

CULTURAL IMPACT ASSESSMENT
FOR
THE BOTANIC RIVERHEAD - PROPOSED RETIREMENT
VILLAGE DEVELOPMENT
AT
1092 COATESVILLE-RIVERHEAD HIGHWAY

PREPARED FOR
MATVIN GROUP

OCTOBER 2021

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Te Kawerau Iwi Tiaki Trust
PO Box 59-243 Mangere Bridge Auckland
www.tekawerau.iwi.nz

TE KAWERAU A MAKI



"Kawerau Iwi, Kawerau Mana, Kawerau Tangata"

PEPEHA

Ko Hikurangi te maunga

Ko ngā Pou a Maki ngā tohu whakahii

Ko te Wao Nui ā Tiriwa te ngahere

Ko te Manukanuka ā Hoturoa me te Waitematā ngā moana

Ko Waitākere te awa

Ko Tainui te waka

Ko Tawhiakiterangi te tupuna

Ko Te Kawerau ā Maki te iwi

Hikurangi is the mountain

The many posts of Maki (Waitākere Ranges peaks) are the markers

Te Wao nui ā Tiriwa is the forest

Manukau and Waitematā are the harbours

Waitākere is the river

Tainui is the canoe

Tawhiakiterangi is the person

Te Kawerau ā Maki is the tribe

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INTRODUCTION

1.0 Project Background

Te Kawerau Iwi Tiaki Trust ('the Trust') have been commissioned by Matvin Group Limited (hereafter the Client) to prepare a Cultural Impact Assessment (CIA) for the proposed development of a new retirement village, childcare centre and café at 1092 Coatesville-Riverhead Highway. The legal description is Lot 1 and Lot 2 DP 164590. The proposed development is known as The Botanic Riverhead.

The Client seeks to develop the site primarily into a new retirement village consisting of 264 apartments, 158 villas, and approximately 80 care beds. The project is inspired by biophilic design and seeks to create an environmentally and socially sustainable retirement living environment with a vibrant and energising community feel. It is proposed to include a childcare centre, café, fine grained retail spaces, and a medical centre within the site. The scheme also includes an outdoor park and recreation spaces adjacent to a proposed car parking area. A new road and road widening are also part of the scheme. Overland flows will be formed into a naturalised stormwater network and be managed through low impact design including the addition of new greenbelts. Runoff from impervious surfaces will be treated prior to discharge to the network.

The applicant has applied for the project to be considered under the Covid-19 fast-track scheme. A broader private structure plan process, including the subject property, is underway separately.

This CIA report has been prepared by the Trust as a legal entity of Te Kawerau ā Maki who are a mana whenua iwi of wider Tāmaki Makaurau (Auckland). The purpose of this CIA report is to provide the Client and relevant statutory agencies with documentation of Te Kawerau ā Maki's cultural values, interests, and associations with the project area and its natural resources, and the potential impacts of the proposed project activities on these. This impact assessment also provides recommendations as to how to avoid, remedy or mitigate any potential cultural effects that arise from the project.

Te Kawerau ā Maki engagement in statutory processes including provision of technical advice for impact assessments is guided by our tikanga (customs and protocols) and mātauranga (tribal knowledge) and framed by Te Tiriti o Waitangi, our Te Kawerau ā Maki Claims Settlement Act 2015, our Iwi Management Plan (IMP), and our organisational strategic values: Mana Motuhake (independence); Kaitiakitanga (guardianship and sustainable management); Whānau (people focused); Auaha (innovation); Mātauranga Māori (culture-driven).

2.0 Site Description

The project is situated in the northeast corner of Hikurangi (west Auckland) in the upper Waitematā harbour district and the landscape we know as Rangitōpuni (Riverhead). The northern arm of the upper Waitematā harbour and the Rangitōpuni awa (stream) is about 1km to the east, Riverhead forest is about 0.5km to the north and the Kumeū awa is about 3km to the southwest. The existing township of Riverhead is immediately east of the property.

The wider proposed project area (hereafter the Study Area) includes the Rangitōpuni/Riverhead area within a 3km radius. A Study Area is necessary to place the proposal within a cultural landscape context.

For the purposes of this report, the proposed project site (hereafter the Site) includes the land within Lot 1 (5.8ha) and Lot 2 (4.2ha) combined. The land is fairly flat and currently in enclosed horticultural use with exotic tree wind breaks, windrows for strawberries and other products, and one area of residential and farming buildings. It is situated on the corner of Riverhead Road and Coatesville-Riverhead Highway.



Figure 1: Plan showing Site context (from Council GeoMaps)



Figure 2: Proposal plan (supplied by Gel Architects via Client)

Gel Architects via Client

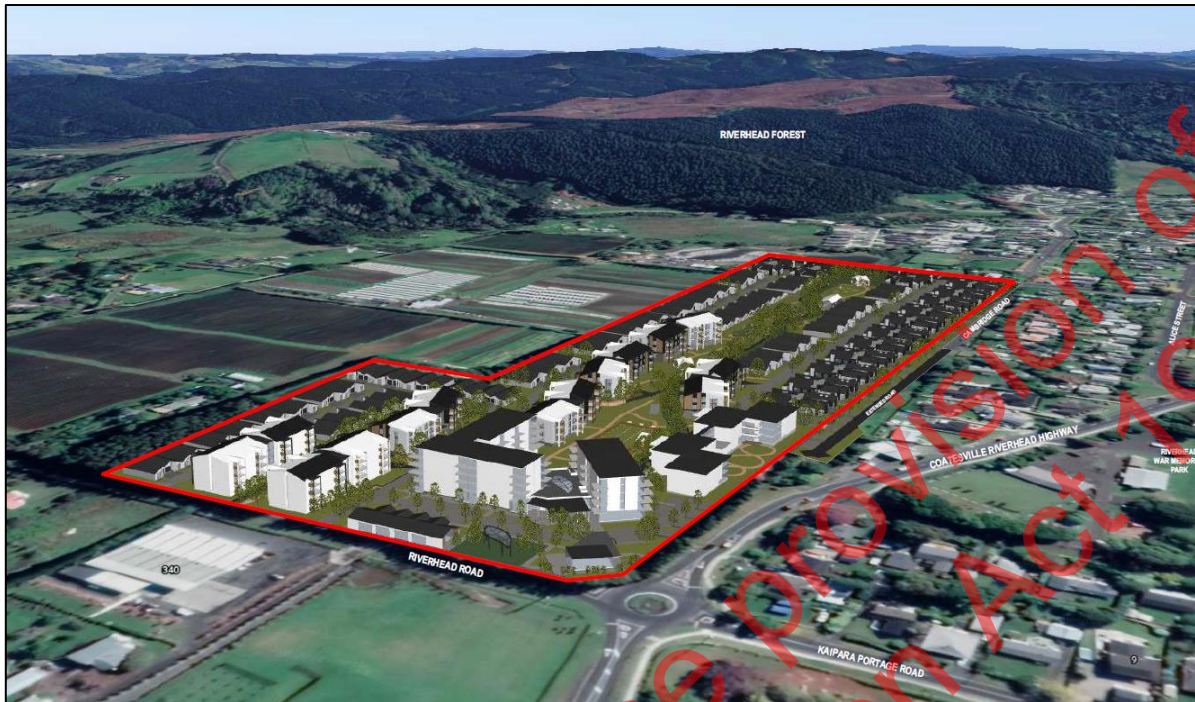


Figure 3: Proposal landscape image (supplied by Gel Architects via Client)

3.0 Aims and Objectives

The aim of this CIA report is to document Te Kawerau ā Maki's cultural values, interests, and associations with the Site; identify specific cultural sites and resources; assess the values of these sites and resources; identify the potential impacts that arise from project activities and assess the significance of effect; and provide recommendations as to how to avoid, remedy or mitigate the potential effects to Te Kawerau ā Maki.

