

Build Rich Limited

Residential Development 1 Silverwater Drive & 2150 East Coast Road

Cultural Impact Assessment

Approvals Phase

Prepared by
Ngaati Whanaunga Incorporated Society
18 July 2022

Version Final Draft



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Please feel very welcome to contact us if you have any queries relating to this Cultural Impact Assessment.

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1 Executive Summary

Build Rich Limited (**BRL**) has commissioned Ngaati Whanaunga Incorporated Society (**Ngaati Whanaunga**) to undertake a Cultural Impact Assessment for the proposed residential development and subdivision at 1 Silverwater Drive and 2150 East Coast Road, Silverwater under the COVID-19 Recovery (Fast Track Consenting) Act 2020 and resource consent processes. Project Features include activities relating to residential development and subdivision:

Residential Development includes:

- Construction of 276 new dwellings (15 terraces and 261 standalone)
 - Designed in general compliance with the development standards of the Residential – Mixed Housing Urban planning zone with associated Auckland-wide rules
 - In instances where there are infringements, the proposal has been designed to minimise and mitigate any potential adverse effects
- Retention, restoration, and protection of the existing wetland located on the southern boundary of the site with continued stormwater runoff from the surrounding catchment
- Bulk earthworks (cut volumes of 149,881m³ and fill volumes of 219,703m³) include:
 - Construction of a mechanically stabilised earth wall running the length of the subdivision in a north-south direction creating upper and lower development levels
 - Planting out the earth wall (above) with native species
 - Using fill to fill a steep area across the northern portion of the site and reduce the steepness of its gradient
 - Earthworks over an existing overland flow path
 - A series of under fill drainage to be laid within the existing overland flow paths to collect groundwater seepage and not convey the overland flow path
- Provision for stormwater management including:
 - Stormwater from Catchment Area 1 (Area) will drain into the existing stormwater wetland within the nearby Park and Ride site to the north
 - Stormwater Catchment run will discharge into the existing natural drainage channels to the south and west of the development
 - A section of Road 3 will discharge into the natural water channel to the south and recharge the wetland on the southern boundary
- Installation of infrastructure across the entire subject site including provision for: wastewater; water supply; fire hydrants; power; telephone and internet

Subdivision includes:

- 278 residential lots around the proposed dwellings (261)
- 26 vacant residential lots located along the southern end of proposed Road 5 and Road 6 adjacent to the boundary with 2118 East Coast Road
- Installation of a subdivision road designed in accordance with the Silverwater 3 sub-precinct B Plan
- Four jointly owned access lots (JOALS) to serve the terraced houses and the private Road 4 serving Lots 134 - 149 and 187 – 202
- Pedestrian Accessways to vest in Auckland Council
- Roads to vest in Auckland Council
- Land covenants over lots containing the Mechanically Stabilised Earth wall and wetland

Project activities will require several statutory approvals relating to:

- Residential Mixed Housing Suburban Development
- Taking, using, damming and diversion of water and drilling
- Stormwater – Discharge and diversion
- Construction within a Stormwater management area – Flow 1 and Flow 2
- Land disturbance - District
- Transport
- Natural hazards and flooding
- Subdivision - Urban

This Cultural Impact Assessment (CIA) describes Ngaati Whanaunga history, cultural values, interests, and associations in the Project area; provides an assessment as to how the proposed activities may influence these values (above); and suggests recommendations as to how to avoid, remedy or mitigate identified cultural effects.

To achieve these objectives, Ngaati Whanaunga undertook a desktop review of oral histories; legislative and planning documents; supporting technical reports; historic and aerial photos; and publicly available databases to identify and evaluate cultural values and consider potential positive and adverse cultural effects relating to the proposal.

In summary, key findings included:

- The proposed Residential Development will provide housing options to the Auckland housing market, which is currently undersupplied. We commend Build Rich Limited on this aspect of the proposal.
- Natural and Physical resources providing mauri and mana within the immediate project site relate to climate, topography, geology, groundwater, surface water, the wetland vegetation and associated fauna; and infrastructure. Resources in the surrounding area relate to Tiikapa Moana (the Hauraki Gulf); Whangaparaoa Peninsula and offshore islands, for example Tiritiri Matangi. These resources sustained our people, and we are intimately connected to them via whakapapa. Anthropogenic land change and introductions of exotic species that out compete natives degrade mauri at the project site by eroding mauri and mana.
- No known wahi tapu are known to occur within the immediate project site.
- Our tuupuna used a wide variety of customary resources relating to provisioning services (eg food, fibre, fuel, rongooa, and ornamental qualities); cultural values (including spiritual, education, aesthetic values and those that contribute to sense of place; and regulating services (eg resources that perform valuable ecosystem functions such as erosion control, dispersal, pollination, and water purification. However, anthropogenic modification to the landscape means that there are very few (if any) rawa tuuturu at the project site.
- The project area is highly significant to Ngaati Whanaunga. Our people are intimately connected to the land and waters via whakapapa, and we are reminded of our strong linkages via waka traditions, mythology, and place names that indicate the richness of the area as a valuable source of food and resources. Land confiscations post 1840 are recognised via collective cultural and commercial redress relating to Taamaki Makaurau; Mahurangi; and Tiikapa Moana including Defence Land on nearby Shakespear Regional Park and nearby Tiritiri Matangi Island.

- Sites of Historic or Cultural Interest relate to historic papakainga, Maaori place names and archaeological sites identified close to the proposals land boundaries.

Likely effects of the project during construction phase are primarily related to bulk earthworks; and construction works eg noise, vibration and transport movements. We suggest most of these effects can be adequately mitigated through appropriate management if they are managed in accordance with specialist recommendations and in accordance with tikanga (refer to **Section 9** – Recommendations).

Once operational, we anticipate proposed works will have negligible effects on existing cultural values so long as stormwater and natural hazards are appropriately managed.

Table of Contents

1	Executive Summary	3
2	Background	11
2.1	Purpose.....	11
2.2	Whakapapa	11
2.3	Rohe (Area of Interest).....	11
2.4	Ngaati Whanaunga Incorporated Society.....	12
2.5	Strategic Direction.....	12
2.6	Approach	12
3	Introduction and Project Overview	13
3.1	Summary of Proposed Work.....	13
3.2	Reason for Consent	14
3.3	Other Consents Relevant to the Proposal.....	17
3.4	Report Purpose	17
3.5	Report Structure	17
4	Description of Proposed Works.....	18
4.1	Site Location	18
4.2	Proposal.....	21
4.1	Construction Management	24
4.1.1	Subdivision Management.....	24
4.1.2	Construction Duration and Timing	24
4.1.3	Management Plans	24
5	Methodologies.....	25
5.1	Desktop Literature Review.....	25
5.1.1	Oral History	25
5.1.2	Legislation and Planning Documents	25
5.1.3	Supporting Technical Reports.....	26
5.1.4	Historic and Aerial Photos	27
5.1.5	Publicly Available Databases	27
5.2	Site Visit.....	27
5.3	Assessment Methods	28
5.3.1	Assessment Criteria for the Protection of Mana Whenua Heritage	28
5.3.2	Assessment Criteria for the Identification and Evaluation of Historic Heritage.....	29
5.3.3	Criteria for Describing the Magnitude of Effects	30
5.3.4	Describing Level of Effects	30
5.4	Assumptions and Limitations.....	31

6	Statutory Context.....	32
6.1	Resource Management Act 1991	32
6.1.1	RMA, Section 5 – Purpose.....	32
6.1.2	RMA, Section 6 – Matters of national importance	32
6.1.3	RMA, Section 7 – Other matters.....	33
6.1.4	RMA, Section 8 – Treaty of Waitangi.....	33
6.2	Resource Management Amendment Act 2020.....	33
6.3	National Policy Statement on Freshwater Management 2020	33
6.4	National Policy Statement on Urban Development 2020	34
6.5	COVID-19 Recovery (Fast-Track Consenting) Act 2020.....	34
6.6	Heritage New Zealand Pouhere Taonga Act 2014.....	34
6.7	Local Government Act 2002	35
6.8	Protected Objects Act 1975.....	35
6.9	Te Ture Whenua Maaori Act 1993	36
6.10	Te Tiriti o Waitangi 1840	36
6.11	Auckland Plan 2050.....	36
6.12	Auckland Unitary Plan (Operative in Part) 2016	37
6.13	Hibiscus and Bays Local Board Plan	38
6.14	Ngaati Whanaunga Deed of Settlement.....	38
6.15	Ngaa Mana Whenua o Taamaki Makaurau Collective Redress Act 2014	38
6.16	Marutuahu Treaty Settlement	39
6.17	Ngaati Whanaunga Iwi Management Plans.....	40
7	Description of Existing Cultural Values	41
7.1	Site Location	41
7.2	The Mahurangi-Mangawhai Old Land Claims	42
7.3	Natural and Physical Resources (Mana and Mauri).....	43
7.3.1	Climate.....	44
7.3.2	Topography	44
7.3.3	Geology.....	44
7.3.4	Groundwater	44
7.3.5	Surface Water.....	44
7.3.6	Wetland	44
7.3.7	Vegetation	45
7.3.8	Fauna.....	45
7.3.9	Infrastructure.....	45
7.4	Waahi Tapuu	46
7.4.1	Waahi Tapuu.....	46

7.5	Resource Values.....	46
7.5.1	Rawa tuuturu (Customary Resources)	46
7.5.2	Hiahiatanga tuuturu (customary needs)	46
7.5.3	Whakaaronui o te Wa.....	46
8	Cultural Values in the Surrounding Area	47
8.1	Places of Historic and Cultural Interest (Koorero-o-mua)	47
8.1.1	Tikapa Moana (Hauraki Gulf)	47
8.1.2	Whangaparaoa Peninsula	47
8.1.3	Marutuuaahu Iwi Collective Redress.....	47
8.1.4	Taamaki Makaurau Collective Redress	48
8.2	Sites of Historic or Cultural Interest	49
8.2.1	Papakainga	49
8.2.2	Portage	49
8.2.3	Maaori Place Names	49
8.2.4	Archaeological Sites	49
8.3	Summary of Cultural Values Relating to the Project.....	51
9	Assessment of Cultural Effects	52
10	Recommendations	57
11	Conclusions.....	58
12	References	61

Figures

Figure 4.1	Site Location
Figure 4.2	Site Topography
Figure 4.3	Overland Flow Paths and Flood Plains
Figure 4.4	Auckland Unitary Plan (Operative in Part) 2016 Zones
Figure 4.5	Site Plan
Figure 4.6	Location of the Penlink
Figure 7.1	Location Map
Figure 7.2	Mahurangi-Mangawhai Old Land Claims
Figure 8.1	Marutuuahu Iwi Collective Redress Sites Near the Project Site
Figure 8.2	Taamaki Makaurau Collective Redress Site Near the Project Site
Figure 8.3	Archaeological Sites in the Silverdale Area

Tables

Table 3.1	Reason for Resource Consent
Table 3.2	Report Sections
Table 5.1	Technical Reports
Table 5.2	Assessment Criteria for the Protection of Mana Whenua Cultural Heritage
Table 5.3	Assessment Criteria for the Identification and Evaluation of Historic Heritage
Table 5.4	Criteria for Describing the Magnitude of Effects
Table 5.5	Describing Level of Effects
Table 6.1	Auckland Plan 2050 – Strategic Direction
Table 8.1	Summary of Cultural Values Relating to the Project
Table 9.1	Assessment of Cultural Effects
Table 10.1	Recommendations

Appendices

Appendix 1	Rohe – Ngaati Whanaunga
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Help and support was gratefully received from

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Stuart Renata	Ngaati Whanaunga Incorporated Society	Kaitiaki

Mihi

*Ngaa puke Ki Hauraki
Ka tarehua
E Mihi ana ki te whenua
E tangi ana ki te tangata
Ko Moehau ki Tai, ko Te Aroha ki Uta
Ko Tiikapa te Moana, Ko Hauraki te Whenua
Ko Marutuuahu te Tangata*

*Tihei mauri ora
Ko te wehi ki te Atua o ngaa mano
Tuauriuri, whaaioio
Kii ana te rangi me te whenua I te nui o toona korooria
Ngaa mihi ki a Ranginui e tuu iho nei raaua ko Papatuanuku e takoto nei!
Kia tuu mai anoo nga aahuatanga o te taiao*

*He tiimatanga koorero teenei I a maatou moo ngaa tikanga o Ngaati Whanaunga moo
Tiikapa Moana
Ko te wawata, te tuumanako, kia marama ake ai taatou, Ngai Maaori I ngaa tikanga, I ngaa
kaupapa, me ngaa koorero a ngaa maatua tuupuna, kia kaha ake ai taatou ki te tiaki, te
poipoi, te manaaki hoki I te taiao e noho nei taatou.*

2 Background

2.1 Purpose

Build Rich Limited (**BRL**) has commissioned Ngaati Whanaunga Incorporated Society (Ngaati Whanaunga) to undertake a Cultural Impact Assessment for the proposed residential development and subdivision at 1 Silverwater Drive and 2150 East Coast Road, Silverwater under the COVID-19 Recovery (Fast Track Consenting) Act 2020 and resource consent processes.

2.2 Whakapapa

This Cultural Impact Assessment (CIA) has been prepared by Ngaati Whanaunga. Ngaati Whanaunga is an independent iwi and is made up of several distinct hapuu and whaanau. Whanaunga father was Marutuuahu. Marutuuahu is the name of Whakaminenga (a confederation) of tribes of Pare Hauraki. It comprises iwi who are descended from Marutuuahu marriages to two sisters from Ngaati Pou (te uri o Poutukeka) of the Wharekawa and Taamaki. Their names were Paremoehau and Hineurunga, both daughters of Ruahiore. The tribes who constitute this Whakaminenga, have taken the names of the children from the marriages described above.

From the first marriages came Tamatepoo, Tamateraa and Whanaunga (Ngaati Whanaunga); from the second marriage came Te Ngako and Taurakapakapa. These tuupuna are the progenitors of the tribes that make up the many hapuu of the Marutuuahu of Pare Hauraki.

Tamatepoo consists of (among others): Ngaati Rong-u, Ngaati Pakira, and Te Uringahau; Ngaati Tamateraa (of Tamateraa); Ngaati Whanaunga (of Whanaunga); Ngaati Maru (of Ngako and Taurakapakapa); and Ngaati Paaoa (of Tamateraa's granddaughter Tukutuku and her husband Paaoa of Waikato); and (all the aforementioned) hapuu. A detailed account of Ngaati Whanaunga historical relationships with hapuu of neighbouring iwi is described in the Ngaati Whanaunga Mandate Strategy (2011).

