



26 July 2013

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Dear Ian

Thank you for the invitation to further participate in the discussion about the Draft Cultural Heritage Overview Report – Rural Urban Boundary South. Thank you and your team for meeting with us at our office on 23 July. I acknowledge the information you have supplied, including an early draft of Anne McEwan’s Overview Report, and more latterly, maps of the indicative Rural Urban Boundary Options South (18 July) and a map of officers recommended options (5 July), along with maps of the Edge work.

In this letter I will restrict my comments to the areas covered by the RUB options shown in orange on the 18 July map. Below is an executive summary box, which states key Ngāti Tamaoho interests. I then turn to a more detailed explanation of these matters, and to issues you have raised with us. Attached to this letter are maps and an indicative inventory of sites of cultural significance.

Executive Summary

“For Ngati Tamaoho, this is a single cultural landscape, not a series of occasional ‘sites’. No part of the RUB options makes cultural sense when separated from the others in time or space.”

- i. The RUB proposals go to the heart of Ngati Tamaoho’s distinctive spatial interests in land and water south of metropolitan Auckland. These places are key to the identity of this hapu. In many ways the cultural meaning of these places cannot be separated from the cultural identity of Ngati Tamaoho. For the purposes of RUB identification and development, Ngati Tamaoho must have a meaningful, central and on-going role. The Ngati Tamaoho Trust and Auckland Council are natural partners in this endeavour.
- ii. Ngati Tamaoho seek to protect the productive rural character of ‘Franklin including parts of the proposed RUB option areas. To this end our approach is a precautionary one, and seeks to avoid irreversibly damaging steps. Alongside the planning and actions to urbanise appropriate rural areas, we seek planning and actions to protect rural landscapes and character, rural productivity, rural culture and community by the establishment of long-term certainty for rural well-being.

Rural land needs to be protected for truly rural uses, and protected from the blighting effects of actual or anticipated urbanisation. This requires a new planning paradigm to be developed and articulated – one that values “rural” as part of a sustainable regional system, and not just as a commodity waiting in the queue for urbanisation, subdivision, and the windfall capital realisation of landowners.

- iii. Some options for the southern RUB should be rejected outright. The Karaka, and Karaka west areas should be deleted as potential areas for inclusion within the RUB. These areas should have certainty of continuing rural character. The 105 ha area between the existing Hingaia MUL boundary and the estuary should be reviewed with a view to excluding it, or most of it from any urban development. A greenbelt should be retained as rural land in the Bycroft Rd area separating the Pukekohe-Paerata node from the Drury (Oira and Burt Road) option areas. A sufficient (5km minimum width) area of land should be retained as rural where further subdivision is prohibited and rural uses and investment encouraged and supported.
- iv. None of the southern RUB options should be available until all suitable land within or adjacent to the existing MUL has been taken up. The Ngati Tamaoho view is that none of the southern RUB areas should be developed, except for land-banking and planning, for at least a decade. If any southern areas are to be included in the RUB, then their development sequence should be specified, and indicative programming established
- v. An essential component of region-shaping planning in the south must be the protection of puna, streams and harbour, and the protection of cultural sites of significance, including urupa. In every case the names of these places are important and meaningful. They should be treasured, protected and restored wherever possible in the development process.
- vi. In order to avoid doubt, let me clearly restate that Ngati Tamaoho finds the present proposals for growth options and RUB in the south, unacceptable.

RUB South Investigations the map and scheme of the proposals

1. It is evident that there is much to be done before there is a clear and comprehensive understanding of the manawhenua cultural history in the south of the Region, and particularly in the areas under investigation for future urbanisation and inclusion within the metropolitan part of the region.
2. We have previously indicated our opposition to the inclusion of land in Karaka and in Karaka West, and the desire to retain a distinct greenbelt separating the Pukekohe node from the ‘Drury’ node in the vicinity of Byron Road. We note that your officer recommendations have reflected that position, but we would like to discuss further the detail of this, especially the size and security of rural protection of the greenbelt (protection *for* rural character as well as *from* urban activities) and the protection of a wide coastal margin in the land immediately west of the existing MUL at Hingaia. This view is based in part on the cultural richness and significance of this area, the likely environmental impact of urbanisation, and on the iapparent inability to contain further formal or informal extension of urban services and urban activity to the west (towards Kingseat) and south of Karaka.
3. Ngati Tamaoho has a major concern about the future development, form and function of the town of Pukekohe. You will see that historically, Pukekohe (like Papakura) has developed on land confiscated from Ngati Tamaoho, much of it on land previously reserved by Ngati Tamaoho for its own use. That history binds these people to that place. Pukekohe needs to be viewed as more than a dormitory urban satellite of metropolitan Auckland. Its role as a rural servicing centre servicing supporting an extensive horticultural and pastoral economy as far south as Raglan is of national economic importance, and together with this productive area, a source of employment and business innovation. Pukekohe needs to be a major cultural and business centre, with a proud identity. Before planning for population growth and areal expansion of Pukekohe is contemplated, attention needs to be given to resolving the existing social problems that have accumulated in Pukekohe. For Ngati Tamaoho, living in the 21st Century, these are matters of cultural concern, indistinguishable from social, economic and environmental concerns.

