



CULTURAL IMPACT ASSESSMENT

53 Schnapper Rock, Schnapper Rock Private Plan Change

The site address is now changed to
57 & 57A Schnapper Rock Road,
Schnapper Rock

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Disclaimer

This report does not reflect the opinions, traditions or recorded history of any other iwi who express an interest in the Matakana region. Should the information in technical reports provided to Ngāti Manuhiri as reference material subsequently prove to be incorrect or inaccurate Ngāti Manuhiri be informed immediately as this may result in the potential cultural impacts having to be reviewed.

Confidentiality

This report has been prepared for the brief given i.e. to inform KBS Design Group Limited and Council. The data and opinions contained in it may not be used in any other context, shared with any other person or organization or for any other purposes without prior review and agreement with Ngāti Manuhiri.

1. Introduction

This document provides a Cultural Impact Assessment (CIA) on behalf of Ngāti Manuhiri (mana whenua) regarding the development and private plan change for 53 Schnapper Rock, Schnapper Rock Private Plan Change (the development site). KBS Design Group propose to apply to rezone and then develop for residential purposes at 53 Schnapper Rock Road (Lot 1 DP 455035) that would provide for a mixture of Mixed Housing Suburban development within the more elevated parts of the site and Single House development on the lower parts near the significant ecological area. The site is approximately 4 hectares.

This cultural impact assessment has been sought by KBS Design Group Ltd. The exact activities, amenities, construction and development are still to be confirmed later and will be finalised at the consenting stage of this project.

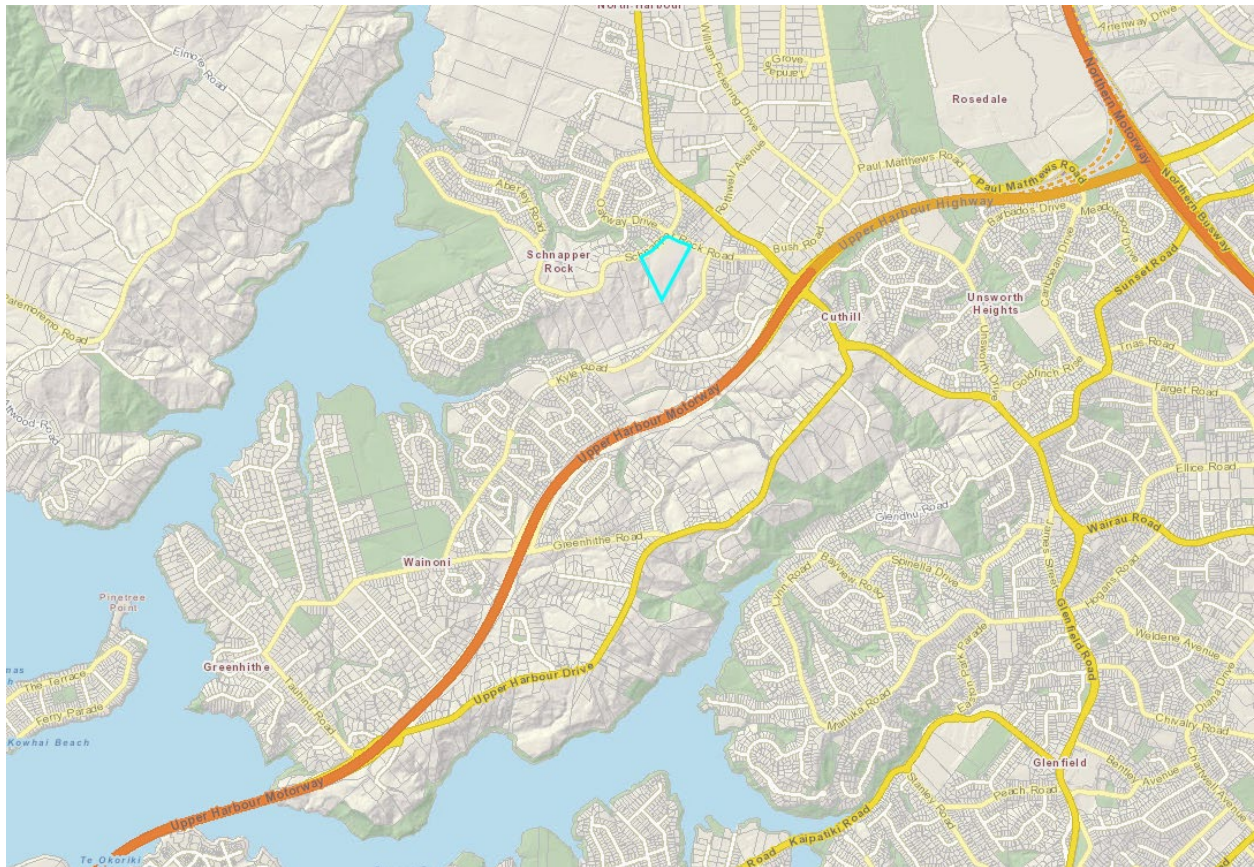


Figure 1 Development site Schnapper Rock in relation to general location – Auckland Council GeoMaps

The development site was initially owned by Watercare and thereafter sold for residential development purposes. The goal of the development is to provide a residential environment that is close to the local employment, schools and recreational facilities in the area. The site falls within the Greenhithe Precinct.

The proposed private plan change works will result in future works and resource consents. Any future works may require certain resource consents under Section 88 of the Resource Management Act 1991 and under the Auckland Unitary Plan (Operative in Part).

This CIA discusses the cultural associations and possible impacts that the development may have on the Ngāti Manuhiri as Kaitiaki of their Rohe (area of interest) in which the development will be undertaken. Finally, this report includes recommendations to be incorporated into the private plan change.

2. Ngāti Manuhiri Cultural Background

Ngāti Manuhiri are the descendants of the eponymous ancestor Manuhiri, the eldest son of the Rangatira and warrior chieftain Maki, himself a descendant of the Tainui waka. From this whakapapa Ngāti Manuhiri, through Maki and his sons, have unbroken ties to their ancestral rohe. Maki, Manuhiri and their people, over time, settled in the southern Kaipara, Waitākere, Whenua roa o Kahu (North Shore), Albany up to Mahurangi districts including Pākiri, Matakana, Puhinui (Warkworth), and finally the eastern offshore islands such as Hauturu o Toi/Little Barrier and Āotea/Great Barrier.

Ngāti Manuhiri made strategic marriages with other tribal groupings such as Ngāi Tāhuhu and Ngāti Wai among others, who occupied the eastern coastline and many of the offshore islands. Through these marriages, Ngāti Manuhiri strengthened their links with the land, sea, and islands on the eastern coastline from Paepae o Tū (Bream Tail) to Te Raki Paewhenua (Takapuna area) and inland Kaipara areas.

Manuhiri, our Tupuna, has ancestral ties with his brothers Maraeariki, Ngawhetu and Tawhia Ki te Rangi but descent from Maki, his father, and Manuhiri himself is the basis of our mana today. Through the Ngāi Tāhuhu and Te Uri o Katea descent, along with marriages, Ngāti Manuhiri developed intimate ties with the neighbouring iwi of Te Uri o Hau in the northwest. Ongoing strategic marriages also saw Ngāti Wai become an important relationship for Ngāti Manuhiri. Prior to the arrival of Europeans, Ngāti Manuhiri occupied all parts of their ancestral domain in a seasonal cycle of cultivation and resource gathering. While predominantly a coastal tribe because of the vast kaimoana resources available within Te Moana Nui o Toi, upper Waitematā, Mangawhai and Kaipara Harbours, other resources were routinely gathered from the heavily forested interior, also occupied, and utilised by Ngāti Manuhiri.