Ngaati Whanaunga trace their descent to the Tainui waka and Te Arawa waka. In Maori tradition, Tainui was one of the great ocean-going canoes in which Polynesians migrated to New Zealand approximately 800 years ago. Similarly, Te Arawa is known as one of the great ocean-going voyaging canoes in Maori traditions that was used in the migrations that settled New Zealand.

2.3 Rohe (Area of Interest)

The breadth and width of our tribal rohe (refer to **Appendix 1**) is captured in the tribal saying “*Mai Matakana ki Matakana*” – it extends along the east coast from the sunken reefs of Ngaa Kuri-a-Wharei near Matakana Island in the south; up through parts of the Tamaki isthmus, Takapuna, Whangaparaoa, and Mahurangi to the Matakana River estuary in the north. The western boundary extends to Mount Te Aroha, along the ranges of Te Hapu-a-Kohe and the Hunua Ranges to Moumoukai and Papakura.

The seaward boundary of our rohe includes parts of Aotea (Great Barrier Island) to its origin of Ngaa Kuri-a-Wharei ki Te Arai o Tahuhuniarangi including the inner gulf islands of Tikapa Moana (Hauraki Gulf/Firth of Thames) and offshore islands along the eastern coastline of Te Tai Tamawahine excluding Tuhua Island (refer to Turoa 1997). We consider our rohe as a land and maritime empire. We nurture its resources so it (in turn) can nurture us.

2.4 Ngaati Whanaunga Incorporated Society

On 29 June 2011, the Crown recognised the mandate of the Ngaati Whanaunga Incorporated Society and the mandated negotiators to negotiate a comprehensive settlement of the historical te Tiriti o Waitangi (the Treaty of Waitangi) claims of Ngaati Whanaunga with the Crown.

On 25 August 2017, Ngaati Whanaunga and the Crown initialled a Deed of Settlement (the Deed). The Deed is subject to ratification by the members of Ngaati Whanaunga and conditional on the enactment of the settlement legislation. Subject to ratification by the members of Ngaati Whanaunga, the Ngaati Whanaunga Ruunanga Trust will manage the settlement assets on settlement. In addition, Ngaati Whanaunga is a member of Ngaa Whenua o Taamaki Makaurau (the Taamaki Collective); Pare Hauraki Collective and the Marutuuahu Collective.

2.5 Strategic Direction

Ngaati Whanaunga over-arching mission is *“to enhance the wellbeing of our people both now and in the future by ensuring the sustainable management of our resources.”* This is encapsulated in our vision *“Ngaati Whanaunga – Healthy and Prosperous People, Whaanau & Hapuu, Business and Environment.”*

Our core objectives seek to ensure the long-term wellbeing of our land, freshwater, coastal and marine areas, biodiversity, air, culture, and heritage such as historic structures, archaeological sites, places of significance that may include nature features such as trees, springs, rivers, or mountains which were associated with historical or cultural activities or events. These areas help connect our people to the land and maintain our strong sense of belonging within the Auckland, Waikato, and Bay of Plenty Regions (ie. the extent of our rohe).

2.6 Approach

Ngaati Whanaunga recognise the interconnectedness between all living and non-living elements, their dependence on each other and the linkages between the life supporting capacity of healthy ecosystems and people’s wellbeing.

These linkages are explained in the story of Ngaati Whanaunga creation from Te Kore (the nothingness) through to Te Po (the night), to Te Ao Marama (the world of light). The latter explains how the landscape, people, plants, and animals came into being as children of Ranginui (our sky father) and Papatuanuku (our earth mother). Mauri is the essence by which we are all connected. It is the bond Ngaati Whanaunga share with the living, the non-living, past, current, and future generations to come.

Any degradation of this life force affects the wellbeing of the environment, and by association Ngaati Whanaunga wellbeing as a people. For Ngaati Whanaunga, the inextricable kinship between people and the natural world creates an obligation to nurture the environment, so it (in turn) can nurture us. This relationship is expressed as kaitiakitanga – the cultural practice of guardianship and environment grounded in Maatauranga Maaori.

Our motivation for working with you via the resource management process is to help integrate Maatauranga Maaori and tikanga to help enhance the sustainable management of resources for Ngaati Whanaunga and Auckland as a whole.

3 Introduction and Project Overview

3.1 Summary of Proposed Work

Build Rich Limited are proposing to undertake several activities relating to the residential development and subdivision at 1 Silverwater Drive, Silverwater..

Residential Development includes:

- Construction of 276 new dwellings (15 terraces and 261 stand alone)
 - Designed in general compliance with the development standards of the Residential – Mixed Housing Urban planning zone with associated Auckland-wide rules
 - In instances where there are infringements, the proposal has been designed to minimise and mitigate any potential adverse effects
- Retention, restoration, and protection of the existing wetland located on the southern boundary of the site with continued stormwater runoff from the surrounding catchment
- Bulk earthworks (cut volumes of 149,881m³ and fill volumes of 219,703m³) include:
 - Construction of a mechanically stabilised earth wall running the length of the subdivision in a north-south direction creating upper and lower development levels
 - Planting out the earth wall (above) with native species
 - Using fill to fill a steep area across the northern portion of the site and reduce the steepness of its gradient
 - Earthworks over an existing overland flow path
 - A series of under fill drainage to be laid within the existing overland flow paths to collect groundwater seepage and not convey the overland flow path
- Provision for stormwater management including:
 - Stormwater from Catchment Area 1 (Area) will drain into the existing stormwater wetland within the nearby Park and Ride site to the north
 - Stormwater Catchment run will discharge into the existing natural drainage channels to the south and west of the development
 - A section of Road 3 will discharge into the natural water channel to the south and recharge the wetland on the southern boundary
- Installation of infrastructure across the entire subject site including provision for:
 - Wastewater
 - Water supply
 - Fire hydrants
 - Power
 - Telephone
 - Internet

Subdivision includes:

- 278 residential lots around the proposed dwellings (261)
- 26 vacant residential lots located along the southern end of proposed Road 5 and Road 6 adjacent to the boundary with 2118 East Coast Road
- Installation of a subdivision road designed in accordance with the Silverwater 3 sub-precinct B Plan
- Four jointly owned access lots (JOALS) to serve the terraced houses and the private Road 4 serving Lots 134 - 149 and 187 – 202
- Pedestrian Accessways to vest in Auckland Council

- Roads to vest in Auckland Council
- Land covenants over lots containing the Mechanically Stabilised Earth wall and wetland

3.2 Reason for Consent

Aspects of the work require resource consent under the Resource Management Act 1991 (**the RMA**). A detailed description of statutory requirements is provided in the Projects (overall) Assessment of Environmental Effects (**AEE**) prepared by Campbell Brown 2021.

We understand that the project is being designed in general compliance with the development standards of the Residential – Mixed Housing Urban Zone and associated Auckland-wide rules.

In summary, resource consent will be sought for:

- Residential Mixed Housing Suburban Development
- Taking, using, damming and diversion of water and drilling
- Stormwater – Discharge and diversion
- Construction in a Stormwater management area – Flow 1 and Flow 2
- Land disturbance - District
- Transport
- Natural hazards and flooding
- Subdivision – Urban

Specific rules and their associated activity status are described in **Table 3.1** below.

Table 3.1 Reason for Resource Consent

Type	National Environmental Standard for Freshwater	
Rule	Reason for Consent	Activity Status
Sub-part 1, 39 (1)	The clearance of vegetation within, or within a 10m setback from a natural wetland is a restricted activity if it (a) is for the purpose of natural wetland restoration, and (b) and does not comply with Clause 38(4)(b) in that the proposed works area will occur more than 10% of the natural wetland	Restricted Discretionary Activity
Sub-part 1, 54	(a)The clearance of vegetation within a 10m setback from a natural wetland; (b) earthworks within a 10m setback from a natural wetland; (c) diversion of water within a 100m setback from a natural wetland are non-complying activities if they do not have another status under this subpart	Non-Complying Activity
Auckland Unitary Plan – Operative in Part 2016		
Standard	Silverdale 3 Precinct (all of precinct)	
Rule	Reason for Consent	Activity Status
Rule 1537.4.1 (A1)	New Buildings	Restricted Discretionary Activity
Standard	Silverdale 3 Precinct Sub-precinct B – Gateway Residential	
Rule	Reason for Consent	Activity Status

Rule 1537.4.3 (A26)	New buildings	Restricted Discretionary Activity
Standard	Chapter H4 – Residential Mixed Housing Suburban	
Rule	Reason for Consent	Activity Status
Rule H5 (A4)	The proposal involves construction of 261 new dwellings	Restricted Discretionary Activity
Standard	Chapter E7 – Taking, using, damming and diversion of water and drilling	
Rule	Reason for Consent	Activity Status
Rule E7.4.1 (A13)	Diverting surface water not meeting the permitted activity standards or not otherwise listed	Discretionary Activity
Rule E7.4.1 (A28)	The diversion of groundwater caused by any excavation, (including trench) or tunnel that does not meet the permitted activity standards or not otherwise listed	Restricted Discretionary Activity
Standard	Chapter E8 – Stormwater - Discharge and diversion	
Rule	Reason for Consent	Activity Status
Rule E8.4.1 (A9)	Diversion and discharge of stormwater runoff from impervious areas greater than 1000m ² and up to 5000m ² within an urban area, that complies with Standard E8.6.1 and Standard E8.6.3.1	Controlled Activity
Standard	Chapter E10 – Stormwater management area – Flow 1 and Flow 2	
Rule	Reason for Consent	Activity Status
Rule E10.4.1 (A3)	Development of new or redevelopment of existing impervious areas greater than 50m ² within Stormwater management area control – Flow 1 complying with Standard E10.6.1 and Standard E10.6.4.1 requires consent as a Restricted Discretionary activity.	Restricted Discretionary activity
Rule E10.4.1 (A7)	Development of new or redevelopment of existing impervious areas greater than 5,000m ² for a road, motorway or state highway operated by a road controlling authority or rail corridor within Stormwater management area control – Flow 1 that complies with Standard E10.6.1 and Standard E10.6.4.2	Restricted Discretionary activity
Standard	Chapter E11 – Land Disturbance - Regional	
Rule	Reason for Consent	Activity Status
Rule E11.4.1 (A5)	Greater than 50,000m ² where land has a slope less than 10 degrees outside the Sediment Control Protection Area requires consideration as a Restricted Discretionary activity.	Restricted Discretionary activity.
A8	Greater than 2,500m ² where the land has a slope equal to or greater than 10 degrees requires consideration as a Restricted Discretionary activity.	Restricted Discretionary activity.
A9	Greater than 2,500m ² within the Sediment Control Protection Area	Restricted Discretionary activity.

	requires consideration as a Restricted Discretionary activity.	
Standard	Chapter E12 – Land Disturbance - District	
Rule	Reason for Consent	Activity Status
Rule E12.4.1 (A6)	Land disturbance greater than 2,500m ²	Restricted Discretionary Activity
Rule E12.4.1 (A10)	Land disturbance greater than 2,500m ³ in volume	Restricted Discretionary Activity
Standard	Chapter E27 - Transport	
Rule	Reason for Consent	Activity Status
A2	Parking, loading and access which is an accessory activity, but which does not comply with the standards for parking, loading and access, requiring consideration as a Restricted Discretionary activity. Standard infringed:	Restricted Discretionary activity
Rule E27.6.3.4	Reverse manoeuvring	Restricted Discretionary activity
Rule E27.6.3.6	Formations and Gradients	Restricted Discretionary activity
Rule E27.6.4.1	Vehicle Access Restrictions	Restricted Discretionary activity
Rule E27.6.4.2	Width and Number of Vehicle Crossings	Restricted Discretionary activity
Rule E27.6.4.4	Gradient of Vehicle Access	Restricted Discretionary activity
(A3)	Any activity or subdivision which exceeds the trip generation Standard E27.6.1	Restricted Discretionary Activity
Standard	Chapter E36 – Natural hazards and flooding	
Rule	Reason for Consent	Activity Status
Rule E36.4.1 (A41)	Diverting the entry of exit point, piping or reducing the capacity of any part of an overland flow path	Restricted Discretionary Activity
Rule E36.4.1 (A42)	Any buildings or other structures, including retaining walls (but excluding permitted fences and walls) located within or over an overland flow path	Restricted Discretionary Activity
Rule E36.4.1 (A51)	All other buildings and structures, on land which may be subject to land instability not otherwise provided for	Restricted Discretionary Activity
Standard	Chapter E38 – Subdivision - Urban	
Rule	Reason for Consent	Activity Status
Rule 38.4.1 (A11)	Subdivision of land within a 1 per cent annual exceedance probability floodplain	Restricted Discretionary Activity
Rule E38.4.2 (A14)	Subdivision in accordance with an approved land use resource consent complying with Standard E38.8.2.1	Restricted Discretionary Activity

*We understand that requirements may change, please keep us updated (as required)

Overall, the application is a **Non-Complying Activity**.

3.3 Other Consents Relevant to the Proposal

A bulk earthworks consent was granted in November 2021 to accept fill from a neighbouring site to be placed in the northern area of the site. As described (above), the fill is being used to help reduce the steepness of the existing gradient.

Ngaati Whanaunga also understands that the applicant has recently applied for resource consent to undertake a small boundary adjustment between the project site and 2 Pohewa Road to the north. The proposed adjustment would occur at the western corner of the shared boundary and allow the design of the proposed subdivision at 1 Silverdale Road to align with that approved to the north and make efficient use of the land across both sites.

3.4 Report Purpose

The purpose of this Cultural Impact Assessment (CIA) is to ensure the principles, significant values, and issues of Ngaati Whanaunga are articulated, acknowledged, and understood as part of the application for approvals. This report forms part of a wider suite of technical reports informing the overall assessment of environmental effects and contributes to the wider decision-making process.

The specific purpose of this report is to:

- Provide a description of the history, cultural values, interests, and associations of Ngaati Whanaunga in the Project area
- Assess how the proposed activities may influence these values (above); and
- Provide recommendations as to how to avoid, remedy or mitigate identified cultural effects.