Background to Ngati Tamaoho’s comments on their cultural interests in the RUB options area.

4. All of the land under consideration by the Council as options for the extension of the southern RUB is core Ngati Tamaoho ancestral land. Traditionally this was a well-occupied area. While others had interests in some places, Ngati Tamaoho alone occupied and controlled the whole RUB area. The options-area lies on the routes between Waikato and the Manukau Harbour/Tamaki, and on the east-west routes running from the Firth of Thames and Hunua Ranges to Awhitu. The location of many of the ancestral settlements reflect the travelling routes and trading centres, and the crossroads, for the movement of people and goods and for ideas and innovation. Ngati Tamaoho controlled those places of exchange, and derived mana from the trade, the exchanges, and from their knowledgeable access to the bounty of the Harbour, the tributary streams and the forest.
5. By 1860, Ngati Tamaoho had sold most of its interests in land in the RUB Options-Area in order to promote and facilitate the settlement of the area by colonial immigrants. They had retained sufficient of their land for their own use and production, and for the protection of their significant wahi tapu – places like Papakura, Te Maketu, Tuhimata, Pukekohe and Patumahoe.

6. Following the invasion of Waikato by British troops in July 1863, Ngati Tamaoho who had previously been wrongfully declared to be ‘rebels’, had all their remaining land confiscated – Papakura (Kirikiri) Te Maketu (Pokeno), Tuhimata, Pukekohe, and Patumahoe, as well as lands in Awhitu and as far east as the Hunua Ranges and further south. Landlessness and ‘rebel’s status has been recognised as unlawful by the Crown, but its effect was a double pestilence for Ngati Tamaoho, preventing them from resuming or acquiring land, and denied the ability to participate in local society through standing for election, voting, being educated, or receiving adequate health care from that time, well into the 20th century. In this light, the unlawful and unfair confiscation of land surrounding and within the RUB options-area still cause pain and is an extreme cultural marker for Ngati Tamaoho. The map key caption that identifies confiscated land as “1995 Waikato Raupatu Settlement Areas”, is true, but an inadequate term to use, culturally.
7. Ngati Tamaoho is currently engaged in direct negotiations with the Crown to resolve its Treaty of Waitangi grievances. In December 2012 the hapu signed with the Crown an Agreement in Principle to settle historical claims. Among other matters of cultural redress the Crown has offered to transfer to Ngati Tamaoho ownership of Crown-owned reserves at Te Maketu, and Raveithope, just outside the RUB options-area, and to provide in legislation for statutory acknowledgements that include statements by Ngati Tamaoho of their particular cultural, spiritual, historical and traditional association with a number of places within the RUB Options-area, and nearby. These areas include coastal and island areas in Drury Creek, all of the streams that flow through the area and into the Manukau Harbour, the Coastal and Marine Area of the Manukau Harbour. The Auckland Council will be required to record the acknowledgements in their statutory RMA plans, and to take other steps in processing consent applications. In addition the Crown will support our forthcoming discussions with the Auckland Council regarding the recognition of Ngati Tamaoho’s interests (including management interests) in Council owned reserves at Pukekohe Hill and Pukekiwiriki (and Otuataua).

The McEwan Overview Report.

8. We acknowledge that this report is a work in progress, and unfinished at this time. We look forward to having access to the final report. At this stage it is hard to comment other than to observe that its approach and structure, as well as its content, do little to actually assist the Council make informed decisions. It rightly emphasises the lack of information available to the authors. However it leads the reader to interpreting that situation as inviting the Council to promote any growth option, rather than to define the issues that effectively discriminate between the different options open to Council. The investigation area is not homogenous, nor is it culturally homogenous.
9. The previous section of this letter (para 4-7) covers some of the framing issues that colour any statements about cultural values of this area (eg Raupatu, and its historical and lasting effects). The next section is intended to indicate some of the richness of the cultural record for this area. This section and the accompanying material is intended as an introduction rather than a comprehensive review. It points towards the notion that the policy and development processes to be followed, may be a more fruitful matter for investigation and policy commitment than any map or inventory of sites. Some thoughts are given in a following section (para 12)