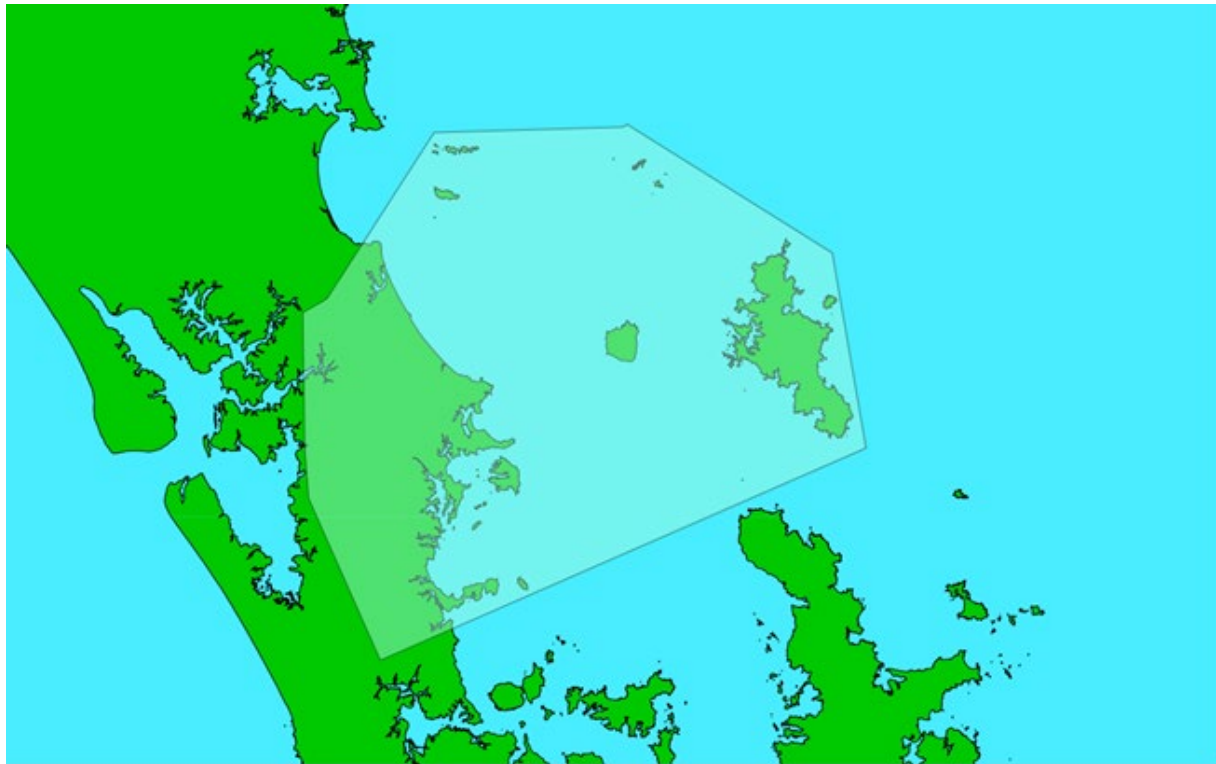
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These resources included food such as forest and wetland birds, freshwater fish, and plants, but also medicines, weaving and building materials, as well as the vast kauri and other native trees valued for waka building. Specific areas within the forest interior are also immensely significant as they became sacred places, such as Te Ahiahi and Te Wahawaha. Ngāti Manuhiri frequently travelled to the Kaipara and west coast exchanging resources and strengthening their relationships with their whanaunga.

Ngāti Manuhiri maintain an unbroken connection with their rohe exercising their mana through manuhiritanga in the form of tribal traditions, songs, place names, tupuna (ancestral rights), urupā (burial grounds) and kaitiakitanga (guardianship and management of cultural and natural resources).

3. Ngāti Manuhiri Settlement Trust / Manuhiri Kaitiaki Charitable Trust

The post-settlement interests of Ngāti Manuhiri are managed and administered by the Ngāti Manuhiri Settlement Trust (NMST). The central purpose of the Trust is to enhance the spiritual, cultural, social, and economic wellbeing of the iwi and to provide for the kaitiaki responsibilities of ensuring the restoration and maintenance of the sociocultural and natural environment. These goals form the basis of any meaningful consultation or engagement with Ngāti Manuhiri. The environmental management work of NMST is undertaken by their Resource Management Unit (Manuhiri Kaitiaki Charitable Trust). This CIA has been prepared by the Resource Management Unit of the Manuhiri Kaitiaki Charitable Trust.



Ngāti Manuhiri Area of interest

Figure 2 Statutory Ngāti Manuhiri Rohe (area of interest) but excludes ancestral domain.

4. Legislative Framework

4.1. Ngāti Manuhiri Claims Settlement Act 2012

Through the Waitangi Tribunal process, the Ngāti Manuhiri Claims Settlement Act 2012 came in to effect on 19 November 2012. The act formally mandates and supports Ngāti Manuhiri as Mana Whenua for the rohe as outlined in the Deed of Settlement (Figure 1.). It recognised and apologised for breaches of the Treaty by the Crown - the actions of which have impacted negatively on the iwi for the past 150 years.

The legislation provides statutory acknowledgement of statements by Ngāti Manuhiri regarding their cultural, spiritual, historical and traditional association, requiring the relevant authorities to have regard to the views of Ngāti Manuhiri in all matters affecting these areas.

4.2. Resource Management Act 1991

The Resource Management Act (RMA) 1991 provides statutory recognition of the Treaty of Waitangi and the principles derived from the Treaty. It introduces the Māori resource management system via the recognition of kaitiakitanga and tino rangatiratanga and accords Territorial Local Authorities with the power to delegate authority to iwi over relevant resource management decisions. The Act contains over 30 sections, which require all persons exercising functions under the RMA to consider matters of importance to tangata whenua. A summary of the more important sections is listed below:

Section 6(e): Recognition and provision for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga.

Section 6(f) and (g): The protection of historic heritage from inappropriate subdivision, use, and development and customary rights

Section 7(a): Having regard to the exercise of kaitiakitanga or the iwi's exercise of guardianship over resources.

Section 8: The principles of the Treaty of Waitangi and their application to the management of resources.

The obligation to consult with iwi/hapū over consents, policies, and plans. (Combination of all the sections above and Clause 3(1)(d) of Pt 1 of the first schedule of the RMA).

4.3. Auckland Unitary Plan

The Auckland Unitary Plan (AUP) further recognizes:

“Māori have a special relationship with natural and physical resources through whakapapa. Inherent in this relationship is kaitiakitanga which seeks to maintain the mauri of these resources, while allowing their use for social, cultural and economic well-being.”

and

“Development and expansion of Auckland has negatively impacted on Mana Whenua taonga, on customary rights and practices of Mana Whenua within their ancestral rohe. Further deterioration of taonga, sites and places of significance, and the values associated with cultural landscapes must be avoided. Degraded taonga and customary rights must be actively enhanced in order to restore the well-being

and mana of those taonga, sites and places – and therefore the mana of the people. Mana Whenua participation in resource management decision-making and the integration of mātauranga Māori and tikanga in resource management is of paramount importance to ensure a sustainable future for Mana Whenua and for Auckland as a whole”.

