on the land and that the Europeans residing there should vacate immediately.

18. Then on the 12 August Commissioner Johnson released a memorandum setting out the boundaries of the reserve. On the same day Mr Johnson wrote to the Assistant Native Secretary (acting for the Chief Commissioner) that this was only a preliminary step in concluding the reservation and that it was still unclear what was to be done about the parts of the reserve already sold by the Government. Johnson noted that the survey was not done in consultation with Mohi and Ihaka and that as a result the problem of boundaries and previous selling of parts of the reserve were still very much unresolved.

19. In fact, around 850 acres of the reserve had been sold by the Crown to E. Fairburn (who had originally surveyed the reserve) and T. Russell. Fairburn had then on-sold the land to a number of settlers who had already started to cultivate it. Government surveyor William Searancke, who was well acquainted with Ngati Tamaoho and issues of land around the Manukau, noted that Fairburn had not adhered to the memorandum of the boundaries of the reserve that was made available to him and had not been accompanied with any of the Maori vendors when he conducted his survey.

20. Mohi was especially concerned because the parts of the reserve that had been alienated were the parts containing the numerous urupa for which the reserve had been created. Because of the incorrect survey and the absolute breakdown of communication between the various government officials, settlers now owned the burial places of generations of Ngati Tamaoho tupuna.

21. Mohi urged Searancke to give up the blocks that had been sold to settlers. He had been clear that Taikehu was of immense importance and that it should never be alienated. Mohi considered all fault in the matter to lie with Fairburn for incorrectly surveying the area to purchase parts of it himself.

22. Nothing was done and on 17 November 1857 Searancke again wrote to McLean regarding Taikehu. He laid out the events that had led to the alienation, noting that although Mohi and Ihaka brought the error to the attention of the Surveyor-General shortly after the Fairburn survey, Crown grants were still issued to settlers. Mohi and Ihaka had protested the sale ever since and had “repeatedly cautioned the settlers themselves, in a firm though friendly manner, against making improvements on the land which was especially reserved”.

23. Searancke had visited the area and with the help of several other rangatira, Mohi and Ihaka being absent, had made a rough plan of the reserve as claimed by them and the parts that were sold to settlers. He noted that the area contained many of their settlements and cultivations as well as urupa. The area set out by Fairburn, not including the alienated land, amounted to about 3,115 acres. The land alienated was about 2,099 acres with three Pakeha settlers in occupation. This brought the total area of the Taikehu reservation as originally promised to around 5,214 acres.

24. Searancke advised that he had always “treated the matter lightly” when negotiating with Mohi and advised him that it was merely “a casual error” on the part of Fairburn. This cavalier attitude by Crown agents to one of Ngati Tamaoho’s most significant traditional sites underscores the tragedy of the entire affair. From the outset, Mohi had done everything possible to protect Te Awanui O Taikehu and had made it perfectly clear to the Crown why the area was of such importance. His persistence and dedication were met with indifference and delay by those specifically charged with resolving the situation.

25. 7 months passed with no progress until on 28 June 1858 John Rogan, District Land Commissioner, visited Mohi and arranged to go to Pukekohe to ascertain the boundaries of the land claimed. Rogan adopted Johnson’s description of the boundaries agreed to by the Surveyor-General and the Maori vendors by memorandum which Fairburn had failed to adhere to. Rogan concluded that about 2,600 acres had wrongly been alienated from the reserve and was now in occupation by settlers.

26. On 2 July, Rogan climbed the Pukekohe maunga with Ihaka and Mohi. He noted that it was impossible for him to dispute their claims to the correct boundaries of the block as they merely claimed what had clearly been agreed to in the memorandum by Johnson.

27. Rogan faced a difficult decision. Mohi and Ihaka were clearly entitled to the lands they claimed as had been set out by Johnson. However, settlers already occupied the land alienated by Crown grant and had begun cultivating. As such, Rogan undertook to pay the chiefs for the land that had already been alienated.

28. Mohi and Ihaka immediately opposed the idea that the totally unwarranted alienation of their lands could be compensated by anything less than their return. However, after some negotiations Ihaka begrudgingly accepted that since the Crown was completely unwilling to return the land, he would accept £300. Rogan offered £50 which was immediately rejected. After further negotiations Rogan offered £100 which was reluctantly accepted by Mohi, fearing that, should he not accept this deal, the government would cease to deal with him altogether.

29. On 26 July, Rogan wrote to the Chief Commissioner noting the finalisation of the claim and requesting it be Gazetted.

30. The end result was that Ngati Tamaoho received a little over half of the reserve as originally agreed to and £100 in settlement of the rest. After 5 years of struggle and protest this was a heavy blow to Ngati Tamaoho. The tribe had agreed to give up a vast tract of its traditional lands to the Crown with the Pukekohe No. 2 deed under the expectation that they would be allowed to retain a small piece for themselves. The Crown had failed to honour this.

31. In July 1863, Governor General George Grey issued a proclamation that required all Māori living between Auckland and the Waikato to give up their arms and make an oath of allegiance to the Queen. Those failing to do so were forcibly ejected from their homes. Many of the hapū of the region, were forced from their homes and moved to the Waikato to join there whanaunga. The brutal invasion of the Waikato by Crown forces followed. Many lives were lost.