3.5 Report Structure

This report is organised into eleven sections and appendices as follows:

Table 3.2 Report Sections

Section 1	Executive Summary
Section 2	Background
Section 3	Introduction & Project Overview
Section 4	Description of Proposed Works
Section 5	Methodologies
Section 6	Statutory Context
Section 7	Existing Environment
Section 8	Assessment of Cultural Effects
Section 9	Recommendations
Section 10	Conclusions
Section 11	References
	Appendices

4 Description of Proposed Works

4.1 Site Location

The project site is located at **1 Silverwater Drive** (LOT 7 DP 545151) and **2150 East Coast Road** (Pt LOT 1 DP 44249, Allot 304 Psh of Okura SO 46342), Silverdale. The total site area is 10,2900 hectares (**Figure 4.1**). The boundary with East Coast Road is interrupted by 2118 East Coast Road which is owned by a third party and not subject to the proposal.

Figure 4.1 Site Location

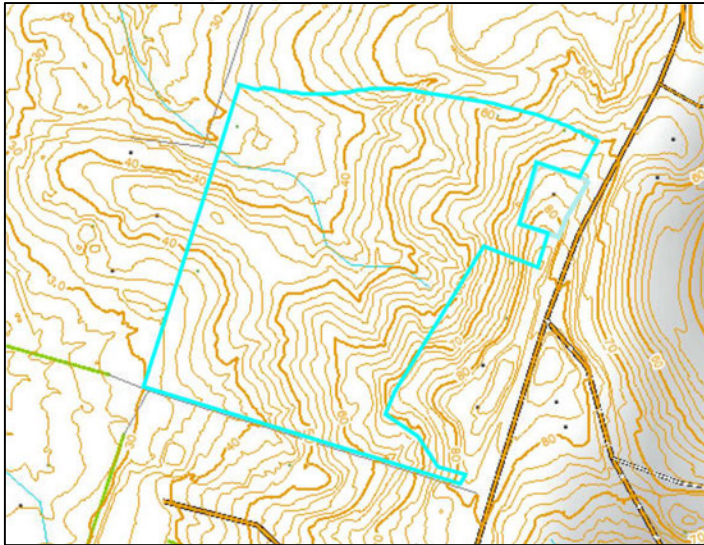


Source: Auckland Council GeoMaps 2022

Copies of Records of Title are provided in Appendix A of the applications supporting technical documents.

The site slopes steeply up from East Coast Road boundary at 2150 East Coast Road. It then slopes down from east to west with undulating contours from north to south (**Figure 4.2**).

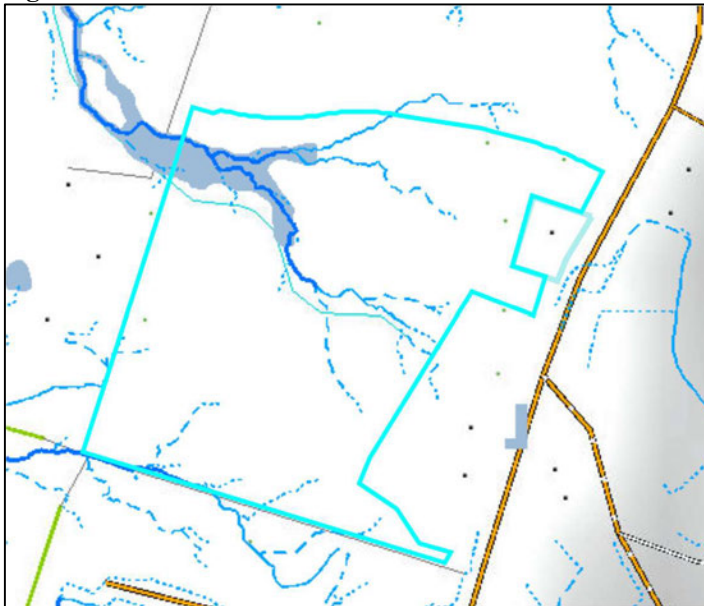
Figure 4.2 Site Topography



Source: Auckland Council GeoMaps 2022

Several overland flow paths traverse the site (see **Figure 4.3** below); most drain through a gully system in both an east to north west and east to south west direction, as well as part of the north western development area. Flood Plain is located northwest corner of the site where they exit via a neighbouring site. A smaller network drains to the south boundary through a small wetland into adjacent properties.

Figure 4.3 Overland Flow Paths and Flood Plains



Source: Auckland Council Geomaps 2022

All sites are zoned **Residential – Mixed Housing Suburban** (MHS and subject to the **Silverdale 3 sub-precinct B** Unitary Plan Precinct requirements).

As described in the Auckland Unitary Plan (Operative in Part) 2016, the Silverdale 3 Precinct includes approximately 41ha of land located between East Coast Road and State Highway 1 referred to as the Hibiscus Coast Gateway. The precinct provisions seek to achieve a high-quality urban design outcome with a visually strong vegetated framework. All development within the precinct is anticipated to require careful management to assist in creating a high-quality gateway to the Hibiscus Coast and manage the traffic effects of activities on the surrounding road network.

The intent of the Residential – Mixed Housing Suburban zone is to provide for reasonably high-intensity zone enabling a greater intensity of development than previously provided for. Over time, the appearance of neighbourhoods within the zone will change, with development typically up to three storeys in a wide variety of sizes and forms, including detached dwellings, terrace housing and low rise apartments. These supports increasing the capacity and choice of housing within neighbourhoods, as well as promoting walkable neighbourhoods, fostering a sense of community and increasing the vitality of centres.

Up to three dwellings are permitted as of right subject to compliance with the standards. This is to ensure a quality outcome for the adjoining site and the neighbourhood, as well as residents within the development site. Resource consent requirements enable the design and layout of the development to be assessed; recognising that the need to achieve quality design is important as the scale of development increases.

The Project Site is subject to the following Unitary Plan Controls:

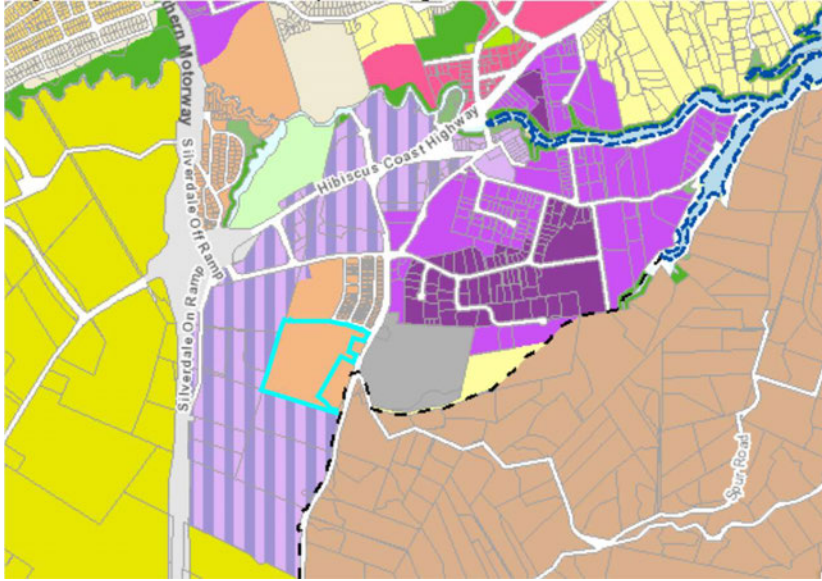
- Macroinvertebrate Community Index – Exotic
- Macroinvertebrate Community Index – Rural
- Stormwater Management Area Control – Silverdale South, Flow 1

There are no designations relevant to the project site.

Silverwater Drive has been classified as a Local Road; East Coast Road is classified as an Arterial Road. The boundary at East Coast Road is interrupted by 2118 East Coast Road which is owned by a third party and not the subject of the application.

As described in **Figure 4.4**, the site is largely embedded in a General Business Zone (grey and purple stripes). To the east of the site is a Heavy Industry Zone (dark purple); and Light Industry Zone (light purple). A Countryside Living Zone lies to the east of the site (light brown); and a Future Urban Zone to the west.

Figure 4.4 Auckland Unitary Plan (Operative in Part) 2016 Zones



Source: Auckland Council Geomaps 2022

Access to the development will be via Silverwater Drive which will be completed as part of the existing resource consent (SUB60343366-C) currently being implemented to the north of the subject site.

The site is located in Silverdale in close proximity to the local centre and community facilities. In addition, the project site is within walking distance of the northern bus way interchange and associated commercial development and close to State Highway 1.

4.2 Proposal

As described in Campbell-Brown (2021), the proposal is for resource consent to enable the construction of 276 new dwellings (15 terraces and 261 standalone) to be separated into freehold lots around the associated landscape and service areas. The proposal also includes 26 additional vacant residential lots. The construction of the proposed subdivision includes significant bulk earthworks (also refer to **Section 3.1**), and the installation of infrastructure across the entire site.

The proposal includes dwellings designed to accommodate a variety of household requirements relating to the size of the household as well as though requiring provision for multigenerational households. Proposed houses are predominantly stand alone though there are some terraced houses proposed throughout the seven-block development. The proposal showcases 33 unique typologies of homes with variation provided through the dwelling style (ie stand alone or terraced); number of bedrooms (range from 3 to 5); split level or single level; floor area, finishing materials; and onsite carparks.

The proposal includes provision for an integrated transport network that includes the extension of a proposed arterial spine road which will connect the site and surrounding business zoned land to the south and west, with business zoned land to the north including the existing bus station, Hibiscus Coast Highway and the State Highway One intersection at

Silverdale. The proposed pedestrian connection will also connect within and across the development site in an east-west alignment.

All dwellings will have onsite carparking with vehicle crossings directly outside Lots 150, 151, and 152 on Block 3C who will share a driveway from Road 3. Lots 28 and 84 (proposed for terrace housing) will also have shared driveways access from the adjacent new roads.

It is proposed that the new residential lots will be serviced by the Auckland Council rubbish collection service. Hence roads have been designed to accommodate heavy vehicles.

A site plan is provided in **Figure 4.5** (overpage). Ngaati Whanaunga understand that these project features are subject to further refinements during the detailed design phase.

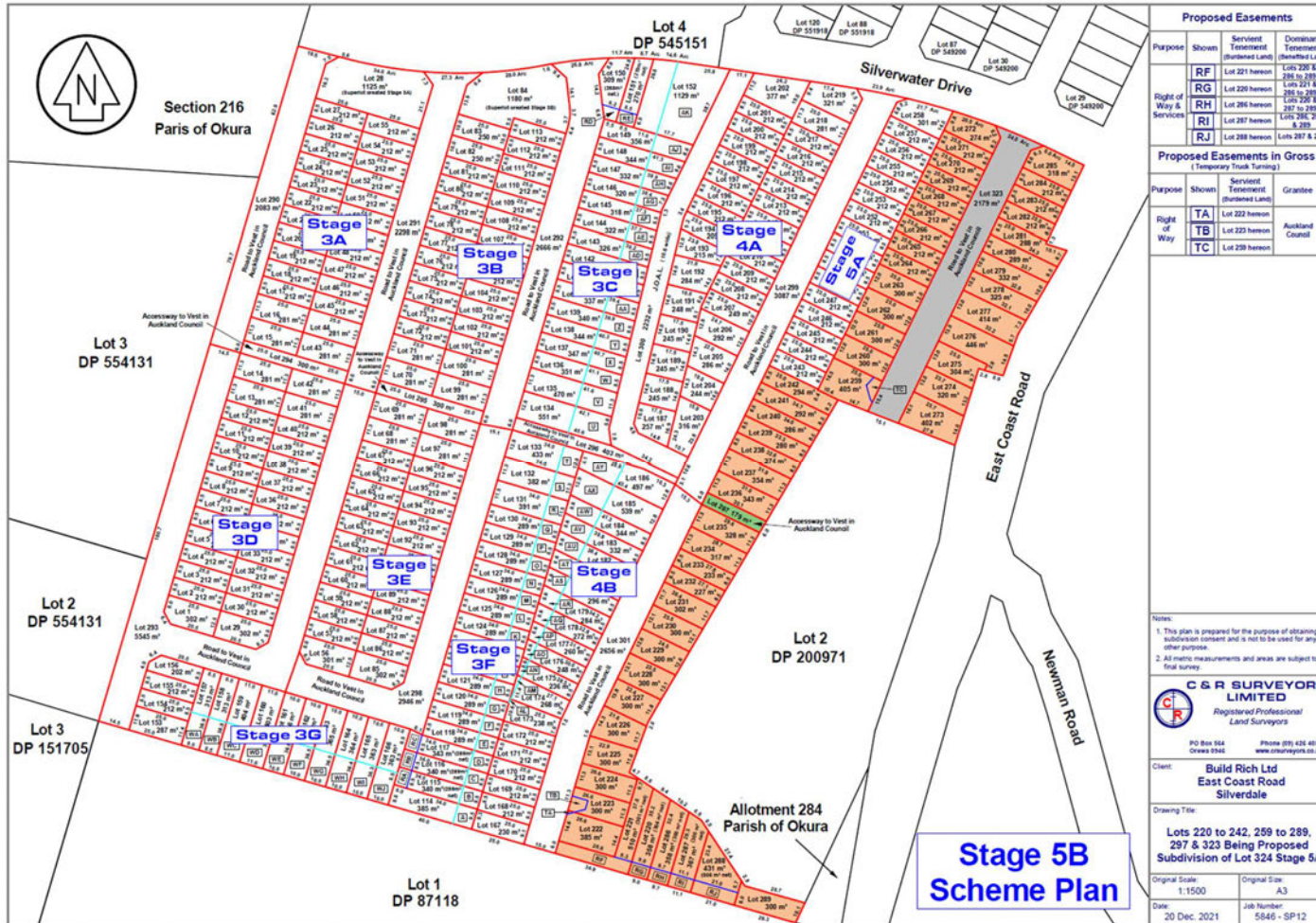
In accordance with the Auckland Unitary Plan, Table I537.4.1 (A5), the application is proposed on the basis that the proposed houses will not be occupied until the physical construction works of Penlink between Weiti River and Whangaparaoa Road has commenced. Ngaati Whanaunga understand that construction works for the Penlink are commencing in 2022 and are anticipated to end in 2026 (also refer to **Figure 4.6**). Hence, understand that this condition will not have any effects (at least on timing) on the development.

Figure 4.6 Location of the Penlink



Source: New Zealand Transport Agency website, 2022

Figure 4.5 Site Plan



4.1 Construction Management

At this stage, the proposal is in its infancy. Detailed construction methods and site management are yet to be developed. However, we understand that the project will use standard engineering methods for earthworks and construction of infrastructure. An indicative description of subdivision and construction management are provided in the sections below.

4.1.1 Subdivision Management

Ngaati Whanaunga understands that the proposed subdivision will be undertaken in seven stages and 13 sub-stages (refer to **Figure 4.5**).