This impact assessment will:

- provide a baseline of known environmental or natural features and resources that may hold cultural values;
- provide a statement of cultural association Te Kawerau ā Maki has with the Site and Study Area;
- identify any known cultural sites and resources within the Site or Study Area;
- describe the value or significance of such sites and resources;
- identify the potential for unrecorded cultural sites (i.e. buried Māori archaeology);
- identify the cultural constraints and risks associated with the Site and the potential significance of effects; and
- provide recommendations for further assessment where necessary and/or measures to avoid, remedy or mitigate adverse effects upon Te Kawerau ā Maki.

METHODOLOGY

4.0 Statutory Context

Te Tiriti o Waitangi

The key guiding document in any consideration of planning or practice that may impact upon the cultural values or wellbeing of Mana Whenua is Te Tiriti o Waitangi. The principles of the Treaty are recognised and provided for in the sustainable management of ancestral lands, water, air, coastal sites, wāhi tapu and other taonga, and natural and physical resources. The Treaty is articulated in law through an evolving set of principles. These include:

- a. reciprocity
- b. rangatiratanga
- c. partnership
- d. shared decision-making
- e. active protection
- f. mutual benefit
- g. right of development
- h. redress.

While Article 1 of the Treaty enables the Crown to govern and make laws, Article 2 guarantees Māori rangatiratanga over their people, lands and taonga (things of value). Māori values, associations and interests with their taonga applies regardless of property titles or other constructs, and the Treaty requires that the Crown actively protect these associations and interests (including through but not limited to statutes). Article 3 provides for equality and equity of citizenship and outcome.

Te Kawerau ā Maki Claims Settlement Act 2015

Te Kawerau ā Maki Claims Settlement Act (TKaMCSA) records the acknowledgements and apology given by the Crown to Te Kawerau ā Maki for historic grievances and breaches of Te Tiriti o Waitangi and gives effect to provisions of the Deed of Settlement that settles the historical claims of Te Kawerau ā Maki. The Act binds the Crown to Te Kawerau ā Maki. The Settlement as delivered through the Act provided both cultural and commercial redress to Te Kawerau ā Maki. This includes binding protocols between Government Ministries and Te Kawerau ā Maki (Part 2, s21 to s26), a recognised and agreed area of interest (Part 1, s12(2b), Part 1 of attachments to Act), and statutory acknowledgements and deeds of recognition (Part 2, s27 to s40, and Schedule 1).

Statutory acknowledgements require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to: (a) have regard to the statutory acknowledgement; (b) require relevant consent authorities to record the statutory acknowledgement on statutory plans and to provide summaries of resource consent applications or copies of notices of applications to the trustees; and (c) enable the trustees and any member of Te Kawerau ā Maki to cite the statutory acknowledgement as evidence of the association of Te Kawerau ā Maki with a statutory area. The statutory acknowledgement supports Te Kawerau ā Maki trustees being considered as affected persons in relation to an activity within the area under s95E and s274 of the Resource Management Act (1991), and s59(1) and 64(1) of the Heritage New Zealand Pouhere Taonga Act (2014).

Te Kawerau ā Maki Statutory Acknowledgement Areas are:

- Taumaihi (part of Te Henga Recreation Reserve)
- Motutara Settlement Scenic Reserve and Goldie Bush Scenic Reserve
- Swanson Conservation Area
- Henderson Valley Scenic Reserve
- Coastal statutory acknowledgement

- Waitākere River and tributaries
- Kumeu River and tributaries
- Rangitopuni Stream and tributaries
- Te Wai-ō-Pareira / Henderson Creek and tributaries
- Motutara Domain (part of Muriwai Beach Domain Recreation Reserve)
- Whatipu Scientific Reserve

Heritage New Zealand Pouhere Taonga Act 2014

Statutory protection of Māori archaeology and wāhi tapu is provided for under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA), which is administered by Heritage New Zealand Pouhere Taonga (HNZPT), an autonomous Crown Entity. Under the Act all *in situ* materials, sites and features older than 1900AD are considered archaeological sites whether previously recorded or not and are afforded automatic protection from damage, modification, or destruction without first obtaining an Archaeological Authority from HNZPT. Moveable objects and artefacts that are not *in situ* but that are from an archaeological context, or are of Māori origin, are controlled under the Protected Objects Act (1975). The HNZ Act S45(2)b stipulates that works on sites of interest to Māori can only occur if (a) the practitioners can demonstrate they have the requisite competences for recognising and respecting Māori values, and (b) the practitioners undertaking the works have access to appropriate cultural support. Under the Act Mana Whenua are enabled to provide advice or assessment regarding the management or decision taking arising from impacts to their cultural sites, provided these meet the Act's criteria. It is noted that Te Kawerau ā Maki never ceded our sovereignty to govern our taonga to HNZPT and view the HNZPTA as overstepping its authority or role as the decision-maker over the taonga of Te Kawerau ā Maki, thus being in direct breach of Article II of Te Tiriti o Waitangi.

Resource Management Act 1991

The Resource Management Act (RMA) 1991 provides statutory recognition of the Treaty of Waitangi and the principles derived from the Treaty. It introduces the Māori resource management system via the recognition of kaitiakitanga and iwi rangatiratanga and accords Territorial Local Authorities with the power to delegate authority to iwi over relevant resource management decisions. The Act contains over 30 sections, which require Councils to consider matters of importance to tangata whenua. Some of the most important of these are:

- Take into account principles of the Treaty of Waitangi and their application to the management of resources (Section 8).
- Recognition and provision for, as a matter of national importance, the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga (Section 6(e)).
- Having particular regard to the exercise of kaitiakitanga or the iwi's exercise of guardianship over resources (Section 7(a)).
- Requiring the Minister for the Environment to consider input from an iwi/hapū authority when preparing a national policy statement (Section 46).
- The ability for Local authorities to transfer their functions, powers or duties under the Act to iwi authorities (Section 33).
- Development of joint management agreements between councils and iwi/hapū authorities (Section 36B to 36E).
- Having regard to any relevant planning document recognised by an iwi/hapū authority (sections 35A(b), 61.2A(a), 66.2A(a), 74.2A).
- The obligation to consult with iwi/hapū over consents, policies and plans. (Combination of all the sections above and Clause 3(1)(d) of Part 1 of the first schedule of the Resource Management Act).