32. Following the end of the war in the Waikato, Ngāti Tamaoho remained loyal to King Tawhiao following him from place to place, some settling permanently in the areas he passed through. As a result, the period following the war saw the wide dispersal of Ngāti Tamaoho across the Waikato district.

33. A number of whānau returned to traditional Ngāti Tamaoho lands in the project area from the 1880s onward. However, conditions were difficult for those who choose to return. Confiscation had thwarted Ngāti Tamaoho's economic success prior to the war and access to health care for Maori was appalling.

34. The remainder of the Taikehu reservation was taken on 29 December 1864 as part of the 6,514-acre Pukekohe confiscation block.

35. The war and subsequent confiscation severed Ngāti Tamaoho's ability to connect with our whenua and rendered our people effectively landless. The effects of these actions continue to affect Ngāti Tamaoho to this day.

## 12. LAND - TE WHENUA

### 1. Introduction

1. In 1863 – 1864 the Crown engaged in a war against Māori in the Waikato causing suffering to the people. After the war in Waikato the Crown unjustly confiscated large areas of land. This confiscation or raupatu has, over time, had a crippling impact on the welfare, economy and mana whakahaere of Ngāti Tamaoho and the ability to manage the lands, awa and resources within the tribal rohe. Though raupatu did not change the beliefs and values of Ngāti Tamaoho, nor the unique relationship with the whenua and awa, its impact on the mana whakahaere exercised by the tribe was immediate.

2. Subsequently, land in the Ngāti Tamaoho rohe has been drained and developed for a number of uses. Land development has dramatically reduced the



area of native forest and wetlands throughout the region and pastoral farming, exotic forestry, industrial and urban development is now the main productive land uses.

3. This reduction in native ecosystems and changing land use has consequently affected the natural ecosystem balance. This is particularly the case where current land use is not ideal for the area, such as farming on marginal, hilly lands.

4. Attempts to control natural processes have further impacted on the natural ecosystem balance. For example, attempts to control flooding, which occurs naturally and contributes to ecosystem balance, have exacerbated habitat decline, particularly when waters are further contaminated from other land use activities or have a higher than natural sediment loading. Habitats for indigenous flora and fauna are in decline or have been destroyed.

5. Declining habitats has resulted in a decreased ability for Ngāti Tamaoho to undertake mahinga kai. This causes whakamā for Tamaoho who are unable to share their bounty with and to adequately host manuwhiri.

6. Of particular concern to Ngāti Tamaoho is the degradation that has occurred in soil quality caused by unsustainable land use practices (such as some agricultural and horticultural practices). Poor soil quality increases the risk of erosion and nutrients leaching into water bodies, thereby further degrading water quality, adversely affecting the health of the river, and causing a loss of cultural uses.

## **2. Issues**

### **1. Soil erosion and soil management**

1. The removal of indigenous vegetation in favour of pastoral farming, production forestry, urban development, roading and horticulture has caused, and continues to cause accelerated soil erosion, particularly on hill country. This is delivering inflated loads of sediment to rivers, lakes, estuaries and coastal marine areas and causing significant negative impact on water quality and aquatic biodiversity.

2. Intensification of agricultural practices and the urbanisation over some of our most productive soils throughout the rohe as horticulture is forced into less productive areas increases the risk of soil degradation, soil compaction, surface water runoff, and sediment loss from hill and flat land areas.

3. Clear-felling harvesting and horticulture practices create the potential for soil erosion which causes sedimentation of receiving waterways and the coastal environment and smothers in stream habitat and ecological values. This applies both within the context of horticulture and forestry, but can also apply to riparian management particularly with regard to invasive pest and plant removal along waterbodies.

4. Fluctuations in water levels (volume/quantity), accretion, wave action, and changes to water flow due to land fill dams and redirection of waterways can all influence erosion potential, particularly along river and lake banks, around river islands and along the coast.

## **2. Nutrient loss and water quality management**

1. Intensification of agricultural practices increases the nitrogen and phosphorus loads and levels of faecal pathogens entering rivers, lakes, wetlands and estuaries. While the effects of these contaminants impact most noticeably on water bodies, the sources and causes lie on the land and with how the land is managed. Contaminants put onto or into land compromise the mauri of the land, rivers, lakes, and marine environments.

## **3. Land contamination**

1. There is a lack of detailed knowledge of existing and historical contaminated sites within the rohe and their on-going impact on the environment.

## **4. Floodplains and Drainage**

1. The construction of flood protection and drainage works to prevent periodic flooding of natural flood plains has limited the natural process of soil fertility replenishment, disconnected aquatic systems from land-based environments (e.g. waterbodies to wetlands to forests), and consequently, has reduced the habitat available for the plant and animal life.

## **5. Integrated Catchment Management**

1. The relationship between land, water, Ngāti Tamaoho, and communities are interlinked. Greater focus needs to be placed on an integrated catchment management approach to land and water management.

2. For Ngāti Tamaoho, integrated catchment management includes recognising and providing for the relationship of Ngāti Tamaoho with the catchment and therefore necessitates Ngāti Tamaoho involvement/engagement.