The subdivision will start at the lower development level as Stage 3 and progress to the upper development level. Stage 4 will run along the top of the “Green Spine.” Stage 5 comprises the easternmost lots to the east of Road 5 and along Road 6.

While sub-division around the individual terraced housing and shared driveways are noted as Stage 6 and Stage, the practical development of these lots may occur anytime following completion of Stages 3A & 3B.

4.1.2 Construction Duration and Timing

It is anticipated that works will be staged as follows: -

1. Proposed bulk earthworks
 - a. Undertaken at the start of construction and includes the Mechanically Stabilised Engineered batter (Green Spine)
 - b. Final trimming of lots and construction of retaining walls will be done stage by stage as the subdivision progresses around the site
2. Installation of stormwater and wastewater infrastructure the proposed bulk earthworks will be done at the start of construction
 - a. For continuity, stormwater and wastewater is being laid ahead of the proposed subdivision stages and vested in stages (refer to **Section 3.3** above)
3. Installation of the road network
 - a. This will be progressed one road at a time to coincide with the subdivision stage releases
4. Installation of water supply and utility services
 - a. Water supply and utility will mirror road construction

4.1.3 Management Plans

The project will be managed in accordance with the following:

- Landscape Framework
- Various strategies to manage bulk earthworks (see the geotechnical investigation – Appendix G)
- Earthworks erosion and sediment control measures
- Traffic management
- Site health and safety measures

5 Methodologies

During the initial scoping phase of this project, we undertook a site visit to identify constraints and potential opportunities in the Project Area. In Phase 2, we undertook a desktop literature review (described in more detail below).

5.1 Desktop Literature Review

Assessment of the site was undertaken via historical accounts (i.e., oral history) and a literature review to summarise existing information available about the site. These included:

5.1.1 Oral History

- Michael Baker
- Hoani Naahe (deceased c.1870)
- Toko Renata (have previously provided, now deceased)
- Betty Williams (have previously provided, now deceased)

5.1.2 Legislation and Planning Documents

- Resource Management Act 1991
- Resource Management Amendment Act 2020
- National Policy Statement on Freshwater Management 2020
- National Policy Statement on Urban Development 2020
- COVID-19 Recovery (Fast-Track Consenting Act) 2020
- Heritage New Zealand Pouhere Taonga Act 2014
- Local Government Act 2002
- Protected Objects Act 1975
- Te Ture Whenua Maaori Act 1993
- Te Tiriti o Waitangi 1840
- Auckland Plan 2050
- Auckland Unitary Plan (Operative in Part) 2016
- Hibiscus and Bays Local Board Plan
- Ngaati Whanaunga Treaty Settlements
- Ngaa Mana Whenua o Taamaki Makaurau Collective Redress Act 2014
- Marutuahu Treaty Settlement
- Ngaati Whanaunga Iwi Management Plans

5.1.3 Supporting Technical Reports

Table 5.1 Technical Reports

Appendix	Title
A	Record of Title
B	LUC6038671 – Bulk Earthworks Consent
C	Scheme Plan, prepared by C & R Surveyors Limited, 20 December 2021
D	Architectural Drawings, Part 1 of 3 – Masterplan & Site Compliances, prepared by ASC Architects, 3 December 2021
D	Architectural Drawings, Part 2 of 3 – Plans, Elevations, Sections, & 3D Perspectives, prepared by ASC Architects, 3 December 2021
D	Architectural Drawings, Part 3 of 3 – Typologies, prepared by ASC Architects, 3 December 2021
E	Engineering Memos and Drawings, prepared by Aspire Consulting Engineers, 17 December 2021
E1	Wetland Memo, prepared by Aspire Consulting Engineers, 17 December 2021
E2	Earthworks Memo, prepared by Aspire Consulting Engineers, 17 December 2021
E3	Stormwater Memo, prepared by Aspire Consulting Engineers, 17 December 2021
E4	Water Supply Memo, prepared by Aspire Consulting Engineers, 17 December 2021
E5	Wastewater Memo, prepared by Aspire Consulting Engineers, 17 December 2021
E6	Road Design Memo, prepared by Aspire Consulting Engineers, 17 December 2021
F	Ecological Assessment (Wetland) prepared by Boffa Miskell, 21 December 2021
G	Geotechnical Investigation, prepared by CMW Geosciences, 17 December 2021
H	Urban Design Assessment, prepared by ET Urban Design Limited
I	Landscape Plans – Greenwood Associates, 17 December 2021
J	Transportation Assessment, prepared by Traffic Planning Consultants, December 2021
K	Assessment Against AUP Standards, prepared by Campbell Brown Planning Limited, 17 December 2021
L	PRR0037956 Pre-Application Meeting Minutes (30 August 2021 & 27 September 2021) including comments from Auckland Transport (22 September 2021)
M	Assessment Criteria Table, prepared by Campbell Brown Planning Limited, 17 December 2021

5.1.4 Historic and Aerial Photos

- Auckland Council GeoMaps GIS viewer

5.1.5 Publicly Available Databases

- Aerial photos
- Alexander Turnbull Tiaki online collection
- Auckland Council Cultural Heritage Inventory (CHI)
- Auckland Council GeoMaps GIS viewer
- Department of Conservation (DoC)
- Heritage New Zealand Heritage List / Rarangi Korero of historic places, historic areas and wahi tapu areas
- Heritage New Zealand online reports database
- LINZ database of historic maps and survey plans via Quickmaps
- Ministry for the Environment (MfE)
- New Zealand Historic Places Trust (NZHPT)
- NZ Archaeological Associations Site Recording Scheme

5.2 Site Visit

A site visit was undertaken by Stuart Renata, Kaitiaki, Ngaati Whanaunga on 4 March 2021 with Kate Morrissey, Senior Planner, Campbell-Brown Planning Limited. This was used to understand the Project proposal and assess cultural features in relation to planned Project activities.

5.3 Assessment Methods

The framework used for this CIA is based on assessment criteria described in the Auckland RPS **B6.5 Protection of Mana Whenua cultural heritage**, Policy B6.5.2 (2)(a) to (f); augmented with an Explanation of Terms sourced from the Waikato RPS, Section 10A Table 10-2 Maaori culture ad traditions assessment criteria; and Auckland RPS **B5.2.2 Policies: Identification and evaluation of historic heritage places** (1) (a) to (h) as they relate to Ngaati Whanaunga historic places, historic areas, and waahi tapu (refer to **Table 5.2** and **Table 5.3** (respectively).

5.3.1 Assessment Criteria for the Protection of Mana Whenua Heritage

Table 5.2 Assessment Criteria for the Protection of Mana Whenua Cultural Heritage

(a)	Mauri: ko te mauri me te mana o te waahi, te taonga raanei, e ngaakaunuitia ana e te Mana Whenua.	The mauri (life force and life-supporting capacity) and mana (integrity) of the place or resource holds special significance to Mana Whenua.
(b)	Waahi tapu: ko teeraa waahi, taonga raanei he waahi tapu, araa, he tino whakahirahira ki ngaa tikanga, ki ngaa puri mahara, o ngaa wairua a te Mana Whenua	The place or resource is a wahi tapu of special, cultural, historic metaphysical and or spiritual importance to Mana Whenua
(c)	Koorero Tuuturu /historical: ko teeraa waahi e ngaakaunuitia ana e te Mana Whenua ki roto i oona koorero tuuturu.	The place has special historical and cultural significance to Mana Whenua;
(d)	Rawa Tuuturu /customary resources: he waahi teeraa e kawea ai ngaa rawa tuuturu a te Mana Whenua.	The place provides important customary resources for Mana Whenua
(e)	Hiahiatanga Tuuturu /customary needs: he waahi teeraa e eke ai ngaa hiahia hinengaro tuuturu a te Mana Whenua.	The place or resource is a repository for Mana Whenua cultural and spiritual values; and
(f)	Whakaaronui o te Wa /contemporary esteem: he waahi rongonui teeraa ki ngaa Mana Whenua, araa, he whakaahuru, he whakawaihanga, me te tuku maatauranga.	The place has special amenity, architectural or educational significance to Mana Whenua
Explanation of Terms		
	Hiahiatanga tuuturu	means those parts of the landscape that are important for the exercise of tikanga – the principles and practices to maintain the mauri of parts of the natural world. This might be a place where a particular ritual is performed or a particular feature that is noted for its ability to identify the boundaries of ancestral tribal lands that is acknowledged in iwi or hapuu oratory
	Koorero-o-mua	refer to places that are important due to historical and traditional associations (in pre-European history).
	Rawa tuuturu	means the cultural value of places that provide, or once provided, important customary resources to taangata whenua. Customary resources might include food and materials necessary to sustain life in pre-European and post-European times.
	Whakaaronui	refers to the contemporary relationships taangata whenua have with Maaori heritage places. Appreciation of features for their beauty, pleasantness, and aesthetic values is important to taangata whenua. Recreational values attributed to features are also important to taangata whenua as they illustrate the relationship that individuals and groups can have with the environment.

5.3.2 Assessment Criteria for the Identification and Evaluation of Historic Heritage

Table 5.3 Assessment Criteria for the Identification and Evaluation of Historic Heritage

(a)	Historical	The place reflects important or representative aspects of national, regional or local history, or is associated with an important event, person, group of people, or with an idea or early period of settlement within New Zealand, the region or locality
(b)	Social	The place has a strong and special association with, or is held in high esteem by, a particular community or cultural group for its symbolic, spiritual, commemorative, traditional or other cultural values
(c)	Mana Whenua	The place has a strong or special association with, or is held in high esteem by, Mana Whenua for its symbolic, spiritual, commemorative, traditional or other cultural values
(d)	Knowledge	The place has potential to provide knowledge through archaeological or other scientific or scholarly study, or to contribute to an understanding of the cultural or natural history of New Zealand, the region or locality
(e)	Technology	The place demonstrates technical accomplishment, innovation or achievement in its structure, construction or use of materials
(f)	Physical Attributes	The place is a notable or representative example of:-
	(i)	A type of design or style
	(ii)	A method of construction, craftsmanship, or use of materials
	(iii)	The work of a notable architect, designer, engineer or builder
(g)	Aesthetic	The place is notable or distinctive for its aesthetic, visual or landmark qualities
(h)	Context	The place contributes to or is associated with a wider historical or cultural context, streetscape, townscape, landscape or setting

5.3.3 Criteria for Describing the Magnitude of Effects

Table 5.4: Criteria for Describing the Magnitude of Effects

Magnitude of Effects	Description
Very high/severe	Total loss of major alteration to key elements/features of the existing baseline conditions such that the post-development character and/or attributes will be fundamentally changes and may be lost from the site altogether ; and/or loss of a very high proportion of known cultural features
High	Major loss or major alteration to key elements/features of the existing baseline conditions such that the post-development character and/or attribute will be fundamental changes ; and/or loss of a high proportion of known cultural features
Moderate/medium	Loss or alteration to key elements/features of the existing baseline conditions such that the post-development character and/or attributes will be partially changed ; and/or loss of a moderate proportion of known cultural features
Low/minor	Minor shift away from existing baseline conditions. Change arising from the loss/alteration will be discernible, but the underlying character and/or attributes of the existing baseline conditions will be like pre-development circumstances or patters; and/or having a minor effect on known cultural features
Negligible	Very slight change from the existing baseline condition. Change is barely distinguishable, approximating to the “no-change” situation; and/or will have a negligible effect on known cultural features

The level of effect can then be determined through combining the value of the cultural feature/attribute with the score or rating for magnitude of effect to create a criterion for describing the level of effects (**Table 4.5**).

5.3.4 Describing Level of Effects

Table 5.5: Describing Level of Effects

Cultural Value	Very High	High	Moderate	Low
Very High	Very High	Very High	High	Moderate
High	Very High	Very High	Moderate	Low
Moderate	Very High	High	Low	Very Low
Low	Moderate	Low	Low	Very Low
Negligible	Low	Very Low	Very Low	Very Low

The cells highlighted in grey in **Table 4.5** would represent a “significant” effect. Cells with low or very low levels of effect represent low risk to cultural values rather than low cultural values *per se*. Moderate represents a level of effect that requires careful assessment and analysis of the individual case. These effects could be mitigated through avoidance, design, or extensive appropriate mitigation actions.

5.4 Assumptions and Limitations

The following assumptions and limitations apply to the scope of this Cultural Impact Assessment:

- This Cultural Impact Assessment has been informed by information available at the time of report preparation. Any changes to the proposal including construction methodologies may cause effects that have not been considered in this assessment

Ngaati Whanaunga would appreciate being kept updated regularly. We are keen to work proactively with you to enhance cultural values at the project site.

6 Statutory Context

This report has been prepared in accordance with requirements described in National Policy Standards; National Environmental Standards; Legislation; Treaty Settlements; and Ngaati Whanaunga Management Plans. For ease of reference relevant sections are described below.

6.1 Resource Management Act 1991

6.1.1 RMA, Section 5 – Purpose

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources
- (2) In this Act, **sustainable management** means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while –
 - (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
 - (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
 - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment

6.1.2 RMA, Section 6 – Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development:
- (b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development:
- (c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- (d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- (e) The relationship of Maaori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
- (f) The protection of historic heritage from inappropriate subdivision, use and development:
- (g) The protection of customary rights:
- (h) The management of significant risks from natural hazards.

6.1.3 RMA, Section 7 – Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have regard to –

- (a) Kaitiakitanga:
 - (aa) the ethic of stewardship:
- (b) the efficient use and development of natural and physical resources:
- (c) the maintenance and enhancement of amenity values:
- (d) intrinsic values of ecosystems:
- (e) [Repealed]
- (f) maintenance and enhancement of the quality of the environment:
- (g) any finite characteristics of natural and physical resources:
- (h) the protection of the habitat of trout and salmon:
- (i) the effects of climate change:
- (j) the benefits to be derived from the use and development of renewable energy.

6.1.4 RMA, Section 8 – Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

This report has been prepared with reference to requirements described in the Resource Management Act 1991; Te Tiriti o Waitangi; Local Government Act 2002; Local Government (Auckland Council) Act 2009; Auckland Plan 2050; Auckland Unitary Plan; and Ngaati Whanaunga Iwi Management Plans. For ease of reference relevant sections are described below.

6.2 Resource Management Amendment Act 2020

The objectives of this amendment Act are to reduce the complexity of the RMA, increase certainty, restore public.

6.3 National Policy Statement on Freshwater Management 2020

The National Policy Statement for Freshwater Management (**NPS-FW**) 2020 sets out the objectives and policies for freshwater management under the Resource Management Act 1991. It came into effect on 3 September 2020 and replaces the National Policy Statement for Freshwater Management 2014 (amended 2017).