An assessment of impacts on cultural values and interests (CIA) can assist both applicants and the council in meeting statutory obligations in a number of ways, including:

- preparation of an Assessment of Environmental Effects (AEE) in accordance with s88(2)(b) and Schedule 4 of the Resource Management Act 1991 (RMA)
- requests for further information under s92 of the RMA in order to assess the application
- providing information to assist the council in determining notification status under ss95 to 95F of the RMA
- providing information to enable appropriate consideration of the relevant Part II matters when making a decision on an application for resource consent under s104 of the RMA or when undertaking a plan change
- consideration of appropriate conditions of resource consent under s108 of the RMA.

It is noted that Te Kawerau ā Maki never ceded our sovereignty to govern our taonga to local authorities and view the RMA as enabling councils to overstep their authority or role as the decision-maker over the taonga of Te Kawerau ā Maki, thus being in direct breach of Article II of Te Tiriti o Waitangi.

Reserves Act 1977 and Conservation Act 1987

Section 4 of the Conservation Act, which is invoked by the Reserves Act, states that the Act must be interpreted and administered as to give effect to the principles of the Treaty of Waitangi.

COVID-19 Recovery (Fast-track Consenting) Act 2020

Section 6 of the Act requires decision-making to be consistent with the principles of Te Tiriti o Waitangi and Treaty settlements. Section 17 requires the Ministry to prepare a report outlining iwi interests and Treaty settlement matters in relation to a proposal. Under the Act Treaty settlement lands must not be affected.

5.0 Planning Policy Context

UN Declaration on the Rights of Indigenous Peoples

New Zealand supported the UN Declaration on the Rights of Indigenous Peoples (2007) in 2010. This support was an affirmation of fundamental rights and the aspirations of the Declaration. Article 11 states that indigenous peoples have the right to practise and revitalise their cultural traditions and customs, including the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature (clause 1). States shall provide redress through effective instruments, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs. (clause 2). Article 18 and 31 note that indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions. Further that Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

ICOMOS New Zealand Charter 2010

The International Council on Monuments and Sites (ICOMOS) is UNESCO's principal advisor in matters concerning the conservation and protection of historic monuments and sites and advises the World Heritage Committee on the administration of the World Heritage Convention (which includes provision

of nationally significant heritage). The New Zealand National Committee (ICOMOS NZ) produced a New Zealand Charter in 2010 which has been adopted as a standard reference document by councils. The Charter sets out conservation purposes, principles, processes and practice. The scope covers tangible and intangible heritage, the settings of heritage, and cultural landscapes. Of particular relevance the Charter states that tangata whenua kaitiakitanga over their taonga extends beyond current legal ownership wherever such cultural heritage exists. The Charter also states that the conservation of Māori heritage requires incorporation of mātauranga and therefore is conditional on decisions made in association with tangata whenua and should proceed only in this context.

National Policy Statement for Freshwater Management 2020

The NPS for freshwater management provides national policy settings that relevant statutory agencies including local authorities must comply with. Central to the NPS is the concept of Te Mana o Te Wai set out in s1.3. This is an aspirational concept that means that the integrity (physical and spiritual) of all water is upheld to its highest possible quality or state. The Crown's interpretation of the concept is that the fundamental importance of water is recognised and that by protecting the health of freshwater we protect the health and well-being of the wider environment, including by protecting wai mauri and the restoration of the balance between water, the environment, and communities. It provides six principles for the management of water (s1.3(4)). Relevant to tangata whenua are: (a) Mana whakahaere: the power, authority, and obligations of tangata whenua to make decisions that maintain, protect, and sustain the health and well-being of, and their relationship with, freshwater; (b) Kaitiakitanga: the obligation of tangata whenua to preserve, restore, enhance, and sustainably use freshwater for the benefit of present and future generations; (c) Manākitanga: the process by which tangata whenua show respect, generosity, and care for freshwater and for others. Policy 2.2(2) states that tangata whenua are actively involved in freshwater management (including decision-making processes), and Māori freshwater values are identified and provided for. Policy 2.2(3) requires that freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments. Section 3.4 sets out how councils must actively involve tangata whenua in the management of freshwater.

New Zealand Coastal Policy Statement 2010

This NPS for coastal management provides national policy settings that relevant statutory agencies including local authorities must comply with. Policy 2 provides for the principles of Te Tiriti o Waitangi and kaitiakitanga through: (a) recognising the traditional and continuing cultural relationship with areas of the coastal environment; (b) involving tangata whenua in the preparation of regional policy statements and plans; (c) with the consent of tangata whenua incorporate mātauranga Māori in regional policy statements, in plans and in the consideration of applications for resource consents, notices of requirement for designations, and private plan changes; (d) provide opportunities in appropriate circumstances for Māori involvement in decision making, for example when a consent application or notice of requirement is dealing with cultural localities or issues of cultural significance; (e) take into account any relevant iwi resource management plan and any other relevant planning document recognised by the appropriate iwi authority or hapū and lodged with the council; (f) provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment; and (g) in consultation and collaboration with tangata whenua, (i) recognise the importance of Māori cultural and heritage values through such methods as historic heritage, landscape and cultural impact assessments, and (ii) provide for the identification, assessment, protection and management of areas or sites of significance or special value to Māori, and the development of methods such as alert layers and predictive methodologies for identifying areas of high potential for undiscovered Māori heritage.

Auckland Unitary Plan

At a Local Government level, the Auckland Unitary Plan (AUP) provides for the protection and management of matters of importance to Mana Whenua including the environment and cultural heritage. These matters are set out in the Regional Policy Statement Chapter B6.

Policy B6.2.2 provides for the recognition of Treaty of Waitangi/Te Tiriti o Waitangi partnerships and participation. This includes Policy B6.2.2(1) that provides for Mana Whenua to actively participate in the sustainable management of natural and physical resources including ancestral lands, water, sites, wāhi tapu and other taonga.

Policy B6.3.2 deals with recognising Mana Whenua values and includes clause (1) that enables Mana Whenua to identify their values associated with ancestral lands, freshwater, biodiversity, and cultural heritage places and areas, and clause (2) that requires the integration of Mana Whenua values, mātauranga and tikanga in the management of natural and physical resources within the ancestral rohe. Clause (3) ensures that any assessment of environmental effects for an activity that may affect Mana Whenua values includes an appropriate assessment of adverse effects on those values. Clause (6) of the policy requires resource management decisions to have particular regard to potential impacts on: the holistic nature of the Mana Whenua world view; the exercise of kaitiakitanga; mauri; customary activities; sites and areas with significance spiritual or cultural heritage value; and any protected customary right under the Takutai Moana Act (2011).