## **13. CUSTOMARY ACTIVITIES - NGĀ MAHI TUKU IHO O NGĀTI TAMAOHO**

### **1. Introduction**

1. The unique and historical relationship of Ngāti Tamaoho with its traditional lands and waterways has extended over many generations. The importance of this relationship is evident in many customary activities that Ngāti Tamaoho still undertakes. The mana whakahaere of Ngāti Tamaoho has associated requirements to responsibly use, protect, and enhance customary resources, and to ensure their on-going health and wellbeing. Ngāti Tamaoho customary activities and resource use include, but are not limited to the activities below.

2. **Waka or kohikohia** – the launching and use of waka and support craft and the erection and use of associated temporary structures (including barges and temporary jetties) for ceremonial, customary, recreational, competition and sporting purposes including at significant iwi and hapū events.

3. **Haerenga** – transportation of people and goods on established routes on land and over water.

4. **Tangihanga and hari tūpāpaku** – the transportation of human remains and the accompanying funeral ceremonies.

5. **Tangohia ngā momo takawai** – the collection of resources, such as river stones, shingle, and sand from waterways for the purposes of customary practices including:

- The building of a tūāhu (altars).
- Whakairo (carvings); and
- The preparation of hāngī.

1. **Whakamahi rawa** – the gathering and use of resources for the benefit of the tribe. This includes activities such as using wood for carving; using harakeke (flax) for kākahu (clothing) or whāriki (mats), and so on.

2. **Waioranga** – the use of waterways for customary practices relating to the physical health and wellbeing of persons including bathing and cleansing. This also includes other places where similar activities are undertaken.

3. **Wairua** – the use of waterways (including lakes and harbours) for customary practices relating to spiritual and cultural health and wellbeing of persons and the tribe including baptisms and other traditional ceremonies.

4. **Rāhui** – the imposition of restrictions, from time to time, on all or part of an activity, or the use of a resource, or rohe. Rāhui may be imposed for the purpose of conservation protection, spiritual or physical well-being, or other purpose as from time to time determined.

5. **Mahinga kai** – the customary and contemporary gathering and use of naturally occurring and cultivated foods.

6. From the time of raupatu, the Crown usurped control of, and exercised jurisdiction over, Ngāti Tamaoho traditional lands, waterways, and resources. The Crown developed legislation that delegated the authority and rights of management over these taonga to entities other than Ngāti Tamaoho (such as local authorities and administration bodies).

7. In the past Ngāti Tamaoho had priority use of their lands and waterways and undertook customary activities free from third party legislative rules and procedures. Ngāti Tamaoho determined, through its own tikanga and kawa, what should or should not be permitted to occur. Now, Ngāti Tamaoho customary activities often require

some external form of authorisation. There is increasing pressure on resources in the rohe from commercial and private interests. Ngāti Tamaoho now has to compete with other users in the region to undertake customary activities over its traditional lands and waterways.

## 2. Issues Access

1. Access to traditional areas for customary activities and resource use has been compromised, affecting the ability to practice these activities and transfer knowledge of the traditions between generations.
2. Pressures from other resource users and over use have over-ridden traditional customary activities or natural environment characteristics in some locations. For example, the protection of trout fisheries is considered by some to be a higher priority than restoring native and endemic species, and the desire by “all” to collect kai moana.
3. Pressure from continuing development compromises the ability to access and gather traditional mataitai, kaimoana and other foods.
4. Continued commercial fishing in our harbours and waterways limits the availability of access to traditional food sources.

## 2. Customary activities and resources

1. Competing interests have limited the ability of Ngāti Tamaoho to exercise control over and exercise the necessary authority to undertake customary activities.
2. Traditional sites, including those for fisheries and hunting sites are often not appropriately recognised or provided for under the current management regimes.
3. There is a lack of recognition of the importance of and provision for customary activities in resource management planning documentation (e.g. reserve management plans, local authority plans, conservation management strategies)
4. There is often a lack of consideration of the effect of resource use and infrastructure development activities on customary practices and activities (For example, river hydrological flows to provide for the regatta, etc.)
5. There has been a significant decline in the diversity and abundance of traditional resources. This, combined with a loss of access to traditional sites and resources has resulted in some loss of knowledge of customary activities but most importantly the loss of resource.
6. Customary activities are not recognised in a consistent manner across or even within regions, with some activities being provided for whilst others are not.

7. Lack of recognition of mātauranga Māori innovation and engineering solutions to real world physical problems (e.g dune stabilisation, coastal erosion, untreated discharge, silt and sediment controls in development).



Waterways Pukekohe

## 14. FRESH WATER - TE WAI MĀORI

### 1. Introduction

1. To Ngāti Tamaoho, water has the ability to both create and sustain life. It is of no coincidence that marae were established alongside or near water bodies. Water is required to sustain the functions of the marae, hapū, and the people. The significance of water to Tamaoho is immeasurable and the respect for it is demonstrated by the manner and purposes for which it is used and handled. This includes certain waters being used only for bathing, blessings, healing, spiritual cleansing, gathering kai, and waters that are totally excluded from use for cultural reasons.