The objectives of the NPS-FW is to ensure that natural and physical resources are managed in a way that prioritises:

- (a) First, the health and well being of water bodies and freshwater ecosystems
- (b) Second, the health needs of people (such as drinking water)
- (c) Third, the ability of people and communities to provide for their social, economic and cultural well-being, now and the future

6.4 National Policy Statement on Urban Development 2020

The National Policy Statement on Urban Development 2020 (NPS-UD) took effect on 20 July 2020 and replaces the National Policy Statement on Urban Capacity 2016. The NPS-UD sets out the objectives and policies for planning for well-functioning urban environments under the RMA and seeks provision of sufficient development capacity to meet the different needs of people and communities. In October 2021, the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill 2021 was introduced and seeks to accelerate housing supply by bringing forward and strengthening the NPS-UD.

The NPS-UD contributes to the Urban Growth Agenda (UGA) which aims to remove barriers to the supply of land and infrastructure and make room for cities to grow up and out. The NPS-UD does this by addressing weaknesses in the over-arching planning framework to ensure that growth is enabled, and well-functioning urban environments are well supported. The MfE website on the NPS-UD states that it contains objectives and policies that Councils must give effect to in their resource management decisions.

Objectives and Policies supporting intensification include:

- Provision for a variety of homes in terms of price, location and different households
- Enabling Māori to express their cultural traditions and norms
- Proximity to urban centres and rapid transport
- Supporting reductions in greenhouse gas emissions
- Responding to the effects of climate change

6.5 COVID-19 Recovery (Fast-Track Consenting) Act 2020

The purpose of this Act is to urgently promote employment to support New Zealand's recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources.

6.6 Heritage New Zealand Pouhere Taonga Act 2014

The Heritage New Zealand Pouhere Taonga Act 2014 repeals the Historic Places Act 1993. The purpose of this Act is to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand. In addition to any requirements under the RMA, the HNZPTA protects all archaeological sites whether recorded or not, and they may not be damaged or destroyed unless an Authority to modify an archaeological site has been issued by Heritage NZ (Section 42). An archaeological site is defined by the HNZ Section 6 as follows: "Archaeological site means, subject to section 42(3)-

- (a) Any place in New Zealand including any building or structure (or part of a building or structure) that -
 - (i) Was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
 - (ii) Provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and
- (b) Includes a site for which a declaration is made under section 43(1)

Authorities to modify archaeological sites can be applied for either in respect to archaeological sites within a specified area of land (Section 44(a)), or to modify a specific archaeological site where the effects will be no more than minor (Section 44(b)), or for the purpose of conducting a scientific investigation (Section 44 (c)). Applications that relate to sites of Maaori interest require consultation with (and in the case of scientific investigations the consent of) the appropriate iwi or hapuu and are subject to the recommendations of the Maaori Heritage Council of Heritage NZ. In addition, an application may be made to carry out an exploratory investigation of any site or locality under Section 56, to confirm the presence, extent and nature of a site or suspected site.

6.7 Local Government Act 2002

The Local Government Act 2002 (the LGA) states that while the Crown in the Treaty partner, local governments are responsible for fulfilling the Crowns obligations in relation to guaranteeing Maori representation and involvement in decision-making.

6.8 Protected Objects Act 1975

Maaori artefacts such as carvings, stone adzes, and greenstone objects are considered to be taaonga (treasures). These taaonga tuuturu within the meaning of the Protected Objects Act 1975 (hereafter referred to as the Act):

According to the Act (Section 2) taaonga tuuturu means an object that

- a Relates to Maaori culture, history or society; and
- b Was, or appears to have been
 - i Manufactured or modified in New Zealand by Maaori, or
 - ii Brought into New Zealand by Maaori, or
 - iii Used by Maaori; and
- c Is more than 50 years old

The Act is administered by the Minister of Culture and Heritage. Taaonga may be discovered in isolated contexts but are generally found within archaeological sites. The provisions of the Heritage New Zealand Taaonga Act 2014 in relation to the modification of an archaeological site should be considered by the consent holder if taaonga are found within an archaeological site, as defined by the Heritage New Zealand Pouhere Taaonga Act 2014.

It is the responsibility of the consent holder to notify either the Chief Executive of the Ministry of Culture and Heritage or the nearest public museum (for this the Auckland War Memorial Museum), which shall notify the Chief Executive of the finding of the taaonga tuuturu, within 28 days of finding the taaonga tuuturu, alternatively, provided that in the case of any taaonga tuuturu found during the course of an archaeological investigation authorised by Heritage New Zealand Pouhere Taaonga Act 2014, the notification shall be made within 28 days of the completion of the field work undertaken in connection with the investigation.

Under Section 11 of the Act, newly found taaonga tuuturu are in the first instance Crown owned until a determination on ownership is made by the Maaori Land Court.

6.9 Te Ture Whenua Maaori Act 1993

Te Ture Whenua Maori Act 1993 defines Maaori Land as follows:

- Maaori customary land – land held by Maaori in accordance with tikanga Maaori. It has not been transferred into freehold title by the Maaori Land Court, nor ceded to the Crown
- Maaori freehold land – land where the ownership has been determined by the Maaori Land Court by freehold order
- General land owned by Maaori (other than freehold) – land owned by five or more people and where the majority of owners are Maaori
- Crown land reserved for Maaori – land set aside by the Crown for the use and benefit of Maaori

The ownership of Maori freehold land is confirmed by the Maori Land Court and granted title by the Crown. Section 123(1) of Te Ture Whenua Maori Act 1993 states that orders affecting title to Maori freehold land must be registered against the title to that land under the Land Transfer Act 1952 or the Deeds Registration Act 1908. In other words, the Registrar of the Maori Land Court can present orders for the purpose of registration in the Land Title System, which is the process by which a title is issued for land. Before Te Ture Whenua Maori Act, it was not compulsory for orders made by the Maori Land Court to be registered with LINZ and therefore the LINZ record may not be complete.

6.10 Te Tiriti o Waitangi 1840

Te Tiriti o Waitangi (the Treaty of Waitangi) is New Zealand's founding document. Signed in 1840, it is an enduring, living document, its principles recognised in legislation and interpreted by the courts. Auckland Council is a delegate of the Crown exercising powers of local government in Auckland. It has statutory obligations to Maori to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty.

The Treaty is articulated in law through an evolving set of principles. Treaty principles have been expressed and recognised through a range of courts and the Waitangi Tribunal. They are not exhaustive, and it is recognised that other principles may be developed with time. Principles must be considered in their entirety, rather than separately due to the overlaps and synergies between them. The following principles are relevant to local government: partnership; active protection; rangatiratanga; reciprocity; mutual benefit; options; right of development; redress; informed decision-making. The Treaty is a guide for how Auckland Council fosters more positive and productive relationships with Auckland's Maori.

It also implies that Maori perspectives must be recognised as authoritative and given the weight necessary to shape outcomes for the region.

6.11 Auckland Plan 2050

The Auckland Plan 2050 is the long-term spatial plan to ensure Auckland grows in a way that will meet future opportunities and challenges. It is required by legislation to contribute to Auckland's social, economic, environmental, and cultural wellbeing. Auckland Council has developed the Auckland Plan 2050 with, and behalf of all Aucklanders who now have a shared responsibility for implementing it.

The Development Strategy and six strategic outcomes (Belonging and Participation; Maori Identity and Wellbeing; Homes and Places; Transport and Access; Environment and Cultural Heritage; and Opportunity and Prosperity) set Auckland's strategy to 2050. It considers how Auckland can address key challenges including high population growth and environmental degradation, and how we can ensure shared prosperity for all Aucklanders.

The Maori Identity and Wellbeing Strategic Outcomes states: -

“A thriving Maaori identity is Auckland’s point of difference in the world – it advances prosperity for Maori and benefits all Aucklanders.”

The Plan provides 4 Directions & 7 Focus Areas including:

Table 6.1 Auckland Plan 2050 – Strategic Direction

Direction	
1	Advance Maori wellbeing
2	Promote Maori success, innovation, and enterprise
3	Recognise and provide for te Tiriti o Waitangi outcomes
4	Showcase Auckland’s Maori identity and vibrant Maori culture
Focus Areas	
1	Meet the needs and support the aspirations of tamariki and their whanau
2	Invest in marae to be self-sustaining and prosperous
3	Strengthen rangatahi leadership, education, and employment outcomes
4	Grow Maori intergenerational wealth
5	Advance mana whenua rangatiratanga in leadership and decision making and provide for customary rights
6	Celebrate Maori culture and support te reo Maori to flourish
7	Reflect mana whenua maatauranga and Maori design principles throughout Auckland

In addition, the Plan articulates a commitment to Te Tiriti o Waitangi (the Treaty of Waitangi), noting that bringing to life the principles of the Treaty will enable more equitable outcomes for all Aucklanders

6.12 Auckland Unitary Plan (Operative in Part) 2016

The Auckland Unitary Plan comprises the Auckland Regional Policy Statement; Regional Coastal Plan; and the Regional & District Plan. There are several objectives and policies relating to mana whenua. These relate to:

- Auckland Regional Policy Statement – B6 Mana Whenua *Ngaa take matua a ngaa ahikaa-roa mai i tawhito* The original inhabitants from afar including:
 - B6.1 Issues
 - B6.2 Recognition of Treaty of Waitangi / Te Tiriti o Waitangi partnerships and participation
 - B6.3 Recognising Mana Whenua Values
 - B6.4 Maaori economic, social and cultural development
 - B6.5 Protection of Mana Whenua cultural heritage
 - B6.6 Explanation and principal reasons for adoption

The proposal is making this application in accordance with rules and requirements relating to:

- C – General Rules

- E7 – Taking, using, damming and diversion of water and drilling
 - E7.8.1 Matters of discretion
 - E7.8.2 Assessment criteria
- E12 Land Disturbance – District
 - E12.2 Objectives
 - E12.3 Policies (1) to (4)
 - E12.6 Standards
 - E12.6.1 Accidental discovery protocols
- E38 - Subdivision – Urban
 - E38.3 Policies
 - E38.12.2 Assessment Criteria

Please refer to the Assessment of Environmental Effects prepared by CIVIX for further details. Notably, we understand that there well may be additional activities requiring statutory approvals

6.13 Hibiscus and Bays Local Board Plan

The Hibiscus and Bays Local Board Plan is one of 21 Auckland Council Local Board Plans that are strategic, three-year plans that are developed in consultation with the community to shape community direction.

6.14 Ngaati Whanaunga Deed of Settlement

As mentioned in **Section 2.4** (above)), the Crown and Ngaati Whanaunga initialled a Deed of Settlement on 25 August 2017. The Deed is currently with Ngaati Whanaunga for ratification. In addition, Ngaati Whanaunga is one of the iwi of Ngaa Mana Whenua o Taamaki Makaurau (the Taamaki Collective). It is also a member of Pare Hauraki Collective and the Marutuuahu Collective. These are discussed in more detail below.

Ngaati Whanaunga has received collective redress as part of the Taamaki Collective Redress Deed. It is also anticipated that Ngaati Whanaunga will receive redress as part of the Pare Hauraki Collective Redress and Marutuuahu Iwi Collective Redress.

6.15 Ngaa Mana Whenua o Taamaki Makaurau Collective Redress Act 2014

The Crown and Ngaa Mana Whenua o Taamaki Makaurau (the Taamaki Collective) signed the Taamaki Makaurau Collective Redress Deed on 5 December 2012.

The Taamaki Makaurau Collective Redress Deed provides collective redress for the shared interests of the Taamaki Collective in maunga, motu and lands within Taamaki Makaurau. It does not settle any historical claims. Settlement of the historical claims of the iwi/hapuu of the Taamaki Collective over Taamaki Makaurau will be made through iwi/hapuu - specific settlements. The collective redress provided by the Taamaki Makaurau Collective Deed will form part of each individual iwi/hapuu Treaty settlement. The collective approach recognises that the iwi and hapuu have various overlapping customary interests within Taamaki Makaurau, which would not have been possible to consider separately from each other.

There are 13 iwi/hapuu who have participated in negotiations with the Crown for shared redress through a collective deed. These 13 iwi/hapuu are the Taamaki Collective/Nga Mana Whenua o Tamaki Makaurau that have been grouped into the following three roopuu:

- **Marutuuahu Roopuu:** Ngaati Maru, Ngaati Paoa, Ngaati Tamatera, Ngaati Whanaunga, Te Patukirikiri.
- **Ngaati Whaatua Roopuu:** Ngaati Whaatua o Kaipara, Ngaati Whaatua Ooraakei, Te Ruunanga o Ngaati Whaatua; and
- **Waiohau-Tamaki Roopuu:** Ngaai Tai ki Taamaki, Ngaati Tamaoho, Ngaati Te Ata, Te Aakitai Waiohau, Te Kawerau aa Maki.

Cultural redress provides recognition of the traditional, historical, cultural and spiritual association of the iwi/hapuu of the Taamaki Collective with maunga (volcanic cones) and motu (islands) owned by the Crown within their shared area through Sites transferred to the Taamaki Collective on the condition that they are held in trust for the common benefit of the iwi/hapuu of the Taamaki Collective and Aucklanders. Of relevance to this assessment is recognition of the linkages with Rangitoto, Motutapu, Motuihe, and Tiritiri Matangi.

The Crown acknowledges that the Waitemata and Manukau Harbours are of great traditional, cultural, historical and spiritual importance to the Taamaki Collective. However, the Deed does not provide for redress in relation to the Waitemata and Manukau Harbours, as that is to be developed in future separate negotiations.

6.16 Marutuuahu Treaty Settlement

The Marutuuahu Collective is comprised of Ngaati Maru, Ngaati Paoa, Ngaati Tamatera, Ngaati Whanaunga and Te Patukirikiri (Marutuuahu Iwi) with interests extending from Mahurangi in the North to the Bay of Plenty in the south. The Marutuuahu Iwi Collective Redress Deed (Deed) will provide the Marutuuahu Iwi with collective cultural and commercial redress in Taamaki Makaurau, Mahurangi and Hauraki Gulf / Tiikapa Moana. Settlement of iwi-specific historical Treaty of Waitangi claims for each Marutuuahu Iwi will occur with their individual iwi deeds of settlement. These deeds of settlement were agreed in separate negotiations between the Crown and each iwi in parallel to the collective negotiations.