Ngati Tamaoho Sites of Cultural Significance

10. Ngati Tamaoho has considered carefully your request for more information about sites of cultural significance. We are anxious about sharing this information because we know that our records are an incomplete inventory (it is a work in progress), it has not been fully disclosed, or been rigorously consulted and researched within the hapu. We are also undecided about whether or not, and in what form the material should be published at this time, or for what purposes it should be used. However the proposed southern RUB is potentially the most far-reaching RMA issue we have ever been asked to participate in; it has the potential to lead to the entire urbanisation of the heartland of our present day rohe, and to undo the prime objective that we have followed for several years – that of keeping Franklin rural in character. Without giving up on that objective, it is clear that we need to assist you in your inenviable task, to the best of our ability, and within the constraints outlined above. Working through this material may require some further consideration of matters of confidentiality and publication. In the end that may also rest not so much in the inventory and assessment of sites, but in the ability for Ngati Tamaoho to participate in the design, location and character of growth. Ngati Tamaoho accepts that it has a primary responsibility of care for the cultural heritage of the land under investigation. In the meantime, I hope the attached material is of assistance to you.
11. Attached is a map and indicative inventory of Ngati Tamaoho Sites of Cultural Significance within the RUB South Options-Area:
- The material is for your in-house use for the purpose of providing advice on the options identified. The material is not to be published without the express approval of the chair of the Ngati Tamaoho Trust. The material is not to be used for any other purpose, without express approval;
 - The 28 sites are drawn from our in-house inventory which is an incomplete work in progress;
 - The sites are particular points, but all areas within the proposed growth options areas were used and remain part of the cultural landscape;
 - Within this area all facets of life are represented: there were many residential/domestic areas, there were defensive and military sites, industrial, sacred, food gathering and food cultivation, transport networks, transport nodes, trading places and places of political importance; places that were lived in, died in and interred in.
 - The size of the ‘bubbles’ is indicative of the spatial size of the sites; A map where circles were proportional to their significance would obliterate the base reference map.
 - Not all of the sites are constraints on urbanisation in the area; some present major opportunities for cultural enrichment and urban place-making and identity-building, if they were well-planned and implemented (eg Pukekohe Hill, Pukekiwiriki, Te Maketu);
 - Over time there have been layers of occupation and association. Most sites also have significance to hapu/iwi other than Ngati Tamaoho;
 - The accompanying inventory gives a very brief statement of association use and significance based on Ngati Tamaoho records. These again are a work in progress. It is expected that a version of this material will be prepared for publication about mid-2014:

- In addition to sites of significance, Ngati Tamaoho seeks to record and have you reflect on the quality of resources, notably water, and their ability to sustain their life supporting capacity. The Manukau Harbour has suffered decades of degradation associated with rural development. It is axiomatic that urbanisation relieves that burden rather than adding to it. Given that the water in these streams is fully allocated already, a whole of catchment approach is needed. Similarly the ecosystem services provided by forest and wetland areas and habitats are important to record and protect.

Process Matters

12. Ngati Tamaoho consider that process shortcomings to date need not only to be recognised but also redressed in an on-going way going forward, up to and including the final rezoning of land, and the implementation of urban design and character guidelines.
 - A process of cultural assessment of each development area needs to be a precursor to any rezoning. It should have the same policy standing and emphasis as structure planning and catchment planning. This should be undertaken at the same time as urban shaping infrastructure is being strategically planned, The resultant outcomes should influence not only land use, but also the location, character and provision of infrastructure including roads. Ngati Tamaoho have a concern that development plans for NZ Transport Agency, Auckland Transport, and Transpower, are increasingly disconnected from Council RMA plans. Funding of iwi/hapu input should be part of that investigation. Ngati Tamaoho seeks to lead in the preparation of Maori Cultural assessment for RUB options.
 - It is not clear to us what processes will be followed once the Plan is notified, or when the Board of Inquiry is in operation. Might there be new or novel opportunities at those points in time to continue and extend the policy development options. We are interested also in processes that effectively engage Ngati Tamaoho in the implementation phases.
 - Ngati Tamaoho supports the notion of identifying “no-go areas” as proposed on page 2 of the McEwan report (Outputs). Moreover, we seek positive provision for certain cultural assets, so that an objective of growth planning is to actively protect these areas for their heritage values and community identity values as well as to protect them from unnecessary or avoidable urbanisation, and the degrading effects of urbanisation. In this instance of long-term greenfields planning, the approach should be to implement the section 5 imperative to “avoid”, rather than to fall back on the qualifiers of remediation and mitigation, or the softer section 6 approach. History should be an integral part of the future of these areas.
 - Ngati Tamaoho seeks a more partnering arrangement with the Auckland Council over the formulation of these greenfield growth areas, through to their final form and character. We seek a mechanism that is more free-flowing than a contract or MOU, and allows for a growing of skills and understanding in an embedded and participatory way, rather than the usual arms-length arrangement.

Edge Work

13. Thank you for the opportunity to comment on the Edge Work maps.

Ihumatao. We have not received this map, but we have a longstanding interest in this area, the location of a significant Ngati Tamaoho village and gardening/farming operation in the mid nineteenth century. Can we please have a copy of the PC 14 change boundaries that you intend to follow. We support the exclusion of the Mangataketake - Otuataua land from the RUB.