2. Ngāti Tamaoho recognises that water is a scarce resource. National and Regional Council Policies and Plans determine the manner and principles for which water may be allocated. This involves determining limits for allocable use (waters to be used for predominantly economic purposes) and understanding the recharge capacity (water to remain to sustain ecosystems) of water bodies and aquifer. What has been missing from setting those types of limits is the incorporation of tribal knowledge. A summary of Tamaoho's view of water, and regard for its use can be broadly noted as the following:

- **Wai Ora** – Life giving and sustaining. These waters are generally regarded as pristine, sanctified water, primarily used for “higher” purposes such as ceremonial use, blessings, cleansing of chiefs etc. These waters are generally spring waters (puna), or in areas specifically designated for higher purposes. These waters must be protected.

- **Wai Matao- Drinking** water/potable waters

- **Wai Māori** – Useable for general purposes. These waters are termed wai māori because they are required for human use. These are waters used for general purposes such as recreation, sustenance, economic use and provision for food gathering. Waters used to sustain the marae functions should be protected for marae use. Waters used for general purpose should be managed in a way that ensures the future of the tribe can be sustained.

- **Wai Kino** – Waters of limited use. These waters can still be used generally, but may have limited ability to sustain life, or to be safely used due to poor water quality, accessibility, or other limiting factors. These waters require greater management to ensure safe and optimal use.

- **Wai Mate** – Waters that have exceeded the ability to properly sustain life. These waters are regarded as waters not fit for human or certain productive use. To some they are identified as ‘dead’ waters, but to Ngāti Tamaoho, no water is regarded as being ‘dead’, as all things, including water, have mauri. Therefore, these waters must be better managed and restored to a higher quality and monitored by Ngati Tamaoho.

- **Wai Manawa** – Waters from the heart of Papatuanuku.

- **Kaawa** – Waters from the Aquifer.

3. It must be always remembered that the headwaters and small tributaries are of equal importance to the larger waterways. The above 'states' of water should be determined by iwi and hapū, and be incorporated in the future of water management.

## 2. Āhua ki te Wai

1. To Ngāti Tamaoho, the quality of water determines the type of relationship that Tamaoho has with it. Following on from the states of water, the diagram below attempts to demonstrate how Ngāti Tamaoho consider water, the state of water, its relevance of use, and general use, management, and protection of each state.

- Waters regarded as waiora must be protected from impacts, and general use. They should not be allocated for general use.
- Waters that are required for marae sustenance or to support spiritual guardians in fulfilling their roles as kaitiaki, must not be allocated, but must be protected.
- Those waters that do not fall into the waiora, or upper echelon of wai matao, can be allocated for general human purposes, but must be used in a manner that demonstrates greatest efficiency, and optimises cultural, environmental, social, and economic well beings.
- Waters that are regarded as being 'lifeless' or 'dead' must be protected from further degradation, and subject to a restorative plan.
- Decision makers for policy, plans, and resource consents must consider the state of the water, impacts on the use of the water, and Tamaoho's relationship with wāikater.

## 3. Issues

1. Water is a fundamental component for all aspects of life. Water not only sustains life, but also serves an economic, social, cultural, and political purposes. Regardless of the significance of water, the increase in contamination by cities, industries, agriculture, and horticulture has led to the deterioration of the mauri of water. The degradation of the whenua and waterways affects the use (physical and metaphysical) of water resources, mahinga kai, and water's life supporting capacity. It is recognised that there are two major issues related to water, which are water quality and water quantity (allocation). These have significant impacts on the relationship between Ngāti Tamaoho and water.

## 4. The relationship between Ngāti Tamaoho and water

1. The regard that Ngāti Tamaoho has for the rivers and streams in its rohe cannot be overestimated. Historically, through tikanga and kawa, and traditional resource methodologies Tamaoho learned how to and then managed water bodies, to ensure their capacity to sustain the tribe. Over many generations, successive governments, and the development of plans and policies that dictate the management of all water bodies, the ability of the tribe to actively manage its kaitiaki obligations

to wai/water has diminished. For Ngāti Tamaoho, the relationship between the tribe and its waters has been weakened **owing** to the following matters:

- Land confiscation.
- Local body and Legislation decisions that have allowed bad practice.

Lack of recognition of tāngata whenua values in local policy.

- Limited representation of tāngata whenua at a governance level.
- Economic objectives overriding cultural and environmental aspirations; · The ability to physically access water bodies has diminished.
- Poor water quality has diminished the desire to use and enjoy water bodies; and
- Inadequate control of water take and as a result Ngāti Tamaoho does not have an equitable share of allocable water for economic purposes.

2. Providing for the matters above would go some way towards providing kaitiaki and governance better management and improving the relationship of Ngāti Tamaoho with its waters.

## 5. Water Quality

1. The quality of water determines the relationship that the tribe has with its waters. Environmental degradation, at a national level, has occurred at a large cost and the physical, chemical, and biological quality of water has deteriorated as a result of both point and non-point source pollution. The waters of the Tāmaki Makaurau region have been degraded to support economic gains, and the impacts of previous poor management practices are increasingly being seen, namely in stormwater water discharge, ongoing siltation from development and wastewater discharges.