Policy B6.5.2 provides for the active protection of Mana Whenua cultural heritage. Clause (2) sets out a framework for identifying and evaluating Mana Whenua cultural heritage using the assessment factors of: mauri; wāhi tapu; kōrero tūturu; rawa tūturu; hiahia tūturu; and whakaaronui o te wā. Clause (4) requires the protection of places and areas listed in Schedule 12 Sites and Places of Significance to Mana Whenua from adverse effects. Clause (7) provides for the inclusion of a Māori cultural assessment in structure planning and plan change processes, and clause (9) encourages appropriate design, materials and techniques for infrastructure in areas of known historic settlement and occupation.

Iwi Management Plan

Te Kawerau ā Maki Resource Management Statement (1995) was lodged with Council explicitly as an iwi authority planning document under sections 66(c) and 74(b) of the RMA 1991 (since repealed). The IMP describes the continuing role of Te Kawerau ā Maki as kaitiaki (guardians) and provides policies to guide statutory authorities and applicants. Policy 2.2(2) promotes the integration of Te Kawerau ā Maki tikanga in resource management, while clause (3) requires engagement by all agencies within the rohe to help give effect to the kaitiaki role of the iwi. Policy 4.1.2(3) requires that cumulative effects upon Te Kawerau ā Maki are fully recognised and provided for. Policy 4.2.2 concerns Te Kawerau ā Maki cultural heritage and requires the protection of all heritage sites including access requirements (s4.2.2(1)); the involvement of Te Kawerau ā Maki in all instances where potential effects may arise (s4.2.2(2)); and the recognition of Te Kawerau ā Maki cultural and spiritual values (s4.2.2(3 and 4)). Policy 4.3.2 concerns the management of kōiwi, while s4.4.2 regards the management of water. Activities in the Coastal Marine Area are covered by s4.5.2. Waste management policies are described in s4.6.2 and land and landscape policies are set out in s4.7.2. Indigenous flora and fauna policy settings are described in s4.8.2 including opposition to all destruction of native flora and fauna without Te Kawerau ā Maki written consent. Policy 4.9.2 concerns Te Kawerau ā Maki participation in design of the built environment and interpretation of heritage. The IMP also details formal support and adoption of the 1993 Mataatua Declaration on cultural and intellectual property rights of indigenous peoples.

6.0 Te Ao Māori

Our worldview is the framework by which we understand and navigate our physical and metaphysical environment. A full account of the cosmological underpinnings of Te Ao Māori is not offered here but in brief it recognises both the spiritual and the physical, is guided by different domains governed by atua or distinct spiritual entities, and involves several core concepts including whakapapa, mana, wairua, mauri, tapu, and noa. Mātauranga is the knowledge or wisdom about the world developed over generations and passed down from tūpuna, while tikanga is the evolving set of principles and customary practices by which Māori give effect to this knowledge to navigate the world safely.

Papatūānuku

The primordial goddess embodying the whenua or land. She is the earthmother to all living things. This whakapapa is one of the reasons why whenua is the name for placenta as well as land, and why in Te Ao Māori tangata whenua belong to the whenua and not the other way around. Papatūānuku is a source of rejuvenation and life.

Ranginui

The primordial god embodying the sky or heavens. He is the skyfather to all living things. When he was separated from his wife Papatūānuku by their children, his tears became the rain which is considered tapu until it reaches the ground (wai Māori).

Tūmatauenga

The god of war and human activities and a progenitor of humanity.

Tāwhirimātea

The god of weather including thunder, lightning, wind, clouds and storms. He was opposed to the forced separation of his parents Papatūānuku and Ranginui and therefore he wars with his brothers and their descendants to this day.

Tāne

The god of forests and animals and an originator and protector of humans. Responsible for separating the embrace of his parents and ushering in Te Ao Marama (the age of light).

Tangaroa

The god of the sea, lakes, rivers and animals that live in them. There is a close and sometimes contentious relationship between Tangaroa and Tāne reflected in creatures such as reptiles and whales and in the dynamic between the sea and the coastline.

Rongo

The god of cultivated plants and agriculture also associated with peace.

Haumia-tiketike

The god of uncultivated plants and wild foraging.

Matā-oho

The local god of volcanic activity and earthquakes that formed the Tāmaki volcanic field.

Whakapapa

The sacred genealogy linking all things. Humans whakapapa not only to human tūpuna (ancestors), but also to the whenua, atua and their respective lineages. All indigenous animals and plants have an interconnected whakapapa. Whakapapa is a prerequisite of mana whenua, whānaungatanga, and kaitiakitanga.

Mana

A core metaphysical concept regarding the inherent authority or power of people, places or objects. Mana is derived or delegated from atua and, in the case of humans, is both inherited and earned through

actions. Everything including people has an element or degree of mana. A person or tribe's mana can increase or decrease depending on the success, failure or nature of actions (or inactions) and is directly tied to their wellbeing. Undertaking the responsibilities of manakitanga and kaitiakitanga successfully are examples of maintaining or enhancing mana and contribute to cementing mana whenua.

Tapu

A core metaphysical concept regarding a state or degree of sacredness, prohibition, being set apart or forbidden. Tapu is a state where a person, place or thing is under the protection of or dedicated to an atua and is thus removed from profane or normal or common things and uses. Tapu is closely linked to mana and governs the behaviour of individuals and the wider society. Everything including people has an element or degree of tapu that must be preserved and respected. It is a priority of rangatira, tohunga and kaitiaki to maintain tapu and to ensure it is not diluted by common things. As with mana, the maintenance of tapu is directly linked to the wellbeing of both individuals and the tribe.

Noa

A core metaphysical concept regarding a normal or common (and sometimes profane) state that is in essence the opposite of tapu. Noa actions and things (whakanoa) can dilute tapu.

Wairua

A core metaphysical concept regarding the immortal spiritual or non-physical element of people, places or things.

Mauri

A core metaphysical concept regarding the essence that binds the physical and the spiritual together to enable life to exist and to thrive. Mauri is a sacred element and can be weakened or enhanced. When damaged or diluted the binding between the physical and the spiritual realms is weakened and life begins to falter and fail. It is the sacred obligation of mana whenua, through the act of kaitiakitanga, to maintain the balance of mauri within people, places, objects, ecosystems, and the hapū or iwi.

Mātauranga

The body of knowledge or customary wisdom and skill embedded within the tohunga, whānau, hapū and iwi. Mātauranga is passed down through generations from tūpuna but is also added onto through successive generations of uri, and culturally encodes hundreds of years of observations, measurements, theory, and custom regarding Te Ao Māori and the environment.

Tikanga

The lore, customs, practices, protocols, rules and methods that give effect to the application of mātauranga in navigating the natural and social world. There are different tikanga for different contexts and in different domains.

Cultural Values

Cultural values are the shared norms that govern the continuation of culture and provide the framework for social and individual actions. Key values include: rangatiratanga (chiefly authority or self-governorship), whānaungatanga (kinship and reciprocal connection through shared whakapapa), wairuatanga (spirituality), manakitanga (hospitality and showing care), and kaitiakitanga (guardianship or stewardship).