4.4. Fulfilment of Statutory Obligations

Therefore, this assessment of actual and potential impacts on cultural values and interests will assist Auckland Council in meeting its obligations in several ways, including:

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

5. Ngāti Manuhiri Cultural Impact Assessment

5.1 Objectives

The objectives of this CIA report are:

- To provide information on the cultural values associated with the natural environment (Te Ao Māori and Kiatiaakitanga) and with the **Ōteha** area generally and the proposed plan change and possible associated activities.
- Assess the environmental effects on the cultural values of Ngāti Manuhiri as the mana whenua relating to the development.
- To provide recommendations to avoid, remedy or mitigate adverse effects including but not limited to recommended conditions of consent should the application be granted.

5.2 Methodology

This report is largely a desktop study, with oral kōrero provided by Manuhiri elders however a hui was held with KBS Design Group Ltd on 24 February 2021 and a site visit was undertaken on 2 March 2021. The Auckland Council's GIS and Cultural Heritage Inventory (CHI) database have been referenced. Historical material pertaining to Ngāti Manuhiri and Ōteha was obtained internally, however, a full history of association is not offered here.

5.3 Cultural Values

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

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

- Manuhiritanga – our identity and uniqueness as Ngāti Manuhiri, upholding the mana of Ngāti Manuhiri.
- Mana Motuhake – active leadership and decision making.
- Kiatiakitanga – cultivating a sustainable healthy environment and a healthy lifestyle for all people.
- Kotahitanga – participating together; having open, honest and transparent communication; unity.
- Whanaungatanga – through our whakapapa, our identity; knowing our matauranga Ngāti Manuhiri.
- Manaakitanga – caring for the environment so that Ngāti Manuhiri can care for the people.
- Sustainability – promoting the use of environmentally friendly and sustainable practices and materials.
- Principle of enhancement – the restoration of degraded sites.
- Long-term cultural wellbeing – a healthy environment for future generations.
- Ki uta, ki tai (mountains to the sea) – holistic integrated catchment management.

5.4 Ngāti Manuhiri Cultural Footprint

Our uniqueness and identity as Ngāti Manuhiri is expressed in all the things that we do, that we can see, touch and hear. Our cultural footprint is underpinned by Manuhiritanga and how we express that through our tikanga and kawa.

One of our responsibilities and obligations as Mana Whenua Kaitiaki is to actively protect and enhance Ngā Taonga for the use and benefit of future generations as acknowledged in our governance and management protocols.

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

- Protection and maintenance of wāhi tapu and other heritage sites.
- Protection of taonga.
- Placing of rahui (temporary ritual prohibition) to allow replenishment of harvested resources.
- Restoration of damaged ecosystems.
- Protection of sensitive environments.
- Directing development in ways that are in keeping with the environment.
- Ensuring the sustainable use of resources.
- Observing the tikanga associated with traditional activities.
- Providing for the needs of present and future generation.

5.4.1 Te Ao Māori (Māori World View)

Māori traditionally believe that the forests, the waters, and all the life supported by them, together with natural phenomena such as mist, wind and rocks, possess a mauri or life force (Marsden, 1992).

Mauri is the life energy force or unique life essence that gives being and form to all things in the universe. All elements of the natural environment, including people, possess mauri and all forms of life are related. This interconnectedness of all things means that the wellbeing of any part of the environment will directly impact the wellbeing of the people. The primary objective of Māori environmental management is to protect mauri from desecration and to maintain and restore the integrity of mauri and thus the interconnectedness of all forms of life.

Sustaining the mauri of taonga (treasure) whether a resource, species or place, is central to the exercise of kaitiakitanga. Tikanga (custom, protocol) has emerged around this duty bringing with it mātauranga, (knowledge, wisdom) or intimate knowledge and understanding about local environments, and a set of rules that guide our way of life, both spiritual and secular.

Mātauranga Māori (Māori knowledge) is dynamic and evolving, encompassing historical traditions as well as the aspirations of Tangata Whenua (indigenous people) for the provision of services for future generations. The protection of indigenous flora and fauna species as taonga species is important to the Kaitiaki role of Tangata Whenua.

5.4.2 Kaitiakitanga

The people of Ngāti Manuhiri have an obligation and responsibility to guard, protect and maintain the interests and associations of all aspects relating to the wellbeing of the iwi. In Te Ao Māori knowledge of NM-CIA-2021_53 Schnapper Rock Private Plan Change

the workings of the environment and the perception of humanity as part of the natural and spiritual world is expressed in the concept of mauri and Kaitiaki as described above. Practices have been developed over many centuries to maintain the mauri of all parts of the world. Observing these practices involves the ethic and exercise of kaitiakitanga.

The root word is 'tiaki' which includes notions of guardianship, care, respect and wise management. The kaitiaki is the tribal guardian and can be spiritual or physical, human or non-human. The human kaitiaki must be a member of the local iwi holding the customary authority of Mana Whenua or their appointed representative. Expressing kaitiakitanga is an important way in which iwi maintain their mana whenua.

6 Ngāti Manuhiri Association with the Ōteha

6.1 Physical Setting and features

The development site is 154 hectares of mostly exotic grassland with some indigenous and exotic vegetation with 2 small watercourses (intermittent). The surrounding area is significantly developed. The development site has significant notable features:

Applicable Overlays as per the Auckland Unitary Plan (Operative in Part):

Natural Resources

- Significant Ecological Overlay covers a section of the south-west section of the property.



Figure 3 Significant Ecological Overlay (green crosses)

6.2 Cultural Significance

Ngāti Manuhiri links with the entire northeast of Tāmaki Makaurau and eastern Kaipara date back to at least the 14th century. Pā were usually located in defensive, significant, or strategic places throughout the rohe and there were both permanent and temporary (seasonal) kāinga (settlements), particularly adjacent to sheltered waters or rivers. Rivers were not only a source of fresh water and kai (food) but were the main access routes inland to kāinga, cultivations or overland pathways. As previously stated, the iwi was predominantly coastal dwelling, as evidenced by a large number of recorded archaeological sites but the entire rohe was occupied and travelled by Ngāti Manuhiri and their whanaunga (relations) for generations. This is evidenced by many recorded archaeological sites of Māori origin and traditional place names as per figure 3 below.