2. As a result, human impacts from such uses as farming and agriculture, wastewater treatment, damming, horticulture, urban development, stormwater discharges, and forestry conversions have modified natural water flows and the degree of contaminants that a water body receives resulting in a decrease in water quality.

3. Due to the large catchment area of the Whangapōuri aua and the wider Te Mānukanuka O Hoturoa (Manukau Harbour), and the highly fertile farmland, historical and ongoing agricultural/horticultural activities expanded at an exponential rate. Consequently, water quality is poor in these areas when high levels of agricultural activity leach pollutants into groundwater. The nature of non-point source pollution, non-compliant discharges of urban run-off, and sewage effluent make it difficult to manage water quantity, resulting in the accumulation of metal and organic contaminants in sensitive environments.

4. The effects of these activities contribute to the increase in nutrient levels and accumulation of key contaminants in water. An increasing trend in nutrient levels

within Aotearoa (New Zealand) rivers and lakes is likely to result in unwanted changes to river, lake, estuarine and coastal ecosystems.

5. The presence of metals such as iron, manganese and, more specifically, arsenic can have harmful effects on human health. Storm water runoff from our town centres and roading network containing metals, oils, petrol, diesel, and other contaminants has a cumulative effect on our streams and harbours. With increasing population and greenfield development the past, present and future effects of urban and industrial development must be addressed. The use of herbicides, pesticides, insecticides, and fungicides is also recognised as resulting in contamination of water. Water clarity can be impacted by activities such as sand dredging and mining. Soil erosion increases the risk of sedimentation.

6. It is also well known that the main contaminants in water degradation are the increasing levels of nitrogen and phosphorous and in some areas heavy metals. Nitrogen is found in groundwater and surface water (in the form of nitrates) and is monitored for health and environmental reasons. A key issue is that, with increasing nitrogen, phosphorous and heavy metal levels, the risk of harmful algal blooms also increases.

7. Another major contributor to the quality of water is the introduction and poor management of pest species. The quality of water and its role in the natural biodiversity of waterways has been greatly altered as a result of transporting and holding pest fish and plant species. Pest fish (e.g. koi carp, catfish, perch, and tench) have stripped water channels of vegetation as well as excluded or out-competed native fish species. Similarly, pest plants (e.g. hornwort, yellow flag, and alligator weed) are also being transported by water and deposited on lands, where they have dominated and crowded out native flora.

8. In most urban developments and many industrial activities, such as mining, the use of flocculants is promoted for capture of sediment. To date, there is insufficient data on build ups of aluminium in flocculants in the receiving environments such as wetlands and coastal areas. Ngāti Tamaoho do not support the continual and frequent use of flocculants and continue to promote the use of organic based flocculant.

9. An integrated approach to water quality management is lacking between responsible agencies, industry partners, the community, hapū, and iwi. Sharing information and accepting roles and responsibilities would assist in better management of these issues that contribute to water degradation.

## **6. Water Quantity (Allocation)**

1. On an international level, New Zealand benefits from a relative abundance of water. The total water use in New Zealand is estimated to be at least two to three times more water per capita than in 30 other OECD countries. However, the availability of water, with regards to supply and demand, is highly variable across regions and seasons. The Tāmaki Makaurau region experiences both drought and flooding events that can be

aggravated by human intervention and consequently, the dynamic character of water supply has led to the need for efficient allocation and management regimes. It is the scarce and valuable nature of water, which highlights a key issue of water allocation.

2. The key issues and considerations for water quantity include:

- Clear limits have not been set, and therefore the majority of waters in the region are regarded as over allocated, and hence water body health has become degraded.
- The 'First-In First-Served' approach as an allocation method is inefficient and not supported by Ngāti Tamaoho;
- Water is a 'subtractable resource' – meaning that a disjunction has occurred between Ngāti Tamaoho and its water bodies because water used by another party, is generally not available for use by Ngāti Tamaoho or any other party;
- Ngāti Tamaoho, owing to confiscation and other Crown actions, do not have an allocation of water to provide for economic, social, environmental, and cultural purposes;
- The current allocable thresholds are driven by economic gains and other competing factors. The role of Ngāti Tamaoho in decision making is limited.
- There is an expectation from existing consent holders that they should, as of 'right', have their consents renewed at expiry. However, if water has been over-allocated or there are other limiting factors in the allocation, the expectation of renewal cannot be reasonably assumed;
- Not all consent holders for water use (including water take and direct or indirect discharge to water), undertake good management practices, and therefore efficiency gains are not achieved;
- Allocable 'space' needs to be created to allow new, more effective, and efficient users to enter the water market;
- There is a lack of accurate knowledge as to how much water is actually being used; · The assimilative capacity of water (water to remain to sustain ecosystems) in the Tāmaki Makaurau region is relatively unknown; therefore, Ngāti Tamaoho continues to promote the installation of water meters on each and every water take and the installation of roof water collection tanks for outdoor reuse.
- The water remaining in water bodies is still relied upon to disperse and minimise diffuse and direct discharges, where treatment should be the first priority; and
- The issue of tāngata whenua rights and interests in water has not been resolved between the Treaty Partners, in this case, Ngāti Tamaoho and the Crown.