7.0 Scoping and Consultation

The Study Area comprises a 3000m radius from the centre of the Site. This radius is considered appropriate given the large scale of the Site and presence of heritage sites that could have setting or indirect impacts. Within this area all appropriate and known cultural sites, areas, landscapes and resources have been identified. Te Kawerau ā Maki however reserve the right to withhold certain information regarding wāhi tapu or sites that are culturally and spiritually sensitive to the iwi.

This report includes all known or appropriate-to-report elements of the natural and cultural environment within the Site and Study Area considered to hold cultural value for Te Kawerau ā Maki. This information forms the baseline of the assessment. This includes native biodiversity and ecology, geological and topographic features, natural resources including water bodies, built heritage such as marae, socio-cultural features such as papa kāinga, cultural landscapes, historic or cultural sites, Māori archaeological sites, pou whenua and significant cultural public art.

Mātauranga/cultural knowledge of the Site and Study Area has been obtained, where appropriate, from Te Kawerau ā Maki kaumatua, kuia and other holders of knowledge within the iwi. Readily available published and unpublished written records, illustrations, maps, archaeological and geological records were reviewed during preparation of this cultural assessment. Spatially referenced heritage asset data was reviewed from the Auckland Council Cultural Heritage Inventory (CHI) and the New Zealand Archaeological Association (NZAA) recording scheme database (ArchSite). Other information, reports, and impact assessments available for the Site that have been provided by the Client have been reviewed including: architectural plans and design statements (Gel Architects 2021), urban design statements (Transurban 2021), high-level civil engineering memo (Aspire Consulting Engineers 2021), ecology memo (Bioresearches 2021), geotechnical review (CMW Geosciences 2021), contamination review (Geosciences Ltd 2021), landscape design report (Shafer Design 2021), planning statement (The Planning Collective 2021), and archaeological memo (Origin Archaeology 2021). The opinions contained within this document may change and/or develop as new information is released.

This Cultural Impact Assessment involved a desktop study based on review of technical information, cultural knowledge of the area, and research. A site visit was not carried out due to Covid19 restrictions.

8.0 Assessment Approach

Following standard Environmental Impact Assessment (EIA) methodologies and planning terminology, but adapted for CIA purposes, this report will:

- a. **Identify** the cultural sites, areas and resources (defined as both tangible and intangible cultural heritage, natural resources of cultural interest, and socio-cultural features) within a Study Area encompassing the proposed Site and a wider area that may be directly or indirectly impacted. The Study Area is defined as approximately 3000m radius of the Site to correspond with a likely area of setting impacts (e.g. noise, visual), indirect impacts, and a logical catchment of the cultural landscape.
- b. Provide comment on the cultural **value** of the identified cultural sites, areas and resources. Māori cultural value is not derived from national or local policy but is defined and determined by tangata whenua and their particular world view and culture. Māori values are distinct from historic, archaeological or other value-systems, and are recognised by the courts and statute as their own legitimate knowledge-system with tangata whenua being the experts. Māori values are informed by whakapapa and guided by tikanga and kawa, with emphasis placed on the associative and living connection to places and resources which sustain cultural knowledge (mātauranga), practices, and spiritual and physical wellbeing. All cultural sites, areas and resources are of value and significance to Te Kawerau ā Maki, who hold a holistic view of the environment and the unique relationship of the iwi to the whenua. It is inappropriate to apply a Western paradigm of value hierarchy or significance ranking (i.e. 'low, medium, high') when using a Te Ao Māori lens. For planning purposes, all cultural sites, areas and resources can be considered to hold high value, which is supported by RMA Part II matters noting the relationship of tangata whenua with

their lands, waters, and taonga as nationally significant. Value is also assigned against the cultural values identified in the AUP Policy B6.5.2(2):

- i. Mauri: the mauri (life force and life-supporting capacity) and mana (integrity) of the place or resource holds special significance to Mana Whenua;
 - ii. Wāhi Tapu: the place or resource is a wāhi tapu of special, cultural, historic, metaphysical and or spiritual importance to Mana Whenua;
 - iii. Korero Tūturu: The place has special historical and cultural significance to Mana Whenua;
 - iv. Rawa Tūturu: the place provides important customary resources for Mana Whenua;
 - v. Hiahiatanga Tūturu: the place or resource is a repository for Mana Whenua cultural and spiritual values; and
 - vi. Whakaaronui o te Wa: the place has special amenity, architectural or educational significance to Mana Whenua.
- c. Identify the potential **impacts** to cultural resources and elements. Only Mana Whenua can define the impact to their cultural values, but guidance is noted below. Cultural impacts can be neutral, negligible, minor, moderate, or major and either adverse or beneficial. Impacts can also be temporary or permanent. Impacts can be:
- i. direct (i.e. physical impacts resulting from a development; impacts to the settings of cultural sites or the character of cultural landscapes, visual, noise, odour, or culturally inappropriate land use activities)
 - ii. indirect (i.e. traffic congestion, erosion due to vegetation loss, or other secondary impacts that occur over time or in a secondary location to the original activity).
 - iii. cumulative (i.e. impacts which are caused by the combined result of past, current and future activities, or in-combination impacts).
- d. Define the **significance of effect** resulting from combining the value of a cultural site, area or resource and the level of potential impact to that site, area or resource. Significance of effect is assessed pre-mitigation but can also be assessed again post-mitigation to ascertain the *residual effect* and effectiveness of any proposed mitigation. Significant effects (within a planning framework) are those with moderate or large effects (either adverse or beneficial). This method is outlined below in Table 1.

Table 1: Significance of effect

		LEVEL OF IMPACT				
		No Change	Negligible	Minor	Moderate	Major
CULTURAL VALUE	High	Neutral	Minor	Moderate	Large	Large
	Medium	N/A	N/A	N/A	N/A	N/A
	Low	N/A	N/A	N/A	N/A	N/A

9.0 Assumptions and Limitations

Te Kawerau ā Maki are the experts of our own culture and tikanga. This expertise and the equal weighting of mātauranga Māori evidence is accepted in the courts and by statute. Through a necessity to work within a Western planning framework we utilise planning language where possible to aid in mutual understanding, however there is difficulty in the translation and application of some core cultural concepts to such a framework. This is particularly an issue when segmenting or demarcating value spatially, when ascribing a type of significance hierarchy, and when limiting value to tangible elements, whereas Māori hold a holistic perspective that operates differently to typical Western paradigms. This means that where there is doubt or confusion over a term or point of discussion, readers should contact Te Kawerau ā Maki directly for clarification.

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

The environmental and archaeological data relied upon for elements of this report are derived from secondary sources and it is assumed the data and opinions within these and other secondary sources is reasonably accurate.

The CHI and ArchSite databases are a record of known archaeological and historic sites. They are not an exhaustive record of all surviving historic or cultural sites and resources and do not preclude the existence of further sites which are unknown at present. The databases also utilise a site location point co-ordinate system rather than detailing site extents or cultural landscapes.

Where this report is to be tabled in a public forum, the 'cultural baseline' section should be redacted to ensure cultural safety and integrity of our cultural IP, mātauranga, and taonga.