Collective negotiations for collective redress commenced in July 2009. On 17 May 2013, the Marutuuahu Iwi and the Crown entered into a Record of Agreement. On 27 July 2018, the Crown and Marutuuahu Iwi initialled the Deed. The Deed is subject to ratification by the members of the Marutuuahu Iwi and conditional on the enactment of legislation.

The cultural redress package for the Marutuuahu Iwi recognises the shared spiritual, cultural, ancestral, customary and historical associations to areas extending from Mahurangi in the north Taamaki Makaurau; and Tikapa Moana (the Hauraki Gulf).

6.17 Ngaati Whanaunga Iwi Management Plans

Ngaati Whanaunga has several documents that guide management decisions. These documents include, the Ngaati Whanaunga:

- Strategic Management Plan
- Environmental Management Plan
- Healthy and Prosperous Business Plan (*In Progress*)
- Healthy and Prosperous Whanau and Hapuu Plan (*In Progress*)
- Healthy and Prosperous People Plan (In Progress)
- Stakeholder Engagement and Communication Plan (*In Progress*)

7 Description of Existing Cultural Values

The cultural environment through which the proposed work would be located is described in the following section. This provides the basis for assessing the potential cultural effects of this Project (**Section 9** – Assessment of Environmental Effects). Information has been gathered as described in **Section 5** – Methodologies.

7.1 Site Location

1 Silverwater Drive, and 2150 East Coast Road, Silverdale, Auckland are located to the west of the Whangaparaoa Peninsula. Land use to the east of the site is zoned Rural – countryside living and it sits amid a matrix zoned as Business – General Business Zone. Shakespear Reginal Park (376ha) and Tiritiri Matangi Island (220ha) are situated 12.5km to 19km (respectively) from the site. Tiikapa Moana lies to the northeast and southwest of the site (refer to **Figure 7.1**). The project site is located within the Hibiscus and Bays Local Board area, and it is part of the Rodney Ecological District

Figure 7.1 Location Map

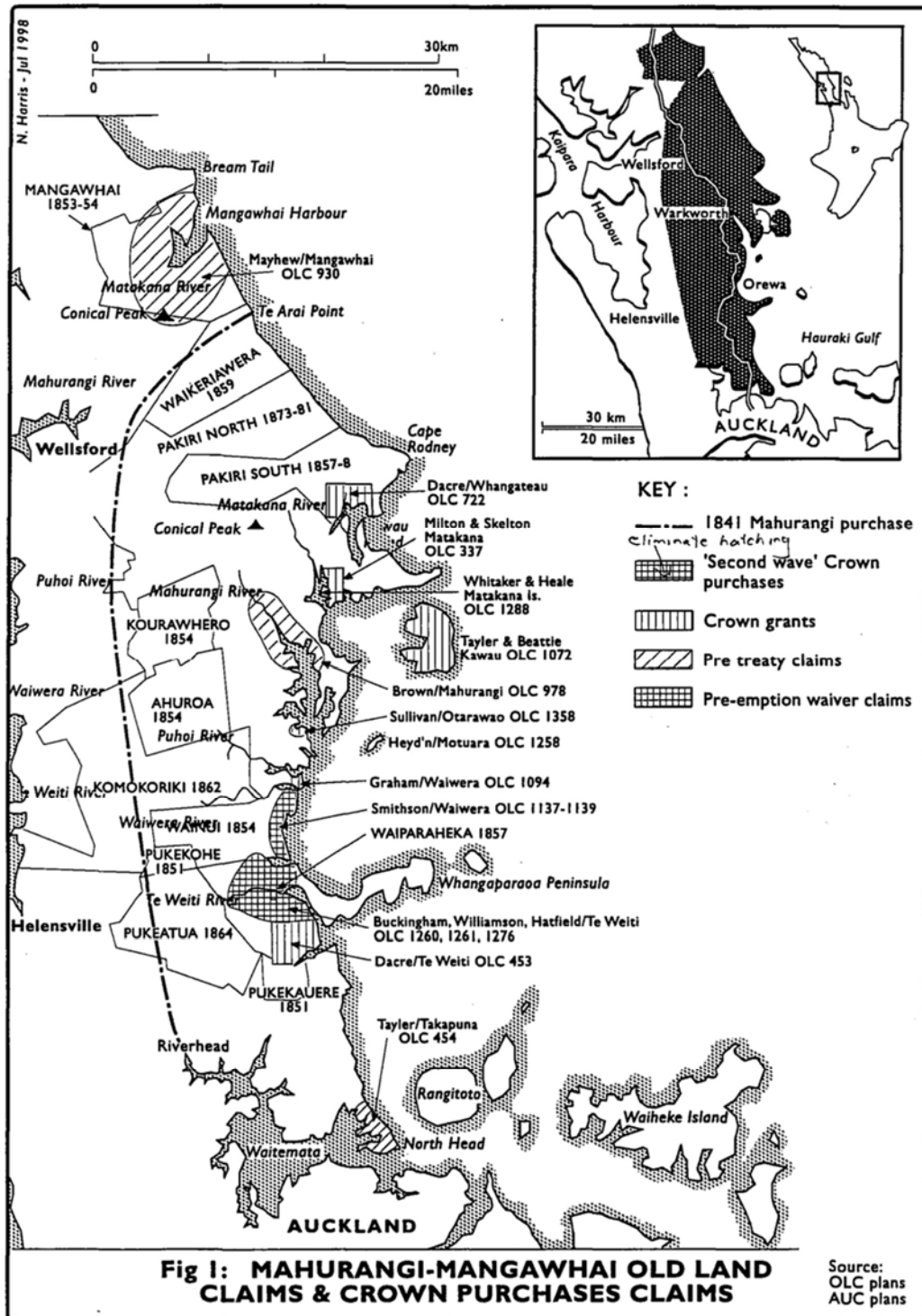


Source: Auckland Council Geomaps 2022. Project site denoted by light blue.

7.2 The Mahurangi-Mangawhai Old Land Claims

The Project site was subject to the Mahurangi-Mangawhai Old Land Claims

Figure 7.2 Mahurangi-Mangawhai Old Land Claims



Source Wai Claim 674

Smith provided a detailed account of military “incursions” of Hauraki based groups into Mahurangi in the late 18th and early 19th century where . he describes that, for him, “conquest” had to be followed by occupation if it was to result in secure ownership rights.

According to Smith, Hauraki “incursions...subsequently led to their laying claim to the country from Auckland Harbour to Mahurangi by right of conquest, which was recognised by Governor Hobson in 1841, when he purchased their claims,

Smith usually identified the Hauraki presence in Mahurangi with Ngaati Paoa. In fact, it was not just Ngaati Paoa who established interests in Mahurangi. It was a larger Hauraki confederation which included Ngaati Maru, Ngaati Whanaunga, and Ngaati Tamatera, as well as Ngaati Paoa.

Smith recorded that the confederation gifted the original Mahurangi reserve called Te Waitai a te Tumu, to Horeta Te Taniwha and his son Kiitahi on behalf of Ngaati Whanaunga for their services in the conquest of Mahurangi. However, since the Crown failed to survey this reserve, its location and size remain a mystery. Ngatirongo (a branch of Te Kawerau) gave up fishing rights to Hauraki people shortly before Hongi exterminated all except two or three small parties of Ngatirongo families.

When Hauraki and Waikato drove Nga Puhi affiliated groups back north, Johnson stated “*the Thames natives, who as before stated, had acquired the right to the bays and the rivers...now took the land also, and on the arrival of HM’s govt at Auckland, they sold their claims to the whole block.*”

7.3 Natural and Physical Resources (Mana and Mauri)

Natural and physical resources possess mauri. Mauri is the vital energy force that gives being and form to all things in the universe, providing the interconnection between humankind and the natural environment. Decisions were made and controls imposed to sustain mauri and ensure that the balance was maintained between people and the natural and spiritual worlds (refer to the Hauraki Maaori Trust Board 1999). Respected Marutuuahu Betty Williams gave the following account of mauri and the part it plays in the natural world.

“Natural taonga have evolved from the union of Papa and Rangi (Earth and Sky). They include flora, fauna, air, water, soil, minerals, humankind, natural phenomena, sun, moon, planets etc. Natural taonga exist through mauri, the vital life essence and energy force that gives everything existence and being. Mauri connects everything to the Universe.”

“The human being is merely an extension, a re-arrangement of the same living matter, in terms of Mauri and the basic elements which make up water, soil, minerals, flora and fauna, air etc. Natural taonga have an intrinsic value in terms of their own existence and being and their value to the interconnected nature of the natural environment, to the integrity of the Earth, and to human survival” (Williams 1998a)

Some of the natural and physical resource values of the project site are described in the sub-sections below.

7.3.1 Climate

The existing climate is characterised as generally warm, humid summers, mild winters; with high sunshine hours; and high rainfall (1200-1600mm). This would have been ideal for growing crops.

7.3.2 Topography

The topography of the site slopes steeply up from the boundary of East Coast Road. It then slopes down from east to west with undulating contours from north to south. Oral traditions suggest that the higher reaches formed paa sites and flatter areas at the base of the pa would have provided temperate frost-free environments that permitted the cultivation of kumara and (less readily) of taro and yam brought from Central Polynesia. Some paa were small, only accommodating a whanau group, while others were substantial accommodating and protecting larger numbers of people.

7.3.3 Geology

Underlying rock at the project site comprises sedimentary and volcanic cover rock (less than c.100 Ma) (refer to the Institute of Geological and Nuclear Sciences 2022). These include lower Miocene sandstone and siltstone, with Pleistocene and Holocene alluvium in valleys. Soils from sedimentary rocks form complex patterns related to rock type and vegetation. Weakly leached, fertile soils with good drainage formed beneath hardwood forest. Conversely, less fertile soils, are strongly leached and podzolised with impeded drainage formed under podocarp-hardwood forest. There are also fertile soils containing volcanic ash (McEwen 1987). These also would have governed the location of gardens. Land is our uukaipo and tuurangawaewae, it is a tribal kin group and waka link with the past, the present and future generations. It assures us that we will continue so long as the land remains.

7.3.4 Groundwater

Groundwater has been encountered in boreholes at depths between 0.5m and 2.6m (see CMW (2021), who also noted that groundwater will likely flow through a permeable transition zone which is relatively shallow in depth.

7.3.5 Surface Water

Aspire Consulting Engineers (2021) characterised all watercourses within the property as ephemeral and that they only appear to receive surface flows. Consequently, none are considered streams in accordance with criteria provided in the Auckland Unitary Plan and are not subject to the provisions described. The total catchment area is 106,027m². The site is separated by a spur ridgeline extending east to west resulting in two sub-catchments. Sub-Catchment 1 is 73,112m²; and sub-catchment 2 is 32,915m².

7.3.6 Wetland

Aspire Consulting Engineers (2021) identified three potential wetland features, two in the north of the property and one adjacent to the southern boundary.

Campbell-Brown (2021) concluded that neither of the two potential wetlands in the northern part of the property are natural wetlands with one feature assessed as forming part of the ephemeral stream channel, and the other a result of relocated soil that contained seed for wet-tolerant plant species moved during recent earthworks.

The feature adjacent to the southern boundary was assessed as natural wetland that is approximately 71m long by 12m wide and 462m² in area. The wetland encroaches onto eight proposed lots. The existing wetland catchment area is c. 40,182m². The proposed post development area is 27,220m². Baseflow into the wetland will remain the same as underfill drains and retaining will be discharged into the wetland. Boffa Miskell (2021) identified the lower reaches of the wetland to comprise of exotic weed species (*Glyceria maxima* interspersed with bindweed and buttercup); the middle is dominated by the same species though surface water is present; the top of the wetland is dominated by kikuyu.

Traditionally, wetlands are regarded by Ngaati Whanaunga as taonga. That is, having cultural, economic and spiritual significance. Wetlands can be reservoirs for knowledge, wellbeing, and utilisation. They are mahinga kai (food gathering) sites used by local marae, whaanau, hapuu, and iwi and provide significant habitats for a range of culturally important (taonga) plants, animals, fish, birds, reptiles, insects, and micro-organisms. They are breeding grounds for native fish and tuna and a large range of culturally significant plants for weaving – harakeke, raupoo, toetoe and kuta; carving – tootara, kahikatea; Maaori materials and implements – maanuka. Many wetlands comprise a variety of culturally important medicinal plants for rongoaa (Maaori medicinal use. However, due to the poor condition of this wetlands, these values have largely been eroded.

7.3.7 Vegetation

Research of pre-human settlement suggests the area was most likely covered in broadleaf coastal and podocarp species. Rivers and harbours provided habitat for kahikatea and kauri on the ridgelines. However, Maori are known to have cleared a lot of the area to create areas for cultivation and living space. Some native species were left to provide for customary uses and needs.

Land cover in the area is now dominated by exotic grasses with a small number of macrocarpa located towards the centre of the property near East Coast Road. Lack of native plant species means the site provides few (if any) resources for native fauna.

7.3.8 Fauna

Prior to human settlement, the area would have abounded with birds and reptiles. However, anthropogenic land change has meant that there is a depauperate native fauna.

Boffa Miskell (2021) concluded that the site does not contain suitable habitat for native gecko but does meet requirements for native skinks. There are records of an “At Risk-Declining” native skink species within 10km of the site means that a native skink survey will be required to assess if there are any present. Exotic grasses provide resources for exotic passerine species.

7.3.9 Infrastructure

Ngaati Whanaunga, like other communities throughout the Auckland Region need access to housing. An important aspect of the residential development relates to the Maaori concept of te whare tapa whaa’ – the four cornerstones (or sides) of health. The latter recognises the importance of providing for peoples physical, mental and spiritual health by ensuring there is quality housing that provides opportunities to connect with the environment and others.

7.4 Waahi Tapuu

7.4.1 Waahi Tapuu

Wahi tapu relates to places of resources of special cultural, historic, metaphysical and/or spiritual importance to Mana Whenua (including, for example, urupa (burial grounds, sacred sites (tuhu); wai whakaika (ritual or ceremonial sites); and ana (caves).

We do not know of any urupa or kooiwi immediately within the proposed project site.

7.5 Resource Values

7.5.1 Rawa tuuturu (Customary Resources)

Rawa refers to customary resources that are present at the project site. Prior to European settlement Maaori harvested a wide range of plants, birds, fish and eels, shellfish and other kaimoana, marine mammals, reptiles – anything that was useful throughout much of the Taamaki Region and from Tiikapa Moana. These customary resources were used for food, rongoaa (medicine), construction, implements, and decoration. As mentioned above, anthropogenic modification to the landscape, means that very few (if any) of these resources exist at the project site.