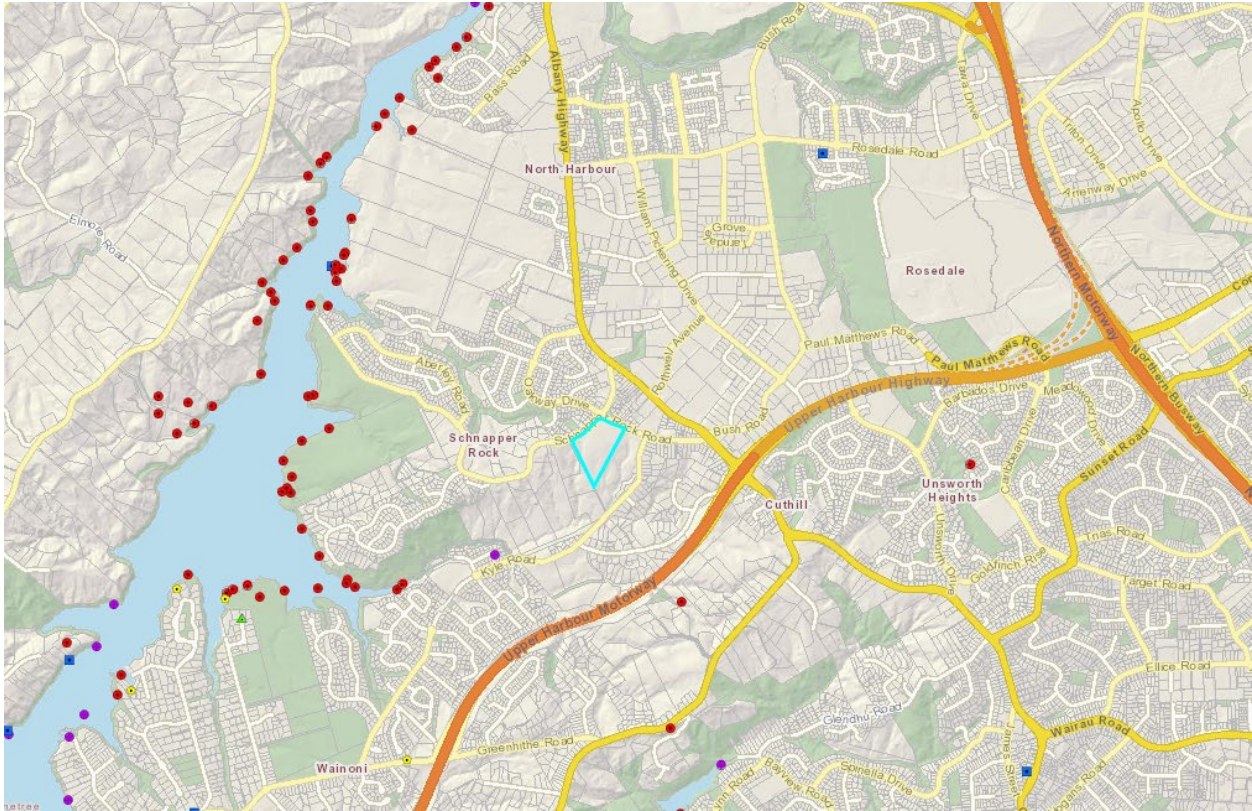


Figure 4 Map depicting the location of recorded archaeological sites concerning the development (red circles)

It is notable from figure 3 above that most sites are dispersed around the coastal and riverine areas, which is in line with general pre-European settlement patterns. However, the reasons for this clustering can also be attributed, in part, to previous development activities, historic modification of the landscape by tree felling, horticulture and farming of heavy stock, a lack of access and thus recording within the forested interiors, rather than to a complete lack of activity in certain locations. Thus, often what is recorded is merely representative of the actual number of sites and the original occupation.

Ōteha

Manuhiri's descendants utilised the wider Te Whenua Roa ō Kahu North Shore, Ōkura and Ōteha Albany in the east and south through their ancestral interests derived from Manuhiri's brothers. The area is known as Ōteha "the dwelling place of Te Ha", was the location of the kāinga named after Te Ha Kaiaraara, the grandson of Manuhiri. Historically, Ōteha would have been forested and utilized for many resources i.e. snaring forest birds; gathering fruits and berries for food or rongoā (medicine); trapping and gathering eels, koura, kākahi (freshwater mussels) and waterfowl from the streams, tributaries and wetlands; trees felled for waka, and flax harvested for weaving. The coastal and inland areas surrounding and including Ōteha

are no exception, where through Manuhiri's whanaunga we share ancestral customary interests. This is an important area of past occupation and use for gathering kai and resources for Ngāti Manuhiri.

Te Wharau Creek/ Lucas Creek (Ōkahukura)

Te Wharau Creek is a tributary of Ōkahukura, which flows into the Waitematā. The name Ōkahukura is in reference to the wife of Mataahu (Manuhiri's uncle), Te Kura. Ōkahukura awa (river) was an important source of riverine/estuarine resources and provided access to the rich marine resources of the inner Upper Waitematā, including shellfish, fish and marine birds and an important shark fishery. Pā were strategically located around the harbour to protect these resources and kāinga (settlements) were dotted along its banks. Conversely, the awa was also an access route inland, to the equally important forest resources. Other portages to the west and south also emanated from Ōkahukura. There are many recorded, and likely unrecorded, archaeological sites adjacent to the awa, evidence of the generational use and occupation (figure 5). The awa is considered wāhi tapu.

Te Moana Nui ō Toi - The Great Sea of Toi

The Waitematā harbour joins up with the te Moana Nui ō Toi and is the receiving environment. This is the name Ngāti Manuhiri use to describe the seas north and east of Whāngaparāoa and is the receiving environment of the Ōkura catchment. Whāngaparāoa 'the bay of the sperm whales' – a known resting place for migrating whales and their calves. Whales often stranded on the coastline, or occasionally were hunted by young men as a symbol of manhood, bringing a rich bounty to the tribe. Te Moana Nui ō Toi - its mauri, kaitiaki, biodiversity, seaways, islands, and traditions lie at the heart of the identity of Ngāti Manuhiri. Ngāti Manuhiri trace descent from the famous early Māori ancestor and voyager Toi Te Huatahi, after whom Te Moana Nui ō Toi is named. Tradition tells that te Moana Nui ō Toi was a place of arrival for famous ancestral voyaging waka, a place intimately associated with the early ancestors of Ngāti Manuhiri.

The impacts of post-European contact were devastating to Ngāti Manuhiri and included rewharewha (disease), alienation of land from illegal sales or confiscation (e.g. the controversial Omaha Purchase (1841) and the Wainui Block (1858) - both concluded without the involvement of Ngāti Manuhiri), all of which was further compounded by significant losses in battle during the Musket Wars. Today, Manuhiri's traditional lands and Mana Whenua interests are protected and watched over by his living descendants, with the Ngāti Manuhiri Settlement Trust the entity mandated to represent, manage, and protect these interests.

Mahurangi purchase (1841) encompasses land from Takapuna and north to te Ārai, including dairy Flat, without the knowledge of Ngāti Manuhiri all of which was further compounded by significant losses in battle during the musket wars.

7 Cultural Impact Assessment

This report documents Ngāti Manuhiri's cultural values, interests, and associations with the Ōteha area and its resources, and the potential impacts of the proposed works, as far as can be ascertained, from our perspective as kaitiaki.

Consideration of the proposal is made regarding the specific project activities and impact upon Ngāti Manuhiri in the areas of whenua (land), wāhi tapu (sacred sites), taonga (artefacts & treasured resources), oranga (wellbeing), tiaki taiao (biodiversity), wai (water), hau (air) and mauri and wairua (life force & spiritual values).

Description of proposed work

Ngāti Manuhiri has been provided with a broad outline or “vision” for the development as well as other expert reports and assessments.

7.1 Resource consents required

At this early stage of the development planning private plan change, there are currently no resource consent applications, but these will be required in future. The following information has been provided at this early stage though to enable Ngāti Manuhiri to provide a CIA and may require the need to provide an addendum to this report or further Kaitiaki Report at the resource consent stage.