Papakura North. Takanini. We have concerns about the further degradation of streams in this area, reduction in water quality and natural waterway form and function. Given the swampy origin of much of this land, mitigation will be difficult and costly. Ngati Tamaoho considers that significant wetland restoration (including forest habitats, should be part of any approved development proposal

Puhinui Gateway. This area is the site of a Ngati Tamaoho Kainga. Evidence of intense occupation was unearthed and recorded during the construction of the Airport Eastern Access Road. Detailed survey and evaluation required. Not suitable for residential development.

Point View Road. No comment other than to question the stability of the land.

Flat Bush. No comment. No issues that we know of on the land north of Redoubt Road, above Flat Bush, other than the pervasive issue of natural stream quality and functioning. We have an interest in the nearby Redoubt, and would like to see its heritage values, and its relationship to the other posts in the invasion of Waikato, along with the impact of those actions on the tangata whenua, better recorded.

Minor Detail: comments on map of options and Heritage Assessment Review

14. **The map of options.** The location of Te Maketu and Pukekiwiriki are both wrong. **Pukekiwiriki** is west of Redhill Rd, further north. It is the red dot that marks the right angle bend in the Kirikiri confiscation block boundary. The related historically significant site of Te Aparangi, is thought to be nearby, within the confiscation line. The Council owns Pukekiwiriki and has an approved management Plan. **Te Maketu** is a cluster of four sites – the Peach Hill reserve, Pratts Rd reserve, and the Opaheke reserve (collectively known as Te Maketu Historic Reserve) and Te Maketu waterfall. The site of significance extends along the ridge above Stephenson Quarry, where there are numerous urupa, and indeed requires further investigation to identify the boundaries of this highly significant site. We wonder what is, and what is the significance of the **Wahi Nohohanga** northwest of the town of Pukekohe. All the streams had customary nohohanga.
15. **The key to the map.** Has some confusing references the purple-outlined areas do denote areas subject to the 1995 Act, but that is not their cultural significance. Their cultural significance is that they are traditional areas of importance to Ngati Tamaoho, and others, that were wrongfully confiscated and promoted by the Crown as immigrant settlement areas, with no regard to tangata whenua interests or occupation. A better label would be “Areas of land confiscated from tangata whenua under the 1863 New Zealand Settlements Act”.
16. Its not clear what is intended by the Purple item labelled Cultural Redress Area. All of the streams should be so marked, along with the Harbour and some specific sites listed in our AIP. However, at present these are included in an offer by the Crown, not to be finalised before mid-2014. What are River numbers?
17. **The McEwan Report (July 19 version).**
 - The cover illustrations are inappropriate, and reinforce the cultural overlay of the dominant culture

- On page 4 there is a stereoscopic view of a waterfall. Is it Te Maketu Falls? Ian Lawlor is an authority on Maketu, and on early photographs. It would be good to properly locate the view, and even to have a comment about the cultural values of the site, in present and today – as a popular recreational destination.
- Lower on page 4 is Sharpe's well-known view of the most recent and upper of three pa at Maketu. By 1880, the Pa was long abandoned, and the traditional cultivations on the local volcanic soils converted to pasture (in the middle distance).
- Does the CHI give an exact location for Cameron's House (p11)
- Tangata whenua comments are unsurprisingly broad brush. While that is important we have focussed this response on the actual areas of investigation alone, as was your brief. The wider picture, and overlapping interests are as likely to create confusion in this context, rather than clarity that will assist decision-making
- On page 28 there is a copy of Pei Te Hurinui Jones map of the Tainui area. Te Hurinui is a valued treasure, but his understanding of Waiohau Tainui was not great, nor part of his early purpose. This map is wrong and misleading in today's context. If you want a contemporary statement of Tainui's interests, then it should include Ngati Tamaoho (attached), Te Kawerau a Maki (Tiritiri Matangi etc) Ngai Tai (Rangitoto and Motutapu etc) Te Akitai and Ngati Te Ata. Certainly Pei Te Hurinui Jones's map adds no credible information with respect to the RUB investigation,
- The map on page 29 showing Ngati Tamaoho's sites of significance cluster map need more information if it is to be used. This version of the map has been updated and superseded. This map is no longer useable.

Conclusion

18. I hope you find this information helpful. This letter has been reviewed by the members of the Ngati Tamaoho Trust Board, and approved for submission to you. Please contact the undersigned or Christine Herzog if you need any further discussion or information. We understand the urgency of these matters, and will continue to strive to meet your deadlines and needs.

I will write to you shortly regarding our views on the resourcing this work.

Nga mihi nui

Dennis Kirkwood
Chairman, Ngati Tamaoho Trust