## 7. Groundwater / aquifers

1. Groundwater and aquifers are culturally significant, as they can provide base flows to streams and waterways, and all waterbodies. They provide for puna which are culturally significant. With ever increasing urban sprawl, the ability for groundwater and aquifer to recharge is decreasing, in some places non-existent. It is imperative that not all ground is covered by impervious surfaces, and that all effort is made to recharge the groundwater with clean water.

2. As water becomes scarcer and our rivers and streams more polluted and over allocated, with more and more people seeking consent to drill down deeper aquifers for water supply, especially for horticulture, farming and in some cases just for domestic use.

3. Some of the aquifer within the rohe of Ngāti Tamaoho are already fully allocated, most nearing full allocation. When over allocation occurs in coastal areas there is potential for saline intrusion. In some instances deep aquifers are contaminated from past land practice as surface water can take between two and sixty years to reach the aquifer. All water takes [including “permitted”] from our aquifer should have a water meter installed.

## 15. NATURAL HERITAGE AND BIOSECURITY - NGĀ TAONGA MĀORI TUKU IHO ME TE ĀRAI TAI AO

### 1. Introduction

1. The indigenous plant and animal species found in the Tāmaki Makaurau region are valuable cultural resources, and in themselves serve as natural indicators reflecting the health of the environment.

2. Traditionally, the region was renowned for the abundance of natural resources that lay within the rivers, lakes, wetlands, harbours and their catchments and ngahere (native forests). The alluvial soils, sands and gravels carried and deposited by the rivers provided the beds and materials for Ngāti Tamaoho māra (gardens). Manu (birds) such as kiwi, kōkako, kākā, tūi, kererū and hihi were found commonly throughout the ngahere. Valued weaving resources such as harakeke, kiekie, raupo and ngāwhā graced many of the riverbanks and wetlands. Furthermore, Ngāti Tamaoho traditional korero speak of when the lakes, wetlands and estuaries teemed with large quantities of kai.

3. The loss of habitat has been a major reason for the decline and extinction of many native plant and animal species. Losing an indigenous species impacts on the whakapapa of the Ngāti Tamaoho landscape and threatens the viability of Tamaoho culture and traditional activities. Extinctions or declines in a species or habitat have an impact on mātauranga (knowledge) about the ecosystem and environment and the information that can usefully be passed on to future generations.

4. Today, the Ngāti Tamaoho rohe provides habitat for a number of nationally endangered species. It is important to Tamaoho that the remaining indigenous species are protected from further depletion and other threats to their wellbeing, and that their populations and habitats are left alone in traditional nesting areas, enhanced and restored.

5. The introduction of foreign species into New Zealand ecosystems has also had devastating effects on native species and their habitats. Many of these introduced species are invasive pests (plants, animals, and micro-organisms) that have caused harm to the environment, economy, and human health.

6. Ngāti Tamaoho culture has evolved with the indigenous flora and fauna of the tribal area. The continued threat of invasive species to the delicate balance of the indigenous ecosystem is also a threat to the Ngāti Tamaoho way of life. The prevention of new pests and diseases from inhabiting the natural environment and the removal or reduction of pest species from existing natural areas is necessary to prevent the continued decline of remaining natural areas.

7. Genetic modification (GM) remains a controversial issue both globally and nationally. It is vital that Ngāti Tamaoho views and policies on the potential adverse consequences of GM are clearly outlined and recognised. Most importantly, Tamaoho wants to avoid any disruption caused by Genetically Modified Organisms to the balance of indigenous ecosystems and to cultural beliefs.



Pukekoiwiriki.

## 2. Issues

### 1. Decreased indigenous biodiversity

1. The size, natural health, and ecological integrity of the remaining indigenous areas of vegetation within Tāmaki Makaurau will continue to decline without additional effort to protect, and enhance them.
2. The loss of indigenous trees and plants from the productive and human-occupied landscape continues to compromise the health of the natural environment by lessening the area of suitable habitat for taonga species, severing the vegetation corridors that are essential for the dispersal of indigenous species, and reducing the contaminant buffering and cleansing function that indigenous vegetation can perform.
3. A significant number of native flora and fauna species in the Tāmaki region continue to decline in abundance and geographic spread. Many of the species facing local and regional decline or extinction are of cultural and spiritual significance to Ngāti Tamaoho.

## **2. Impacts on the relationship between Ngāti Tamaoho and the environment**

1. Since colonisation, the impacts of changed land use have gradually depleted the abundance of Ngāti Tamaoho resources, undermined the ability to manaaki, or care for our people and manuwhiri, has consequently weakened environmental whakapapa and hence, the foundations of Ngāti Tamaoho's relationship with the whenua.

## **3. Landscape planning and compromising natural heritage**

1. Ngāti Tamaoho are concerned that resource development, use, associated activities, and infrastructure risks, are compromising and depleting the remnants of natural vegetation that remain in the region, which serve as a reminder of the original natural character of the landscape.
2. The indiscriminate use of indigenous plant material not sourced from locally (i.e. not eco-sourced/whakapapa) for restoration and development rehabilitation projects continues to alter the natural character of the region and the genetic composition of the remaining natural plant and animal populations. Best practice needs to ensure the strengthening the genetic pool of indigenous species through whakapapa planting.
3. Inadequate rural and urban design standards also allow for ill-considered designs for dwellings and other structures to be built in areas of high natural character. This further detracts from the mauri of the land and weakens the connection with its natural, cultural, and spiritual foundations.