ENVIRONMENTAL BASELINE

10.0 Topography and Geology

The underlying geology of the Study Area is of late Pliocene to Middle Pleistocene pumiceous river desposits. These alluvial river plains are typical of the western and southern upper Waitematā harbour and are generally considered to be productive soils suitable for horticultural use (as evidenced by its late 19th and 20th century pastoral and horticultural landuse). The surrounding and deeper geology consists of Waitematā series (East Cast Bays formation) sandstone, siltstone and mudstone.

The topography of the Study Area is generally fairly flat and low-lying reflective of the ancient river plains that formed the landscape. Steeper land is situated to the north at Riverhead forest and around Paremōre. Two main drainage systems exist in the landscape: the Kumeū river to the west, and the Rangitōpuni/upper Waitematā to the east. The Site itself is fairly flat and currently in enclosed horticultural use with exotic tree wind breaks, windrows for strawberries and other horticultural products, and one area of residential and farming buildings. The site includes, and is surrounded by, a series of streams or overland flow paths.

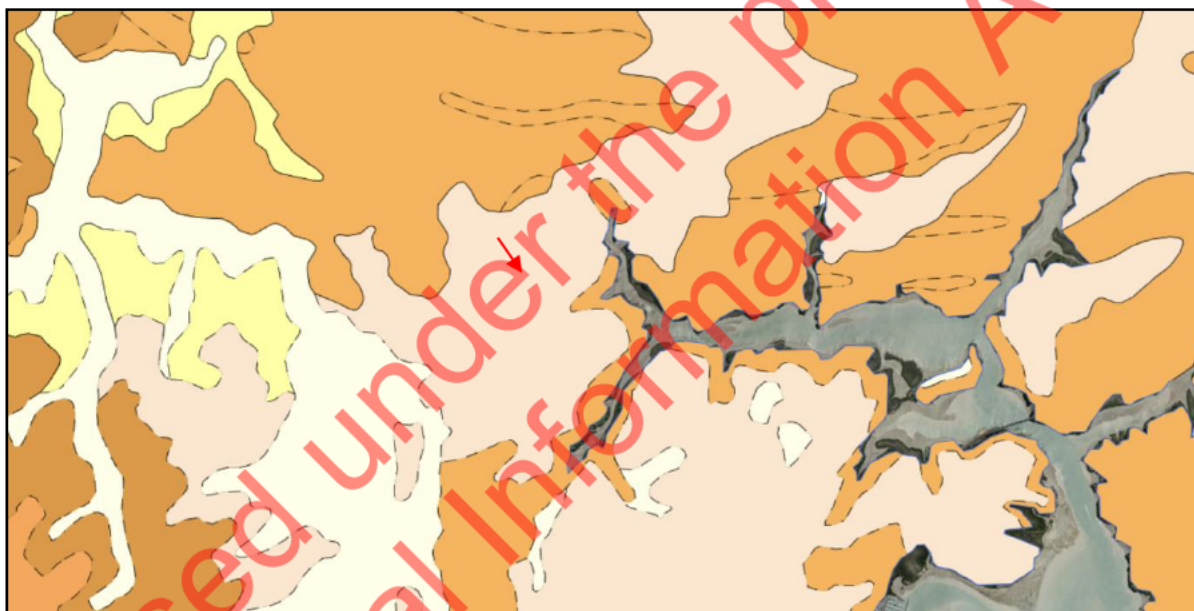


Figure 4: Image showing the underlying geology of the Study Area and beyond (source: GNS Science 1:250k map)