7.5.2 Hiahiatanga tuuturu (customary needs)

Species at the site are known to have special cultural significance that is often relaid via myths and legends, whakatauki, and waiata. These oral traditions help educate our people and enhance their understanding of our connections to the environment. In its current state, very few (if any) of these features exist at the site.

7.5.3 Whakaaronui o te Wa

Ngaati Whanaunga commends Build Rich Limited on its proposal to create a residential development that provides much needed development within the Auckland isthmus.

8 Cultural Values in the Surrounding Area

The Project Site is embedded in an area that is rich with cultural values and history. While these features may not be within the immediate boundaries of the project site, they provide the project site with context and also provide an indication as to how the site was used and/or give it meaning.

8.1 Places of Historic and Cultural Interest (Koorero-o-mua)

8.1.1 Tikapa Moana (Hauraki Gulf)

Tiikapa Moana (the Hauraki Gulf) lies to the east of the project site. It is of great significance to Ngaati Whanaunga, and to all Hauraki Maaori as it comprises an important aspect of our whakapapa and tribal identity. This connection is described in our mihi (**page 9**) and the Hauraki Gulf Forum 2005.

“The Hauraki Gulf, known to Maaori as Tiikapa Moana, or Te Moana Nui a Toi, is integrally linked by whakapapa in a long chain of being back to the beginning of time: to Papatuanuku (Earth); to Ranginui (Sky); to Tangaroa (Sea); and Te Kore (Nothingness).”

Tiikapa Moana is a major source of seafood and coastal and deep-sea fishing continues. Conflicts with Ngaapuhi of the north were often centred on the control of the waterways across the gulf, and access to prized fish such as whaapuku (groper). The islands of the gulf were fought over, and some island settlements were transitory. Maaori were known to use the sea and retreat to more sheltered areas such as that provided at the Project site.

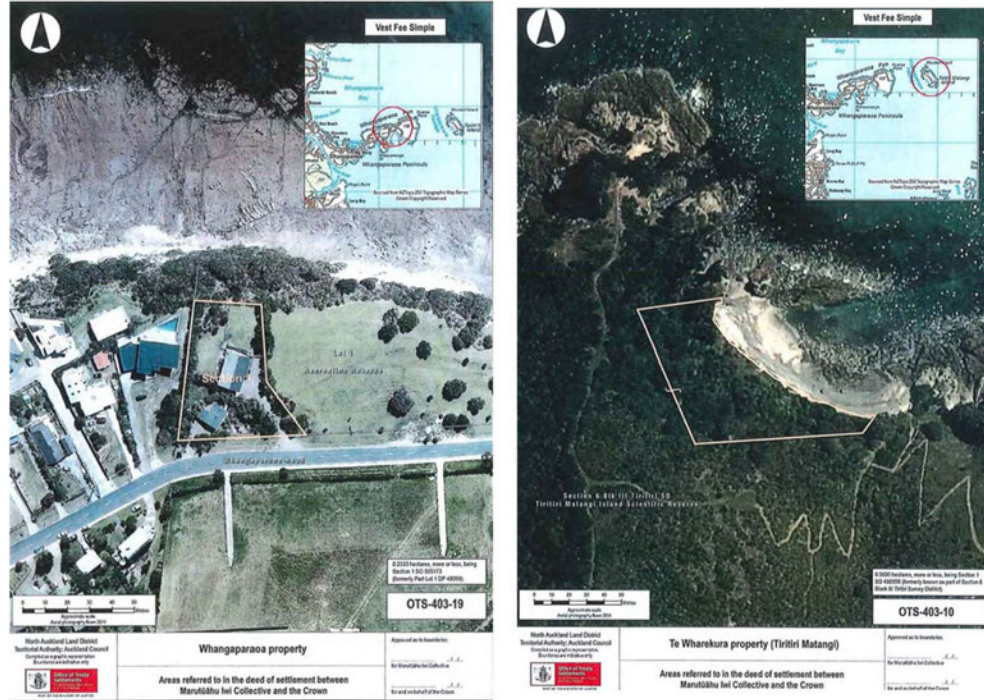
8.1.2 Whangaparaoa Peninsula

The Whangaparaoa Peninsula translates as “Bay of Whales” where pods and orca and dolphin frequent the waters of the Peninsula. In the mid 1700’s, Ngaati Whanaunga (and other Marutuuahu tribes) sought control of the important shark fishing grounds lying to the north of the Whangaparaoa Peninsula. From these grounds, thousands of sharks could be caught and dried in summer and then taken home to the Hauraki Gulf to provide a valuable winter food source. In oral traditions, nearby Tiritiri Matangi Island (3.4km off the coast) is known to be one of the ancestral floats of an ancestral fishing net, critical to capturing mahinga kai.

8.1.3 Marutuuahu Iwi Collective Redress

The Marutuuahu Iwi Collective Redress Deed (Deed) signed on 27 July 2018 will provide the Marutuuahu Iwi (including Ngaati Whanaunga) with collective cultural and commercial redress in Taamaki Makaurau, Mahurangi and Hauraki Gulf / Tikapa Moana. In addition, two of the eleven culturally significant areas that will be vested back to Marutuuahu includes the Defence Land at Shakespear Regional Park and the Te Wharekura property located on nearby Tiritiri Matangi Island (**Figure 8.1**).

Figure 8.1 Marutuuahu Iwi Collective Redress Sites Near the Project Site



Source: Marutuuahu Iwi Collective Deed Schedule – Attachments, 27 July 2018

8.1.4 Taamaki Makaurau Collective Redress

In addition, there are provisions in the Tamaki Collective Deed (signed on the 5th of December 2012) that makes provision for arrangements between the Crown and iwi/hapuu for (amongst others) the whole of Tiritiri Matangi Island (see **Figure 8.2**). Tiritiri Matangi In addition, Tiritiri is valued for the native restoration of the island with extensive planting that now supports a wide array of avifauna that is locally extinct or very low numbers on the mainland, including (amongst others) takahee, brown teal, saddleback, stitchbird and kookako.

Figure 8.2 Taamaki Makaurau Collective Redress Site Near the Project Site



Source: Taamaki Makaurau Collective Redress Deed Schedule - Attachments, 5 December 2012

8.2 Sites of Historic or Cultural Interest

Ngaati Whanaunga interpret sites of cultural-traditional (including archaeological) landscapes as places of ancestry and belonging through oral traditions. Amongst others, coastal settlements and place names provide context for our identity and/or sense of place.

8.2.1 Papakainga

Ngaati Whanaunga had several traditional papakainga along Tikapa Moana (the Hauraki Gulf) including Silverdale and along the Whangaparaoa Peninsula. Some of these were permanent settlements, while others were occupied seasonally to meet their resource needs, and to maintain ahi ka – keeping our fires burning on land as a way of asserting mana over those places.

Kiitahi (refer above) is known to have resided in a papakainga in Silverdale, prior to and following a major battle with Nga Puhi.

Many of our ancestral papakainga have now been destroyed. Historic papakainga are widely acknowledged as being of high cultural, historic and archaeological value (see Rolleston and Awatere, 2009), and provide an opportunity to gain a greater understanding of traditional Maaori society (Furey 2000; Phillips 2000).

8.2.2 Portage

Portage/pathway Te Taruna (Weiti portage), Maori Heritage Area CHI Number 22186 – 1.1km. northwest of the site.

8.2.3 Maaori Place Names

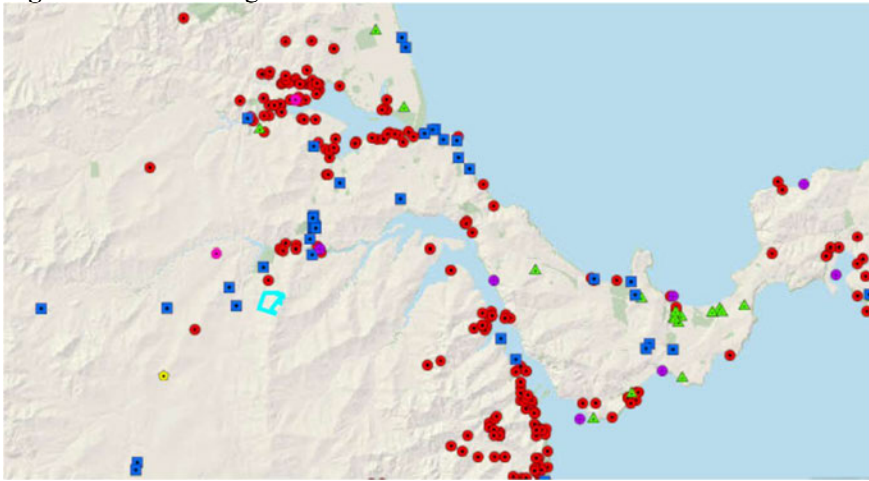
The names of the landscape contain a huge amount of information about the land and the relationship of one place to another. Many of these names can only be understood by understanding the connection between one place and another. Names belong as groups commemorating journeys of exploration by an ancestor, the myths of creation and the relationships people share with each other. The primary role of place naming in traditional society was to trigger memories, to remind people of the events, history of the tribe. Many are descriptive of the terrain, of the food resources available for harvesting or other resources of value. The Weiti River that flows from Silverdale village (for example) was named Te Weiti (the little water) by Maaori who used it as a waterway. An alternative translation makes reference to “ti” as being cabbage trees.

8.2.4 Archaeological Sites

An archaeological review by CFG (2013) identified 185 pre-European Maaori archaeological sites comprising paa (1); pits/terraces (32); midden (146); burial sites (2); and a combination of archaeological material (4). In the same study, CFG concluded that most archaeological sites in the Silverdale area are located in two main clusters, one near the mouth of the Orewa River, and the other on the Okura coast between the Okura and Weiti Rivers.

Several subsequent studies (for example, Bedford and Felgate 1994; Farley and Clough 2006) noted that archaeological sites in the Silverwater area have been damaged or modified by previous development. However, those at Weiti by contrast are more numerous and have not been disturbed to the same extent, largely because much of the area remains undeveloped. **Figure 8.3.** describes archaeological sites identified in the area surrounding the project site.

Figure 8.3 Archaeological Sites in the Silverdale Area



Source: Auckland Council GeoMaps 2022 (Red dots – Maaori Cultural Heritage)

Our oral traditions describe extensive occupation across the Silverdale including Weiti area, suggesting that archaeological material may be significantly more likely than what current findings suggest. We note that the applicant has elected not to undertake a formal archaeological assessment.

We value archaeological areas because they provide tangible connections to our tuupuna. It gives us insights as to how our ancestors interacted with the environment including how they lived, what they ate, and what resources were available at the time of occupation and/or seasonal migration. Accordingly, we want to ensure they are respected and effectively managed in accordance with Best Practice.

8.3 Summary of Cultural Values Relating to the Project

Table 8.1 summarises Ngaati Whanaunga cultural and historic values identified at the project site. Assessment criteria used are those described in the AUP (refer to **Table 5.2** and **Table 5.3**).

	Assessment Criteria	Description of Assessment Criteria	Ngaati Whanaunga Cultural Heritage
(a)	Mauri: ko te mauri me te mana o te waahi, te taonga raanei, e ngaakaunuitia ana e te Mana Whenua.	The mauri (life force and life-supporting capacity) and mana (integrity) of the place or resource holds special significance to mana Whenua;	Natural and Physical resources providing mauri and mana within the immediate project site relate to climate, topography, geology, groundwater, surface water, the wetland vegetation and associated fauna; and infrastructure. Resources in the surrounding area relate to Tiikapa Moana (the Hauraki Gulf); Whangaparaoa Peninsula and offshore islands, for example Tiritiri Matangi. These resources sustained our people, and we are intimately connected to them via whakapapa. Anthropogenic land change and introductions of exotic species that out compete natives degrade mauri at the project site by eroding ecosystem resilience.
(b)	Waahi tapu: ko teeraa waahi, taonga raanei he waahi tapu, araa, he tino whakahirahira ki ngaa tikanga, ki ngaa puri mahara, o ngaa wairua a te Mana Whenua	The place or resource is a wahi tapu of special, cultural, historic metaphysical and or spiritual importance to Mana Whenua	No known wahi tapu are known to occur within the immediate project site.
(c)	Koorero Tuuturu /historical: ko teeraa waahi e ngaakaunuitia ana e te Mana Whenua ki roto i oona koorero tuuturu.	The place has special historical and cultural significance to Mana Whenua;	The project area is highly significant to Ngaati Whanaunga. Our people are intimately connected to the land and waters via whakapapa, and we are reminded of our strong linkages via waka traditions, mythology, and place names that indicate the richness of the area as a valuable source of food and resources. Land confiscations post 1840 are recognised via collective cultural and commercial redress relating to Taamaki Makaurau; Mahurangi; and Tiikapa Moana including Defence Land on nearby Shakespear Regional Park and nearby Tiritiri Matangi Island.
(d)	Rawa Tuuturu /customary resources: he waahi teeraa e kawea ai ngaa rawa tuuturu a te Mana Whenua.	The place provides important customary resources for Mana Whenua	Our tuupuna used a wide variety of customary resources. Resource values relate to their provisioning services (eg food, fibre, fuel, rongooa, and ornamental qualities); cultural values (including spiritual, education, aesthetic values and those that contribute to sense of place; and regulating services (eg resources that perform valuable ecosystem functions such as erosion control, dispersal, pollination, and water purification. Anthropogenic land change means that there are very few (if any) rawa tuuturu at the project site.
(e)	Hiahiatanga Tuuturu /customary needs: he waahi teeraa e eke ai ngaa hiahia hinengaro tuuturu a te Mana Whenua.	The place or resource is a repository for Mana Whenua cultural and spiritual values; and	Species at the site are known to have special cultural significance that is often relaid via myths and legends, whakatauki, and waiata. These oral traditions help educate our people and enhance their understanding of our connections to the environment. We are not aware of any that relate to the immediate project site
(f)	Whakaaronui o te Wa /contemporary esteem: he waahi rongonui teeraa ki ngaa Mana Whenua, araa, he whakaahuru, he whakawaihanga, me te tuku maatauranga.	The place has special amenity, architectural or educational significance to Mana Whenua	The proposed Residential Development provides valuable housing options within the Auckland Region to an area that is currently undersupplied, we commend Build Rich Limited on this aspect of the proposal.

9 Assessment of Cultural Effects

This section contains an assessment of the cultural effects of the Project. Changes resulting from the Project and their key cultural effects are discussed in terms of effects during the construction and operations phase of the project. Consideration of potential cultural effects is made in accordance with **Section 5** – Methodologies. Specific effects on cultural values are described in **Table 8.1** below. Rationale for effects are described in accordance with **Table 5.3.4** – Criteria Used to Describe Magnitude of Effects.