7.2 Whenua

Earthworks:

Construction work is already underway by Watercare within the designated site in the northeast corner of Lot 1 DP 455035, and there is also a residential development under construction within the neighbouring property at Lot 2 DP 455035. To date, there is no conceptual design of the proposed future housing development but the development will consist of mixed housing and single house zone lots. There is also no earthworks plan yet but Ngāti Manuhiri was provided with the geotechnical feasibility report which indicates that some cut to fill works will be required as stated below:

“Based on the results of our subsurface investigation we consider that the in situ residual soils on site may generally be utilised for the proposed bulk fill earthworks”.

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“In general, it is considered that minimal filling should occur upslope of the western gully, and especially upslope of the existing head scarp along the eastern site boundary.”

Construction:

To date, there is no conceptual design of the proposed future housing development but the development will consist of mixed housing and single house zone lots.

Soil contamination:

Considering the historical agricultural activities; land contamination does not appear to be an issue that should be addressed and the HAIL (Hazardous Activities and Industries List) has not been triggered for this site.

Regarding whenua, Ngāti Manuhiri wish to advise the following:

Wāhi tapu impacts

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

A search of the Auckland Council Cultural Heritage Inventory (CHI) and GeoMaps did not identify any recorded wāhi tapu sites/sites of significance or value to Mana Whenua within the development site as depicted in figure 5 above. Nevertheless, the potential of discovering Wāhi tapu remains high, especially near watercourses.

- Ngāti Manuhiri advocate for adhering to the Accidental Discovery Conditions, soil contamination investigations and request to be consulted in future regarding future construction or earthworks.
- Where cut and fill material can be kept and reworked on site this should be done. Also, it is preferred that soils from other areas are not brought onto the site where possible.
- Ngāti Manuhiri may need to be consulted on the earthworks at a later stage when further information available.

Taonga impacts

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

It is understood that previous occupation and vegetation clearance have been undertaken in the development area; however, there is potential for taonga to be discovered, especially near waterways.

The streams within the development area are considered as wāhi taonga and are discussed below under wai.

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Living taonga include plants, birds, reptiles and fish all of which are found in the wider area, as Kaitiaki, Ngāti Manuhiri support all initiatives (e.g. avoidance, mitigation/enhancement planting) that will protect or enhance these species' continued presence and environment.

Mauri and wairua impacts

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

The development site has been subject to some modification for previous residential occupation (house with various out-buildings) such as the loss of fauna and flora, but the site still retained some mauri and wairua. It is hoped that the developers will try to preserve the mauri and prevent further degradation and/or land modification.

As Kaitiaki, Ngāti Manuhiri want to see this mauri enhanced, and protected. Riparian planting and pest control as well as the stormwater management plan will contribute towards this.

7.3 Wai (Water)

The development site is situated near Te Wharau Creek which is a tributary of the Ōkahukura/Lucas Creek. 2 streams on site drain to Te Wharau Creek that have been classified as intermittent. These streams would support aquatic life when streams flow allow.

Ngāti Manuhiri is concerned with the mauri of the water and these increased pressures will further have adverse effects on the mauri from sediment entering waterways, loss of riparian margins and the loss of native habitat to support native flora and fauna. Freshwater systems furthermore provide for customary harvest and manāki causing the depletion of mahinga kai. Water must be managed in line with te Mana o te Wai and te Mauri o te Wai. The first obligation is to the Wai, the second is for providing fresh drinking water while the third is for other consumption (provided is not impact the mauri of the water).

Previous activities/issues:

Due to the development adjacent to this proposed development site, the stream on the lower part of the property has already been culverted and consented to. It has not yet been decided what the future actions will be in term so this stream.

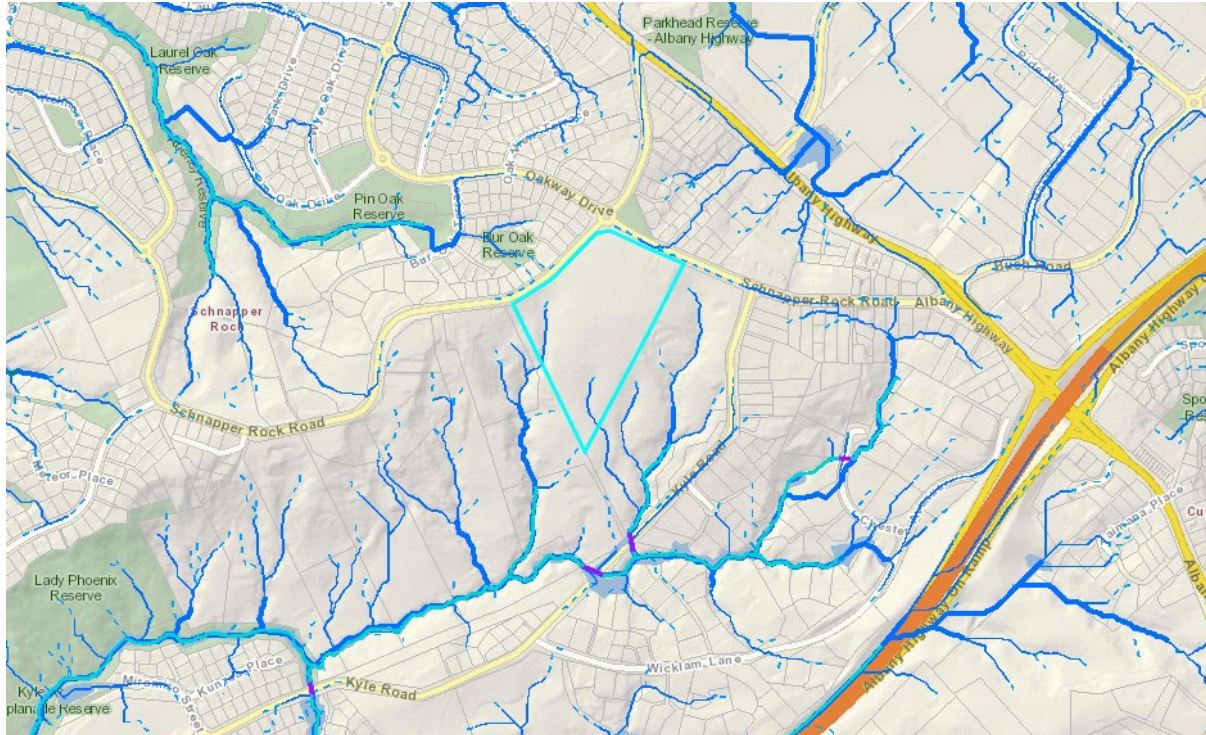


Figure 5 Catchments & Hydrology over the proposed development site at Schnapper Rock

Sediment and erosion control methodology:

Sediment and erosion controls must be installed and implemented in terms of the Auckland Council Guidance Document 2016/005 (GD05) during construction and earthworks.

Wastewater treatment and water supply:

Wastewater and water supply will be from Watercare. The development will also make use of water harvesting tanks for re-use.

Stormwater management for the proposed development:

The site is within a Stormwater Management Area– Flow 1 (SMAF) overlay which triggers hydrological mitigation through attenuation and re-use. It is noted that the stormwater strategy aligns with mana whenua values; the plan provides for:

- Make use of the new stormwater reticulation provided by the neighbouring subdivision.
- Stormwater quality will be treated by rain gardens with large catch pits with achieving certain high water quality levels before releasing to the environment.
- Onsite treatment of high contaminant yielding impervious areas.
- Retention and detention devices.