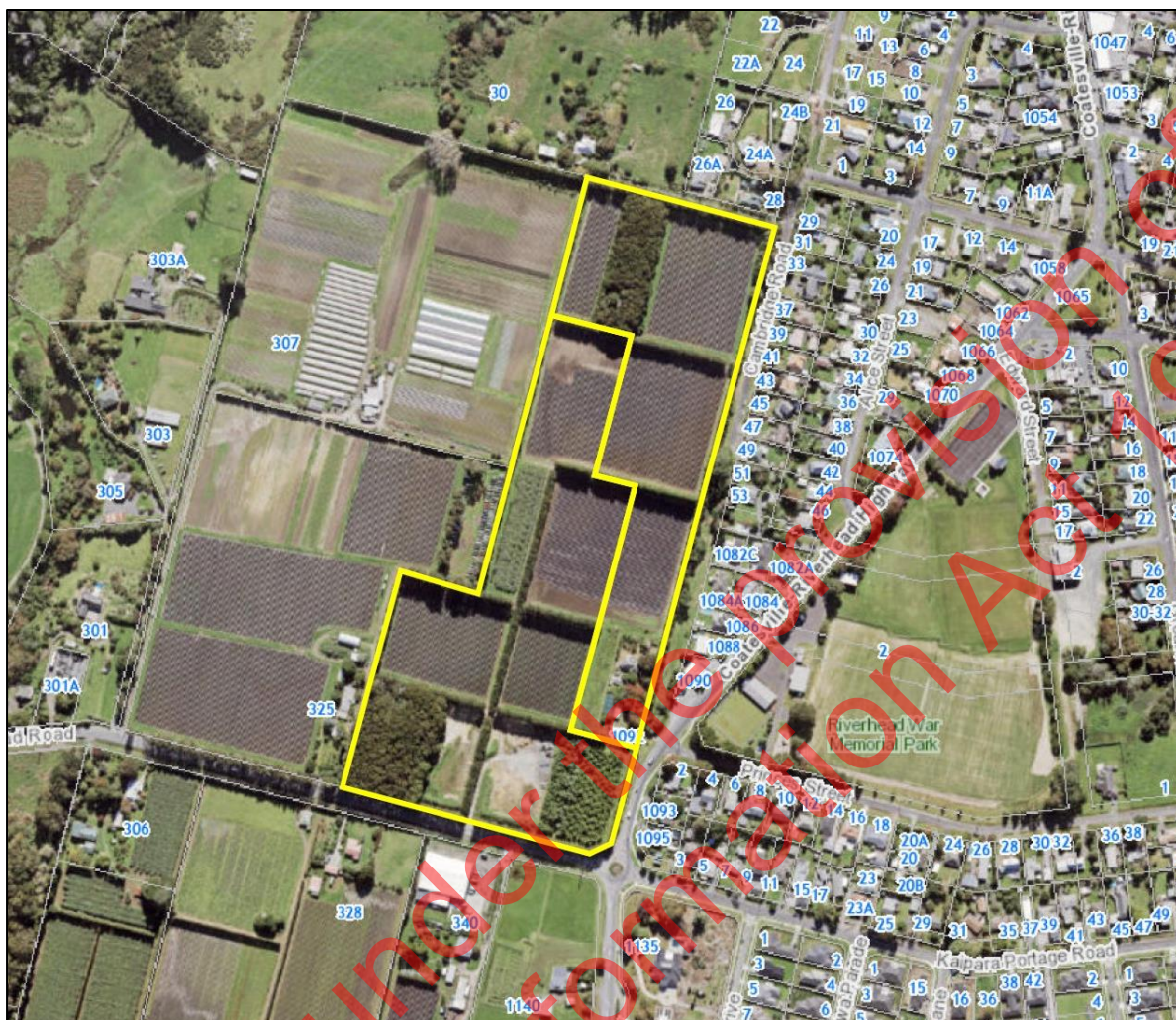


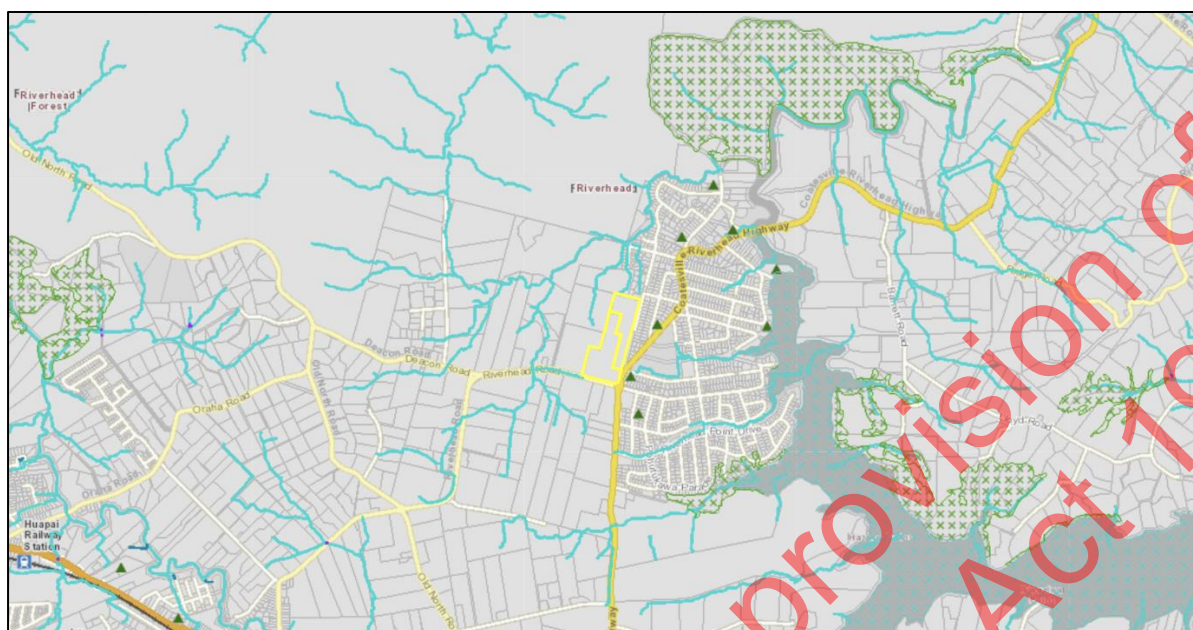
Figure 5: Image showing the topography of the Site (source: Council GeoMaps)

11.0 Natural Resources and Ecology

The Study Area being relatively flat and low-lying includes numerous streams and overland flow paths. The Site itself sits between several small tributaries and flow paths, but within the Site itself previous streams/flow paths have been historically reclaimed/infilled, or were artificially constructed. Subsequently no natural wetlands or freshwater habitat of any notable value were identified.

The ancient ecosystem of the area would have included pūriri forest, and also kahikatea based on oral records. The Study Area includes terrestrial significant ecological areas (SEAs) north of Riverhead township and along river margins, and a marine SEA in the upper Waitematā. A small number of scheduled trees are located within the Riverhead township. Today the Site consists of strawberry horticulture and a mix of exotic vegetation with very few native plants present (the overall botanical value is considered low).

In terms of native animals the habitat of the Site is unlikely to support their presence and none were noted in the Bioresearches report. It is possible the Site supports native lizards (geckos) and birds in small numbers however. Pekapeka or native bats are known to occasionally frequent and roost in the Riverhead area, but their presence was not commented on by the assessment. No notable habitat for or species of native insects were noted.



CULTURAL BASELINE

12.0 Statement of Association

Te Kawerau ā Maki is an iwi with customary interests that extend from Hikurangi (West Auckland), east through the Tāmaki Isthmus, and north through lands around the upper Waitematā Harbour and North Shore (Te Whenua roa ō Kahu), and into the south Kaipara and Mahurangi. Te Kawerau ā Maki interests also extend into the Hauraki Gulf including islands such as Tiritiri Matangi. Te Kawerau ā Maki hold mana whenua or customary rights in particular over Hikurangi and the upper Waitematā which is the heartland of the iwi and where we assert lead cultural interests. Te Kawerau ā Maki have shared whakapapa with many other hapū and iwi who also have overlapping customary interests in these areas, though our take whenua (specific land rights) and take moana (specific water rights) may differ in nature and location.

Te Kawerau ā Maki are represented by Te Kawerau Iwi Settlement Trust (TKIST) which is the post-settlement governance entity established under the Te Kawerau ā Maki Claims Settlement Act 2015. The Settlement Act formally recognises the Te Kawerau ā Maki area of interest described above. The central purpose of Te Kawerau Iwi Tiaki Trust (a subsidiary of TKIST) is to protect, enhance and progress the cultural, social and environmental wellbeing of the iwi and to support the kaitiaki responsibility of ensuring the restoration and maintenance of the cultural and natural environment.