## **4. Biosecurity - Plant and Animal Pests**

1. Several of the exotic fish species found in this regions rivers, lakes, and wetlands pose a substantial threat to aquatic ecosystems. Koi-carp, in particular, causes considerable damage to habitat, degrades water quality, and excludes native fish species.
2. Control of key vertebrate (animal) pests, such possums, stoats, rats, feral cats, rabbits, goats is effective enough in high priority conservation areas to arrest the decline of

important threatened bird species. However, due to issues related to limited or poor planning, limited funding and resourcing, pest control is not sufficient in many other areas of indigenous habitat. As a result, there is a continued decline in several indigenous species of bird, reptile, frog, plant species, and an unknown number of invertebrates.

3. Some culturally significant pests, such as cyanobacteria/blue-green algae, are not appropriately recognised in regional biosecurity and pest management policies despite the impact of this organism on mahinga kai and the associated ability to harvest kai.

## 5. New organisms and Genetically Modified Organisms

1. New organisms continue to be introduced, either intentionally or unintentionally, or developed through genetic manipulation (GMOs). Ngāti Tamaoho remains concerned about the potential of these new organisms to attack, compete with, interbreed, or otherwise harm native and taonga species.

2. Ngāti Tamaoho also has a vested interest in protecting the economic sustainability of tribal members and tribal lands within the primary production sector, and to prevent the negative impacts on productivity which can be caused by the introduction of new organisms – whether GMO or otherwise. PSA (kiwifruit), varroa bee mite, and oyster herpes are examples of devastating biological outbreaks that risk creating severe economic loss and reduced capability.

## 6. Control Agents

1. Herbicides and pesticides used to control weed and pest species have increasingly been developed to be more effective against target pests, less harmful to non-target species and less persistent. However, some in current use are known to kill non-target species, some bio-accumulate, and some remain active in the soil for prolonged period

## 16. AIR - TE ARARANGI

### 1. Introduction

1. Local industrial development and long distance transport of pollutants have the potential to negatively affect air quality. Additionally, the foreseeable increase in population and urban growth will inevitably intensify air pollution emissions if not managed properly. Air pollution can affect our health and wellbeing, as well as the health of the environment. It is important to Ngāti Tamaoho that emissions to air are adequately regulated to maintain and improve air quality. Air is a taonga and is valued for its life supporting capacity for all things.

2. Like water, air was sacred to Ngāti Tamaoho tūpuna with its quality affecting our environment, health, cultural lifestyle, and standard of living. Pollution affects the te ha, te hau, te atua (Tawhirimatea), the infinite.

3. Holistically, air should be seen as having its own mauri, or life force. Its continued maintenance and protection contributes to improved regional, national, and

global air quality. Today, the main activities contributing to poor air quality arise from human activity, and include vehicle emissions, aerial discharge and spraying, odour contamination, and industrial aerial discharge. Significant emissions can also affect the visible air cleanliness and clarity.

## **2. Issues**

### **1. Discharge quality and amenity**

1. Discharges to air from development and land-use activities impact adversely the health and wellbeing of people, the environment, mahinga kai, and cultural activities. Discharges to air can cause dust nuisance, reduce visibility, cause odour problems, cancers that can potentially impact on human health. Impact on human health can be specific to an individual and linked to their overall holistic health profile. Discharges include, but are not limited to, industrial discharge, domestic discharge (such as that from home fires), the spraying of farm effluent, dust and noise, coal dust emitted during transport (this also applies to other material that can emit particles or dust during transport), fertiliser application (top dressing), vehicle emissions, and volatile organic compounds that can be present through stronger odours like that off a eucalyptus burn-off.

2. Fine particles from smoke from home heating, industrial processes, and vehicle emissions are the most significant activities impacting on air quality in the Tamaoho rohe. Poor air quality that can affect human health can occur inside homes due to inadequate heating or ventilation, and the use of some heating appliances. Human and animal health can be affected by poor air quality from individual and cumulative discharges. National standards have been set for air quality (including fine particles) to avoid health effects. Increased population and urban development contributes to increased emissions.

3. Air pollution can cause a reduction in visibility and impede views of maunga, landmarks, the sea, the awa, etc.

4. Noise pollution from traffic, trains, planes and industry disrupt proceedings on marae (e.g. pōwhiri) and cultural practices (e.g., karakia).

5. Light pollution from developments impact on celestial darkness and the ability to learn and give effect to mātauranga Māori related to cosmology and astronomy.

## **17. IMPACT ASSESSMENT**

### **Overview**

1. As set out above, Ngāti Tamaoho have significant cultural and traditional values present in the land proposed for subdivision. This land is our tūpuna and we are its descendants and kaitiaki. As such, it is incumbent on us to protect and preserve the

mauri, wairua, mana and taonga of the area. We are the kaitiaki of this place and its care and protection is our responsibility.