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- Attenuation.
- Rainwater harvesting tanks.

Regarding wai, Ngāti Manuhiri wish to advise the following:

Wai impacts

Ngāti Manuhiri look at water with three different Te Taiao (environmental) indicators:

- **Wai ora** (wellbeing water)
- **Wai māori** (freshwater/ drinking water)
- **Wai mate** (Water Pollution)

Ko te wai te ora o nga mea katoa. Water is the life-giver of all things. Ngāti Manuhiri wishes to ensure that the mauri of the water is protected ensuring that spiritual and cultural aspects of wai are maintained for future generations. The mauri of the waterways within the development site will have been impacted by the different activities within the vicinity and other developments.

Ngāti Manuhiri advocate for:

- Ki uta, ki tai (mountains to the sea) – holistic integrated catchment management.
- On-going protection of the mauri of the wai and that streams are recognised as wāhi taonga.
- Protection of habitats and edible plants and aquatic life.
- Riparian margins/ buffers with any possible or future activities, works or amenities.
- Native riparian planting.
- Provision of fish passages.
- Water is precious and planning to collect, reuse and recycle water should be a priority.
- Ngāti Manuhiri do not support the reclamation of streams. Should any streams be reclaimed, offsetting will be required. A no net-loss of ecological values should be applied.
- A sediment and erosion management plan must be implemented. This plan should be adaptive in that where water quality results indicate high levels of sediment; changes should be made to ensure high water quality standards are maintained. The waterways within the SEA must be protected and enhanced.
- Any stormwater management requirements should reflect Ngāti Manuhiri's values such as avoiding the mixing of contaminated water with fresh water. Water should be treated and retained until it is of high quality until released to any waterways.
- Ngāti Manuhiri support the initial proposed stormwater management control and plans.

7.4 Tiaki taiao (Biodiversity)

The Māori worldview considers everything living and non-living to be interconnected and that humans are therefore linked with biodiversity. As described above there are Significant Ecological Areas of bush along the western section of the development site with most of the site covered exotic grass and vegetation. The development site is situated within the densely populated North Shore. Preserving the little ecological value that remains and ensuring that the values of kaitiakitanga are followed through in the plan change and residential development.

Fauna and Flora

The development site has some Significant Ecological Areas (SEA) as well as riparian margins which are of importance to Ngāti Manuhiri. The ecological assessment identified various taonga species within the Kānuka Forest (SEA) as well as the flora being capable of supporting native fauna/ taonga species. An intermittent stream was identified and it was confirmed that no wetlands are present on the property. The streams would support aquatic life when flows allow. The development site has weed plants and pest animals that need to be managed.

Regarding tiaki taiao, Ngāti Manuhiri wish to advise the following:

Tiaki taiao impacts

Ngāti Manuhiri have a role as kaitiaki to preserve the mauri, wāhi tapu (sacred sites) and natural taonga (treasures) in their rohe. Taonga katoa species refer to flora and fauna that are fundamental and significant to the culture and identity of Ngāti Manuhiri. Taonga species provide sources of inspiration of sources cultural expression, food, shelter, clothing as well as medicinal purposes. These taonga form part of the inherited knowledge and are related to Ngāti Manuhiri by whakapapa.

Areas north of Auckland face the pressure of increased urban growth and resource demands, particularly in the rohe of Ngāti Manuhiri. As mana whenua, Ngāti Manuhiri work on the principle that given the extent of environmental degradation from human activities and development, all new developments/activities should be looking for ways to enhance biodiversity and leave the environment in a better state.

Ngāti Manuhiri advocate for:

- Significant vegetation areas should not be cleared for housing development. We possible houses should be built around indigenous flora and as little as possible should be cleared.
- A low density of housing located near to the significant vegetation areas.
- Significant vegetation areas with high ecological value should be covenanted and protected.
- Buffer areas and riparian margins around streams and the significant ecological areas.

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- Stream restoration/ enhancements where possible.
- Diverse native riparian planting with on-going maintenance and weeding plan. A diverse range of habitats is likely to support greater numbers of species and mahinga kai.
- Reuse of felled pine timber for future use and other amenities where possible.
- Pest control must be implemented to ensure that pests do not impact taonga species.
- Hand weeding and hand maintenance are preferred.
- The use of organic fertilisers and herbicides is preferred.
- Provision of fish passages.
- Nesting seasons should be considered if flora removal is conducted.
- A lizard management plan should be drafted and adhered to.
- Where permits are applied for from the Department of Conservation, Ngāti Manuhiri will have input on the granting and conditions thereof.
- Ngāti Manuhiri supports the fact that a private covenant for the significant ecological area will be a priority for the homeowner's association.

7.5 Effects on Cultural Heritage

An archaeological assessment has been conducted for this site. The assessment found the following:

“A number of pre-European Māori archaeological sites including several middens (R10/1186, R10/1185, R10/1290 and R10/1291) and a pit and adze findspot (R10/239) are recorded at the entrance to Te Wharau Creek 600 m to the west of the property.”

“No archaeological features or deposits were observed within the property boundary.” It is also noted that there was previous development and modification on the property which includes a house and out-buildings. Nevertheless, Ngāti Manuhiri are of the opinion of the potential of discovering Wāhi tapu remains, especially near watercourses.

7.6 Hauora (Wellbeing)

Wellbeing relates to the potential effects on the people of Ngāti Manuhiri by outside influences or events that affect their way of life or traditions. The concept of well-being encompasses the physical, mental and emotional, social, and spiritual dimensions of health. Climate Change is the biggest threat to Hauora.

Climate change is a major factor to be considered for future developments and planning. Many of the fundamental building blocks for health and well-being are at risk due to anthropogenic causes and climate change. Climate change impacts weather patterns. Māori have used the seasons and the climate for

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centuries. The maramataka has informed mahinga kai and where marae were built. As a nation, changes because of climate change are already being felt. Climate change is affecting the mana of Ngāti Manuhiri. Future developments must be in line with climate change plans and strategies. It must be noted that all mana whenua will have different climate change risks that they face.

Ngāti Manuhiri believe that quality of life and well-being is defined by our ecosystems - Ko ahau te taiao, ko te taiao, ko ahau. Therefore, consideration, inclusion and implementation of our recommendations would contribute to the Hauora of Ngāti Manuhiri members.

Hauora impacts

With climate change being such a cross-cutting Kaupapa, Ngāti Manuhiri well-being is affected in many ways which include:

- The timing of tohu is changing.
- Culturally significant places are damaged or lost.
- Loss of taonga species.
- The ability to manaaki is threatened.
- Mātauranga may not be passed on.

8 Recommendations and recommendations

This report considers the 53 Schnapper Rock Private Plan Change and does not apply to any variations, future project stages or resource consents. Should any variations in consent conditions or the designs to the works be required, the applicant is requested to re-engage with Ngāti Manuhiri.

Ngāti Manuhiri does not oppose the proposed Private Plan Change in principle if the recommendations listed below are considered/implemented.