Table 9.1 Assessment of Cultural Effects

Activity	Aspect	Assessment of Potential Cultural Effects	Rationale
Project Features			
Construction of 276 new dwellings (15 terraces and 261 stand alone)	Overall Proposal	Positive	The project will help provide much needed housing along within the Auckland Region. The development will also provide employment over the construction period and revenue that will yield positive direct and indirect effects for the New Zealand economy.
Project Activities – Residential Development			
Groundwater will be managed via the installation of subsoil drains that means that any groundwater that is intercepted by these drains will be returned to streams and/or wetlands in the same locations as present and will not be diverted to other catchments. In addition, it is anticipated that any groundwater drawdown will not have any groundwater drawdown effects beyond the 1.01m of the excavation area	Groundwater Diversion	Positive	Ensuring continued water flow will help retain and/or enhance the integrity of the wetland. Ngaati Whanaunga does question the water quality inputting into the wetland, and the subsequent water quality exiting the wetland into natural water channels
Provision for stormwater management including: o Stormwater from Catchment Area 1 (Area) will drain into the existing	Stormwater Diversion and discharge	To be Assessed	Stormwater runoff has the potential to degrade waterways (including the coast) via erosion and infiltration of contaminants into waterways and mahinga kai. We want to know the likely quality of stormwater entering and exiting

stormwater wetland within the nearby Park and Ride site to the north - o Stormwater Catchment run will discharge into the existing natural drainage channels to the south and west of the development - o A section of Road 3 will discharge into the natural water channel to the south and recharge the wetland on the southern boundary			the proposed development site prior to assessing the magnitude of potential environmental effects
Retention, restoration, and protection of the existing wetland located on the southern boundary of the site with continued stormwater runoff from the surrounding catchment	Wetland Retention	Positive	We understand that the base flow and surface flow to the wetland will not be adversely affected by the proposal. Aspire Consulting Engineers (2021) suggest that once the wetland is protected and planted, the wetland will be enhanced. We agree, increased flows and habitat enhancement will undoubtedly enhance the quality of the wetland
Wetland restoration and enhancement by controlling exotic plant species and undertaking restoration planting with native wetland plants	Restoration	Positive	Ngaati Whanaunga understand that proposed species to be used to provide a buffer around the wetland include Carex spp., flax, whiteywood, coprosma robusta, and cabbage tree. We also understand that given site constraints the proposal to meet the statutory 10m buffer zone is to have a buffer of 20m on some properties and only 2.5 on others. Given, the current state of the wetland (ie dominated by weeds and poor water flow), we anticipate will yield positive effects by enhancing the functionality and aesthetics of the current wetland. We are not convinced that the “averaging of the buffer zone” is a sensible approach. However, given the current state of the wetland, we are confident that the project will result in a net gain
Bulk earthworks (cut volumes of 149,881m³ and fill volumes of 219,703m³) include:	Earthworks	Moderate/Medium	Earthworks have the potential to degrade mauri via sedimentation of waterways and dust. However, we understand that earthworks will be managed in accordance with Best Practice land management techniques that can

- o Construction of a mechanically stabilised earth wall running the length of the subdivision in a north-south direction creating upper and lower development levels - o Planting out the earth wall (above) with native species - o Using fill to fill a steep area across the northern portion of the site and reduce the steepness of its gradient - o Earthworks over an existing overland flow path - o A series of under fill drainage to be laid within the existing overland flow paths to collect groundwater seepage and not convey the overland flow path			reduce the amount of sediment generated through erosion and discharged into waterbodies during land disturbance.
See above	Archaeology	High	Ngaati Whanaunga understand the Build Rich Limited elected not to undertake an Archaeological Impact Assessment that would otherwise provide technical expertise that would have helped guide the management of archaeological material. Our understanding given oral traditions and history of land occupation suggests that there is a high probability that archaeological material will be uncovered. Hence, we are keen to ensure archaeology is managed sensitively and appropriately.
Natural Hazards	Overland flow path	Low/Minor	We understand that overland flow paths are being managed in accordance with Best Practice
	Buildings subject to land instability	Low/Minor	We understand that buildings subject to land instability are being managed in accordance with Best Practice
Installation of infrastructure across the entire subject site including provision for: - o Wastewater - o Water supply	Utilities	Neutral	No comment. We rely on the technical expertise of relevant specialists to determine the likely magnitude of effects and/or capacity of the system relating to these project activities.

- o Fire hydrants - o Power - o Telephone - o Internet			
Transport	Reverse manoeuvring Formation and gradients Vehicle access restrictions Width and number of vehicle crossings Gradient of vehicle access	Neutral	No comment. We rely on the technical expertise of relevant specialists to determine the likely magnitude of effects relating to these project activities.
Noise and vibration	Construction management	Low/Minor	The proposed construction works will be undertaken in a manner than complies with the noise standards in the AUP. The majority of earthworks will occur away from adjacent residential dwellings to the north of Silverwater Drive and at 2118 East Coast Road and will only occur during construction works
Planting using cabbage tree, wharangi, karamu, otoi, flax, pohuehue, karaka, puriri, taraire, kauri, cabbage tree, manuku, kawakawa amongst others	Landscape and Visual	Positive	Current vegetation values are low with most of the site covered by grass with a few mature macrocarpa trees. Hence, any native planting/site enhancement is assessed as an improvement. We are keen to embrace the opportunities to provide ecological linkages to Tiritiri Matangi and Shakespear Regional Park by providing plant species that reflect the spatial and temporal resource requirements of native species. We are comfortable with the native species proposed. We suggest coastal species such as pohutukawa would be better than the liquid ambers being proposed as mature specimens.
Project Activities – Subdivision			

Subdivision includes: • 278 residential lots around the proposed dwellings (261) • 26 vacant residential lots located along the southern end of proposed Road 5 and Road 6 adjacent to the boundary with 2118 East Coast Road • Installation of a subdivision road designed in accordance with the Silverwater 3 sub-precinct B Plan • Four jointly owned access lots (JOALS) to serve the terraced houses and the private Road 4 serving Lots 134 - 149 and 187 – 202 • Pedestrian Accessways to vest in Auckland Council • Roads to vest in Auckland Council • Land covenants over lots containing the Mechanically Stabilised Earth wall and wetland	Subdivision	Low/Minor	Please refer to the rationale (above)
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10 Recommendations

Should consent be granted, Ngaati Whanaunga recommend the following conditions to appropriately manage cultural features in the context of **Section 5.4** – Assumptions and Limitations:

Table 10.1 Recommendations

1 General Requirements

- (a). Please send Ngaati Whanaunga the final resource consent application and associated technical reports following submission of the application
- (b). Please notify Ngaati Whanaunga regarding progress via email regarding (but not excluded to) the resource consent process and construction works
- (c). Please seek Ngaati Whanaunga's written permission prior to sharing this document with any third parties (other than statutory authorities for the purpose of this proposal)

2 Stormwater

- (a). Manage stormwater in accordance with best practice management practices

3 Wetland Retention, Restoration & Enhancement

- (a). Please advise Ngaati Whanaunga about the quality of water entering and exiting the wetland
- (b). Provide Ngaati Whanaunga with an opportunity to be involved in the wetland restoration

4 Earthworks

- (a). Manage land disturbance in accordance with best practice management techniques
- (b). Ideally, seek the technical expertise of a specialist archaeologist to ensure that potential risks relating to archaeology are managed appropriately
- (c). Adhere to Accidental Discovery Protocols
- (d). Make provision for Ngaati Whanaunga to be on-site during earthworks to undertake cultural monitoring
- (e). If an archaeological discovery contains kōiwi, archaeology or artefacts of Māori origin, Michael Baker, Environmental Manager, Ngaati Whanaunga needs to be provided with information on the nature and location of the discovery

5 Plantings

Ensure plant selection maximises opportunities to provide ecological linkages between Tiritiri Matangi Island and Shakespear Regional Park
Propose switching the mature specimens of Liquid Amber with native coastal species e.g., pohutukawa; karo

6 Allow for Ngaati Whanaunga Involvement

- (a). Provision to enable Ngaati Whanaunga to perform a karakia (blessing).
- (b). Provision to enable Ngaati Whanaunga to provide a cultural induction for site workers
- (c). Provision for a cultural monitor to monitor site works alongside the project archaeologist during earthworks
- (d). Providing Ngaati Whanaunga with opportunities to recognise or reflect the koorero (stories, names, events, whakatauaakii (proverbs) and beliefs associated with them. Including (for example) via site interpretation and signage
- (e). Providing Ngaati Whanaunga with opportunities to restore and enhance our relationship with our cultural features and values
- (f). Providing Ngaati Whanaunga with the opportunity to help with restoration and enhancement

11 Conclusions

Build Rich Limited (**BRL**) has commissioned Ngaati Whanaunga Incorporated Society (Ngaati Whanaunga) to undertake a Cultural Impact Assessment for the proposed residential development and subdivision at 1 Silverwater Drive and 2150 East Coast Road, Silverwater under the COVID-19 Recovery (Fast Track Consenting) Act 2020 and resource consent processes. Project Features include activities relating to the residential development and subdivision:

Residential Development includes:

- Construction of 276 new dwellings (15 terraces and 261 stand alone)
 - Designed in general compliance with the development standards of the Residential – Mixed Housing Urban planning zone with associated Auckland-wide rules
 - In instances where there are infringements, the proposal has been designed to minimise and mitigate any potential adverse effects
- Retention, restoration, and protection of the existing wetland located on the southern boundary of the site with continued stormwater runoff from the surrounding catchment
- Bulk earthworks (cut volumes of 149,881m³ and fill volumes of 219,703m³) include:
 - Construction of a mechanically stabilised earth wall running the length of the subdivision in a north-south direction creating upper and lower development levels
 - Planting out the earth wall (above) with native species
 - Using fill to fill a steep area across the northern portion of the site and reduce the steepness of its gradient
 - Earthworks over an existing overland flow path
 - A series of under fill drainage to be laid within the existing overland flow paths to collect groundwater seepage and not convey the overland flow path
- Provision for stormwater management including:
 - Stormwater from Catchment Area 1 (Area) will drain into the existing stormwater wetland within the nearby Park and Ride site to the north
 - Stormwater Catchment run will discharge into the existing natural drainage channels to the south and west of the development
 - A section of Road 3 will discharge into the natural water channel to the south and recharge the wetland on the southern boundary
- Installation of infrastructure across the entire subject site including provision for: wastewater; water supply; fire hydrants; power; telephone and internet

Subdivision includes:

- 278 residential lots around the proposed dwellings (261)
- 26 vacant residential lots located along the southern end of proposed Road 5 and Road 6 adjacent to the boundary with 2118 East Coast Road
- Installation of a subdivision road designed in accordance with the Silverwater 3 sub-precinct B Plan
- Four jointly owned access lots (JOALS) to serve the terraced houses and the private Road 4 serving Lots 134 - 149 and 187 – 202
- Pedestrian Accessways to vest in Auckland Council
- Roads to vest in Auckland Council

- Land covenants over lots containing the Mechanically Stabilised Earth wall and wetland

Project activities will require several statutory approvals relating to:

- Residential Mixed Housing Suburban Development
- Taking, using, damming and diversion of water and drilling
- Stormwater – Discharge and diversion
- Construction within a Stormwater management area – Flow 1 and Flow 2
- Land disturbance - District
- Transport
- Natural hazards and flooding
- Subdivision - Urban

This Cultural Impact Assessment (CIA) describes Ngaati Whanaunga history, cultural values, interests, and associations in the Project area; provides an assessment as to how the proposed activities may influence these values (above); and suggests recommendations as to how to avoid, remedy or mitigate identified cultural effects.

To achieve these objectives, Ngaati Whanaunga undertook a desktop review of oral histories; legislative and planning documents; supporting technical reports; historic and aerial photos; and publicly available databases to identify and evaluate cultural values and consider potential positive and adverse cultural effects.

In summary, key findings included:

- The proposed Residential Development will provide housing options to the Auckland housing market, which is currently undersupplied. We commend Build Rich Limited on this aspect of the proposal.
- Natural and Physical resources providing mauri and mana within the immediate project site relate to climate, topography, geology, groundwater, surface water, the wetland vegetation and associated fauna; and infrastructure. Resources in the surrounding area relate to Tiikapa Moana (the Hauraki Gulf); Whangaparaoa Peninsula and offshore islands, for example Tiritiri Matangi. These resources sustained our people, and we are intimately connected to them via whakapapa. Anthropogenic land change and introductions of exotic species that out compete natives degrade mauri at the project site by eroding ecosystem resilience.
- No known wahi tapu are known to occur within the immediate project site.
- Our tuupuna used a wide variety of customary resources relating to provisioning services (eg food, fibre, fuel, rongooa, and ornamental qualities); cultural values (including spiritual, education, aesthetic values and those that contribute to sense of place; and regulating services (eg resources that perform valuable ecosystem functions such as erosion control, dispersal, pollination, and water purification. However, anthropogenic modification to the landscape means that there are very few (if any) rawa tuuturu at the project site.
- The project area is highly significant to Ngaati Whanaunga. Our people are intimately connected to the land and waters via whakapapa, and we are reminded of our strong linkages via waka traditions, mythology, and place names that indicate the richness of the area as a valuable source of food and resources. Land confiscations post 1840 are recognised via collective cultural and commercial redress relating to Taamaki

Makaurau; Mahurangi; and Tiikapa Moana including Defence Land on nearby Shakespear Regional Park and nearby Tiritiri Matangi Island.

- Sites of Historic or Cultural Interest relate to historic papakainga, Maaori place names and archaeological sites identified close to the proposals land boundaries.

Likely effects of the project during construction phase are primarily related to bulk earthworks; and construction works eg noise, vibration and transport movements. We suggest most of these effects can be adequately mitigated through appropriate management if they are managed in accordance with specialist recommendations and in accordance with tikanga (refer to **Section 9** – Recommendations).

Once operational, we anticipate proposed works will have negligible effects on existing cultural values so long as stormwater and natural hazards are appropriately managed.

Thank you very much again for the opportunity to prepare this Cultural Impact Assessment. Please feel very welcome to contact me if you have any queries. The best way to contact me is via mobile s 9(2)(a)

Ngaa mihi,
Mike

Michael Baker
Environmental Manager
Ngaati Whanaunga Incorporated Society

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Appendix 1

Rohe – Ngaati Whanaunga