2. With regard to the proposed subdivision, Ngāti Tamaoho are concerned about impacts on the land's soils, natural heritage, cultural heritage, water, flora and fauna, and air. The chapters above set out the major issues facing the natural and cultural environment of this area and Ngāti Tamaoho aspirations for the same. Ngāti Tamaoho wish to retain our cultural and traditional values within the area, and to be able to continue cultural practices in the surrounding landscape particularly Pukekohekohe.

3. It is recommended that the Client, their contractors and employees work alongside Ngāti Tamaoho to protect, preserve, and restore the cultural values noted in this assessment and to give effect to the Ngāti Tamaoho aspirations listed therein.

## 2. Potential Direct Impacts

1. The potential direct impacts of the subdivision are primarily associated with the development of the area. The potential impacts of development to the area includes earthworks, construction (both housing and infrastructure), impact on soil, impact on subsurface water, storm water pollution and discharge, wastewater discharge, loss of traditional cultivation lands, changes to the settings of cultural sites, loss of traditional view-shafts, and transport routes, soil erosion and pollution, lack of access to land for cultural activities, loss of natural heritage, degradation and destruction of wāhi tūpuna (sites of traditional significance), noise pollution and air pollution.

2. In particular, Ngāti Tamaoho wishes to avoid the loss of traditional cultivation lands, traditional view shafts from Pukekohekohe, water, air and land pollution, destruction of waterways, loss of natural heritage and biodiversity. These lands are part of the whakapapa of our people and their protection is our responsibility as kaitiaki.

## 3. Potential Indirect Impacts

1. Indirect impacts of these works include growth in traffic, erosion from earthworks and vegetation clearance, and inhibition of Ngāti Tamaoho access to traditional lands, mahinga kai and waterways

## 4. Potential Cumulative Impacts

1. The potential cumulative impacts of the proposed upgrades include net loss of cultural sites from the landscape, impact on wairua and mauri and mana of the soil, further loss of Ngāti Tamaoho access and connection to our traditional lands, loss of Ngāti Tamaoho physical heritage and associated impacts on place-based identity, loss of biodiversity from the area and further environmental degradation.

## 18. CONCLUSION

1. The area of the proposed plan change is part of the traditional food-bowl of Ngāti Tamaoho. It includes maara-kai, pataka-mai, mahingakai and is part of the waahi tupuna that is Pukekohekohe. While the nature of the development works into the future are not yet fully known, the cumulative effects of development will risk effecting

the freshwater, former wetlands, soil and land, biodiversity flora and fauna, and air. It is important for the client and their contractors and employees to recognise that these are the traditional lands of Ngāti Tamaoho as recognised by the Crown.

2. Ngāti Tamaoho understands the importance of development to provide for a growing region and country. These upgrades and works provide for that growth and were done in conjunction with Ngāti Tamaoho can retain and enhance our place as mana whenua of the area. As kaitiaki it is our duty to protect the lands, waters, flora and fauna of our rohe.

3. Ngāti Tamaoho seeks to reconnect with our traditional lands and taonga as guaranteed by both Te Tiriti O Waitangi and the Ngāti Tamaoho Settlement Act 2018. By working with Ngāti Tamaoho to protect and uphold the cultural values discussed here, the Client have the opportunity to uphold these agreements and support our self-determination as a people.

4. Ngati Tamaoho does not object to this Plan Change even though we reserve the right to do an addendum when future consents come up to recognise this overview cannot drill down into design and concept detail.

5. We agree in principal subject to: ongoing meaningful engagement into the future with the developers on any future design.

## 19. RECOMMENDATIONS

1. Ngāti Tamaoho wish to see the natural environment enhanced as a result of any future applications. This means going above and beyond bare minimum environmental standards for the protection of the land, water, and air of the area. Pukekohekohe is an interconnected cultural landscape and what can happen on one lot can significantly affect other nearby or down-stream.

2. In particular, Ngāti Tamaoho wish to retain and recover (where possible) the cultural and traditional value of Pukekohekohe as a food-basket for our people. Ngāti Tamaoho also wish to retain the use of Pukekohekohe for other cultural uses such as wananga and okiokinga. For these reasons, the proposed development should take into account the cultural values discussed above and continue to engage with Ngāti Tamaoho to achieve our aspirations.

3. As kaitiaki of Pukekohekohe, Ngāti Tamaoho have the long-term health of this landscape as our main priority. This will enhance the lives of all who live and work on this land.

4. This will require the client to engage meaningfully with Ngaati Tamaoho governance and kaitiaki to provide for the outcomes as outlined within this report. We recommend rain tanks for reticulation and reuse of rain water.

5. We recommend treatment train approach such as raingardens or swales to treat stormwater before it is discharged back into the main system.
6. We recommend cultural monitoring when scraping back the surface of the land.
7. We recommend native plantings be used in the planting plans.
8. We recommend the Discovery Protocols be used for this site as a proactive measure considering there is a probability of finding taonga as the land is undeveloped.
9. If there are any taonga found it is to be returned back to the Iwi to be managed by tribal taonga tuturu holders in the interim.