8.1 Implementing recommendations and including information

The key to fostering an effective relationship between applicants and mana whenua is to genuinely consider the contents of this CIA. It is good practice for applicants to respond in writing to the terms of the CIA or to even meet with mana whenua should the matter require it. The conditions and recommendations should be addressed as to how these could be accommodated and the implications for the **plan change**.

8.2 Recommendations and/or conditions

Ngāti Manuhiri supports the proposed 53 Schnapper Rock Private Plan Change in principle if the following recommendations are considered/implemented. The following recommendations for avoidance or mitigation of cultural impacts are provided as points of discussion between the applicant, statutory agencies, and Ngāti Manuhiri. We request notification of the finalisation of the **plan change**.

Therefore, Ngāti Manuhiri kindly request a formal written response to the below recommendations:

Recommendation 1: Tikanaga

Ngāti Manuhiri provide the appropriate tikanga for the project, including guidance on works protocols, opening ceremony and other blessings.

Recommendation 2: Archaeological

Should any earthworks occur in the development stages and while all archaeological sites, known and unknown, are afforded protection under the Heritage New Zealand Pouhere Taonga Act (2014), there is always the potential for sub-surface taonga to be discovered during works, especially adjacent waterways, and Ngāti Manuhiri request the following:

- We expect all contractors undertaking earthworks activities will be made aware of and adhere to Accidental Discovery Conditions as set out in the Appendix hereto. A Ngāti Manuhiri representative can present and/or review these with contractors at a pre-construction hui.
- If intact subsurface archaeological features or artefacts associated with Māori are exposed during works, Ngāti Manuhiri may wish to have a representative on site for the remaining ground-disturbing works.
- If any koiwi (human remains) should be exposed at any time, works should cease in the immediate vicinity and the police, Ngāti Manuhiri and the Heritage New Zealand should be contacted so that appropriate arrangement can be made.

Recommendation 3: Cultural Induction

Ngāti Manuhiri recommend that all contractors working on site attend a cultural induction delivered by Ngāti Manuhiri at the applicant's cost.

Recommendation 4: Erosion and Sediment Control

Should any future construction take place, all construction works should comply with the applicable sediment control standards or regulations at that time. Rain gardens are also an excellent choice that assists with sediment control where possible.

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Recommendation 5: Wai (water)

- The streams should be protected and we request that the council consider the principles of te Mana o te Wai when taking actions in terms of the streams (putting the water first).
- Protection of habitats and edible plants and aquatic life. On-going protection of the mauri of the wai and that streams are recognised as wāhi taonga.
- Riparian margins/ buffers with any possible or future activities, works or amenities.
- Native riparian planting is recommended.
- Any stormwater management requirements should reflect Ngāti Manuhiri's values such as avoiding the mixing of contaminated water with fresh water.
- Water is precious and planning to collect, reuse and recycle water should be a priority.
- Streams should not be reclaimed and where this cannot be avoided a no-net loss mitigation package must be implemented.
- All stormwater must be treated to a high-quality standard before release and strict adherence to the proposed stormwater plans and protocols.
- A sediment and erosion management plan must be implemented during construction. This plan should be adaptive in that where water quality results indicate high levels of sediment; changes should be made to ensure high water quality standards are maintained.

Recommendation 6: Tiaki taiao (biodiversity)

- Vegetation should not be cleared for development purposes and houses should be built in and around the vegetation with a buffer zone for development to ensure the protection of taonga species.
- Significant vegetation areas with high ecological value should be covenanted and protected.
- Buffer areas and riparian margins around streams and the significant ecological areas.
- A low density of housing located near to the significant vegetation areas. All significant ecological areas should be protected from the public and high-intensity recreation should be avoided in these areas.
- A tree management plan should be detailed and should any works take place near any protected trees this should be done in accordance with a qualified arborist.
- Native planting and enhancement are suggested in terms of an ecological restoration plan for the stream.
- A weeding plan must be drafted and adhered to. Hand weeding and hand maintenance are preferred. The use of organic fertilisers and herbicides is preferred.
- Pest control must be implemented to ensure that pests do not impact taonga species. An ongoing pest control programme/plan must be implemented and reviewed regularly.

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- Provision of fish passages.
- All native species as found within the development site are to be protected where possible.
- Nesting seasons should be considered if flora removal is conducted.
- A lizard management plan should be drafted and adhered to.
- No exotic trees should be planted concerning new developments.
- Ensure that diseases such as myrtle rust do not affect trees within the development site (see appendices below).
- Provision of fish passages in the streams should be provided where feasible.

Recommendation 7: Cultural footprint

Ngāti Manuhiri welcome opportunities to reflect our cultural footprint as Mana Whenua within this development including:

- Opportunity to put forward cultural road names where possible.
- Cultural patterning or design is incorporated into the built environment e.g. cobbled areas incorporate traditional tukutuku patterns or carved posts on footbridges.
- Applicant to consider commissioning from Ngāti Manuhiri a cultural artwork (e.g. sculpture or carving) as a feature within the reserve, central walkway or another part of the development.
- Such opportunities would support Auckland Councils PAUP outcomes which include ‘A Māori identity that is Auckland’s point of difference in the world’ and ‘A culturally rich and creative Auckland’.

Recommendation 8: Climate Change & Sustainability

When constructing and designing the residential development, adaptation and resilience must be borne in mind. Climate change risks must be considered and responded to by adaptation strategies and the construction of protective works and land use planning. Mana whenua values and Mātauranga must be considered with regards to all environmental policy, planning and management.

New buildings and associated infrastructure can contribute to good cultural and environmental outcomes using sustainable, energy-efficient materials and construction methods. Earthen, recycled or other sustainably sourced materials and careful design of natural lighting sources and heating can enhance the overall value of the project and site.

Recommendation 9: Ongoing Engagement

- Ngāti Manuhiri request to be consulted at the resource consenting stage and to be updated with developments and/or construction, earthworks and the like.

Recommendation 10: Cultural monitoring

Ngāti Manuhiri believes that as kaitiaki of our rohe we offer environmental services that may add value to this development and assist in better environmental outcomes. Ngāti Manuhiri recommend that cultural monitoring would apply to this development in future, which may include but is not limited to:

- Surface water monitoring
- Earthworks monitoring
- Archaeological monitoring
- Consultation and advice on indigenous planting
- Site inspections

Recommendation 11: Costs

All costs associated with any ceremonies, inductions, monitoring, reports, site visits and/or meetings attended by Ngāti Manuhiri representatives are to be met by the applicant.

9 References

Marsden, Māori. (1992). *God, Man and Universe*. King M. (ed) Te Ao Hurihuri. Reed Publishers. Auckland.

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

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

10 Appendices

Appendix 1: Protocol for the discovery of koiwi or taonga unearthed during construction operations

The term ‘koiwi’ here refers to human remains such as skeletal material, while ‘taonga’ means cultural artefacts such as implements, weapons or decorations traditionally and historically used by tangata whenua and includes parts or the remains thereof. Features such as pits, midden or terraces are afforded the same

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legal protection as other archaeological materials or taonga. Iwi play an important role as kaitiaki in the care and management of koiwi tangata/human skeletal remains and taonga following the discovery. Iwi must be notified at the earliest opportunity should any koiwi or taonga be unearthed during earthworks or other operations.

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

- If koiwi, archaeological features or taonga are exposed during development, earthworks should immediately cease in the vicinity. Any remains or artefacts must be left undisturbed or *in situ* once discovered.
- The Site Supervisor should take steps immediately to secure the area so that koiwi or taonga remain untouched and site access is restricted.
- The Site Supervisor will ensure that eating, drinking, and smoking in the immediate vicinity is prohibited.
- The Project Manager will notify
 - Manuhiri Kaitiaki Charitable Trust
 - the New Zealand Police (in the case of koiwi/skeletal remains only)
 - Heritage New Zealand
 - The Project Archaeologist (if applicable)
- Manuhiri Kaitiaki Charitable Trust will contact the appropriate kaumatua to guide and advise the parties involved as to the appropriate course of action. Any associated costs should be met by the developer.
- The Project Manager will ensure staff are available on-site to guide police (as appropriate) and kaumatua to the site.
- In the case of koiwi, site access should be restricted to other parties until Police are satisfied the remains are not of forensic relevance.
- If the parties involved are satisfied that the koiwi or taonga are of Māori origin the kaumatua will decide how they are to be dealt with and will communicate this to the New Zealand Police and other parties as appropriate.
- Activity on the site will remain on hold until the Police (in the case of koiwi), the kaumatua and Heritage New Zealand have approved an activity to recommence.
- The Project Manager shall ensure that kaumatua have the opportunity to undertake karakia and other cultural ceremonies and activities at the site as may be considered appropriate in accordance with tikanga Māori (Māori customs and protocols).

Appendix 2: Glossary of Māori Words

Awa - Stream/river

Hapū - Subtribe/descendants of an utmost ancestor

Inanga - Whitebait

Iwi -Tribe

Kahawai - Silvery-white schooling coastal fish

Kaimoana - Seafood

Kāinga - Home/dwelling/village

Kaitiakitanga - Guardianship and management of cultural and natural resources

Kākahi - Freshwater mussels

Kanae - Mullet

Kawa - Rules

Kōhatu - Rock/Stone

Kōrero - Speak, address, discussion or a statement

Kotahitanga - Participating together; having open, honest and transparent communication; unity

Koura - Freshwater Crayfish

Makawhiti - Herring

Mana - Integrity/ Customary or spiritual authority

Mana Motuhake - Active leadership and decision making

Manuhiritanga - Our identity and uniqueness as Ngati Manuhiri, upholding the mana of Ngati

Marae - A building complex/ a place of gathering

Mātauranga - Knowledge or wisdom

Mātauranga Māori - Māori Knowledge

Maunga - Mountain

Maunga Tāpu - Sacred Mountain

Mauri – Life Force

Moana - Sea / Ocean

Motu - Island

Motunohinohi - Islets

Muri - School shark species

Nga Taonga Tuku iho - Gifts from our creator or our ancestors

Pā - Homestead

Rahui - Temporary ritual prohibition

Rangatira - Chiefly, noble or of high ranking

Rewharewha - Disease

Rohe - Tribal area

Rongoa - Traditional Māori medicine

Tamaki Makaurau - Auckland

Tamure - Snapper

Tangata Whenua - Indigenous people of the land

Taonga - Treasure

Tapu - Scared

Tauranga Ika – Fishing grounds

Tauranga Mango - Shark fishing grounds

Tiaki - Protect or to guard

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Tikanga - Tribal Custom or protocols

Tino Rangatiratanga - Self-determination, sovereignty, self-government

Tuatua - A species of shellfish

Tuna - Eel

Tupuna - Ancestor

Tupuna Kaitiaki - Guardianship of the ancestor

Urupā - Tribal burial grounds

Wāhi - Site of significances

Wāhi tapu - Scared site of significances

Wai - Water/stream or river

Waka - Tribal canoe

Whai - Stingray

Whakapāpā - Genealogy, lineage, descent

Whanaunga - Relative, relation, kin, blood relation

Appendix 3: Document Review

As part of this assessment, reports prepared for the proposed work and provided for our reference at the time of writing include that was reviewed include:

- Archaeological assessment
- Plan Change Draft
- Ecological Report
- Infrastructure Report
- Transport Assessment
- Geotechnical Assessment
- Proposed Zoning Plan
- Contamination Report

- Tree Survey
- Landscape Assessment

Appendix 4: Document Review kauri dieback protocol

<https://www.kauridieback.co.nz/media/1358/gral-hygiene-procedures-kauridieback-v2.pdf>

Appendix 5: Myrtle rust Information and discovery protocol

<https://myrtlerust.org.nz/>

Appendix 6: Site Visit photos





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KAIPARA

10/03/2021

Ngā Maunga Whakahii o Kaipara
16 Commercial Road
PO Box 41
Te Awaroa-Helensville 0840

Attention: Abu Hoque
abu.hoque@hobsongreen.co.nz

Re: Application Private Plan Change

Kia ora Abu,

Firstly, thank you for the time you personally took on February 24th to talk through the proposal and to have the stormwater expert available to discuss some of the key areas of interest.

Given the pressure in the housing market the plan to provide additional housing within a developed urban space is welcome. The ability to connect to existing infrastructure means the effective use of roading, public transport, household services and other amenities.

Ngā Maunga Whakahii o Kaipara Development Trust kaitiaki (guardianship) responsibilities include, but are not limited to, the following:

- Protection of taonga (treasures),
- Upholding the tikanga (customs and cultural practices) associated with traditional activities, such as karakia (prayer),
- Ensuring puna of all water bodies is protected or enhanced,
- Robust sediment controls systems to ensure water quality is not compromised,
- Ensuring wastewater reticulation systems cater adequately for peak volumes,
- Protection of sensitive environments,
- Promoting sustainable building/production methods,
- Retaining/return of soil removed in the development process,
- Directing development in ways which are in keeping with the environment,
- Ensuring the sustainable use of resources. IE: Use of rainwater tanks, recycling.
- Restoration of damaged eco systems such as removal of pests, animals and weeds,
- The planting of eco-sourced native vegetation and ongoing care of the environment,
- Enhancing safe habitats/corridors for insects, animals and birds,
- Opportunity for Mahi Toi - Ancestral names, local tohu and iwi narratives to be creatively re-inscribed into the design environment through landscape; architecture; interior design, street naming and public art.



KAIPARA

With the points above providing guidance we have reviewed the cultural history of the area, the proximity to waterways/flow paths that ultimately lead to Te Wharau Creek/Lucas Creek and the Significant Ecological Areas (SEA) within the area, all of which are a prime concern to Ngā Maunga Whakahii o Kaipara.

I appreciate the reports provided from ecologists, geotechnical experts and others that accompany the Plan Change notice. There is a comprehensive view of development outcomes that will not only provide housing but should also improve the degraded ecological areas and wetland.

At this point on behalf of Ngā Maunga Whakahii o Kaipara I confirm we support the proposed Plan Change. If approved we expect there will be further dialogue at the next stages regarding development aspects and opportunities, IE: Inclusion of Accidental Discovery Protocols, SEA enhancement, road naming etc.

Conclusion:

Ngā Maunga Whakahii o Kaipara Development Trust, as the legal entity that governs the operations and management of Ngāti Whātua o Kaipara acknowledges the intention of Auckland Council and CCO to meet their statutory obligation and to ensure the cultural heritage and values of Ngāti Whātua o Kaipara are a key consideration.

S Oliver

Pouwhakahaere Te Tari Taiao

NGĀTI WHĀTUA O KAIPARA



KAIPARA

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