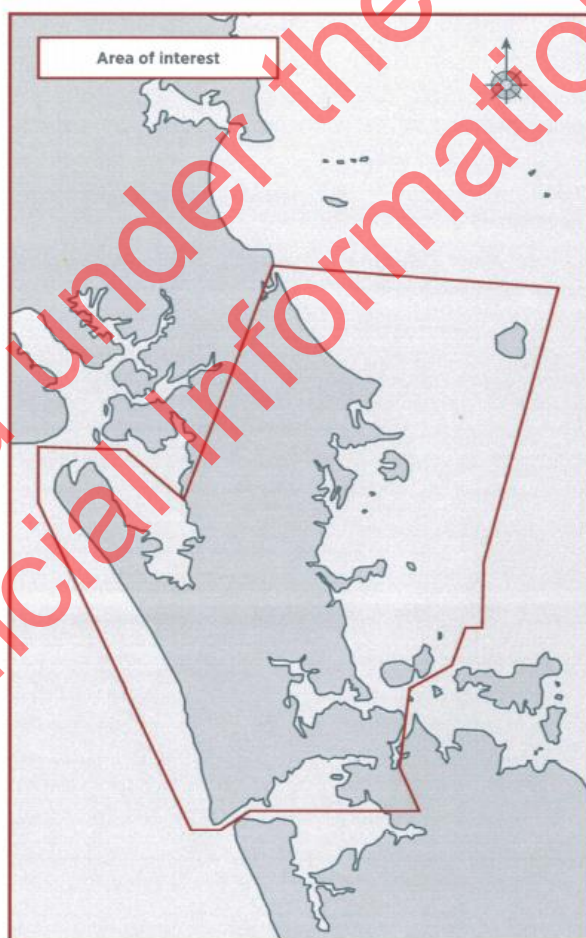


Figure 7: Map showing Te Kawerau ā Maki area of interest

Te Kawerau ā Maki trace their whakapapa back to the first inhabitants of the land – the Tūrehu, and on to the first migrants who descended from Kupe-mai-tawhiti and Toi-te-huatahi. Te Kawerau ā Maki also descend from the arrival of the Tainui, Aotea, Tokomaru, Kahuitara, Kurahaupo and Moekakara canoes around the 14th century, and the Ngāti Awa, Ngā Oho, and Ngāiwi people who occupied the wider Tāmaki Makaurau area prior to 1600. The eponymous ancestor Maki is an important figure in the history of Tāmaki Makaurau. He was a famed warrior and leader who was victorious in a number of battles and settled (through peace marriages) much of the region during the early 1600's. He descended directly from Rakataura (Hape) of the Tainui waka, and from the Ngā Oho and Ngaiwi peoples of the region as well as their close relations at Kawhia. In time Maki's descendants occupied lands from Hikuangi, to Te Whenua roa o Kahu, Whangaparaoa, Mahurangi, Matakana, Pakiri, southern Kaipara, and the gulf islands of Aotea (Great Barrier Island), Hauturu o Toi (Little Barrier Island) and Titi Matangi, forming the Te Kawerau confederation, a group of interrelated hapū with shared descent from Maki and his brother. The name Te Kawerau ā Maki itself arises from an incident which occurred while Maki was visiting the southern Kaipara and is also one of the names given to Maki and his wife Rotu's only southwest Kaipara-born son and the founding ancestor of the iwi, Tawhia-ki-erangi.

The Site cannot be examined in isolation of the wider cultural/ancestral landscape or takiwa. This wider context is required to better understand the cultural values associated with the lands and resources occupied by and surrounding the Site. Cultural landscapes are the sum of the tangible and intangible resources and geography, archaeological features, wāhi tapu, place names, histories, activity areas, places and sites that are interconnected and imbue a spatially defined area with context and meaning for a particular cultural group or groups. Cultural landscapes are what give meaning to and allow interpretation of otherwise spatially discrete sites and resources. They are also integral to Te Kawerau ā Maki's identity, sense of place and connection, and wellbeing. Cultural heritage (taonga-tuku-iho) sits within and across cultural landscapes. These features help tie the iwi to the whenua and create a web of cultural reference points (wāhi tohu) within the rohe (tribal area).

Te Kawerau ā Maki hold significant associations with Manga Rangitōpuni and its catchment. It is a key corner of our tribal heartland. The river is a important wāhi tohu within our rohe, and is particularly associated with our 15th century tūpuna Ruarangi, our founding ancestor Tawhiakiterangi (early 17th century), his grandson Te Au o Te Whenua, and his grand-nephew Paotaniwha. The river takes its name from a locality on its banks just northeast of Riverhead township where, in the early 1700s, Te Kawerau ā Maki concluded a series of peace-making meetings with Te Taou in an event known as Rangitōpuni (the day of the gifting of the dog skin cloaks). Riverhead is watched over by Te Ahu or the high peak near the centre of Riverhead forest in the north. Occupation of the area was concentrated near the small falls (Riverhead bridge) marking the transition between the river and the upper Waitemata harbour. On the west bank was the kāinga Taurangatira which was a home of our eponymous tūpuna and rangatira Tawhiakiterangi (Te Kawerau ā Maki). North of this kāinga the river tributary that flows from the west – known as Papakoura in reference to the freshwater crayfish that could be harvested here. This area of north Riverhead is known as Kaiakeake in reference to an event where Ruarangi chewed the leaves of the bitter akeake tree. On the east bank opposite Taurangatira was the kāinga Ōrangikānoh which was named after a Te Kawerau ancestress. Near southern Riverhead township was the kāinga Pitoitoi (named after the robins that once were abundant in the area). Further south near the Huapai Golf Course was the important site Maraeroa which contained many wāhi tapu including sacred trees. The south of the catchment is bordered by the Pitoitoi/Ngongetepara awa (Brigham Creek), which has the sites Tahunapupu and Turanga o Kawau at its mouth, and the kāinga Ngongetepara at its headwaters. The small sub-catchment near Brigham Lane and Moontide Road is known as Te Ahipekapeka. Across the upper harbour from the mouth of Te Wai Pitoitoi was the headland settlement Te Kokanga, which was the southern end of the long northern ridgeline walking trail named Heruroa. To the west of Riverhead township is the hill Te Pane o Paotaniwha. This watched over the important Te Tōangaroa (Kaipara portage) that ran from Pitoitoi and Maraetia to the Kumeū river. The western end of the portage is known as Wai paki I rapa o Ruarangi which is located in southern Kumeu township near the SH16 bridge.

Te Kawerau ā Maki customary rights to the area are derived from Maki, Tawhiakiterangi, Taimanu, Te Au o Te Whenua, Paotaniwha and Rangihina. The Te Kawerau ā Maki rangatira Te Au o Te Whenua

married Rangihina the daughter of Poataniwha (a great grandson of Maki) and thus a cousin in order to reinforce the two Te Kawerau hapū. Mana over the resources of the land were thus held by the Te Kawerau hapū Ngati Poataniwha and Te Kawerau a Maki and were never ceded or lost to any other tribe.

Te Kawerau ā Maki's deep association with the above landscape is reflected by the fact we have three statutory acknowledgements over it including the Rangitopuni Stream and tributaries, the Kumeū River and tributaries, and the coastal acknowledgement that includes specifically the upper Waitemarā. It is also reflected in the fact that we received the title to Riverhead forest as a key redress in our Treaty settlement. We also have Treaty settlement lands at nearby Paremoremo and Te Onekiritea (Hobsonville). Te Kawerau ā Maki also nominated Taurangatira as a site of significance to Mana Whenua which has been scheduled in the Auckland Council Unitary Plan (schedule 12 plan change).

13.0 Māori Archaeology

The archaeology of the Study Area can be typified as predominately midden features located along coastal and riverine margins. These features reflect seasonal camping and natural (mostly aquatic/marine) resource exploitation and processing. The interior lands were generally unsuited to Polynesian cultigens such as kumara. Archaeological reports tend to note such occupation as ephemeral campsites of little importance, however the kāinga and pā of the area were well established and at least semi-permanently (seasonally) occupied. Taurangatira (schedule 12 site ID94), Pitoitoi and Maraeroa were important to Te Kawerau's seasonal cycle of movement across and within the rohe. They also guarded the eastern access to the Kaipara portage. It is important to remember that kāinga cannot exist as simple food processing sites (midden) but necessitated the construction of dwellings, māra kai (or at least food storage), drinking water, and a place to bury the dead (urupā). There are many reasons why physical remnants of such have not been recorded.

Within the Site footprint no previously recorded archaeological sites have been identified. It is considered to be of low likelihood that any will be uncovered, but there remains a possibility.

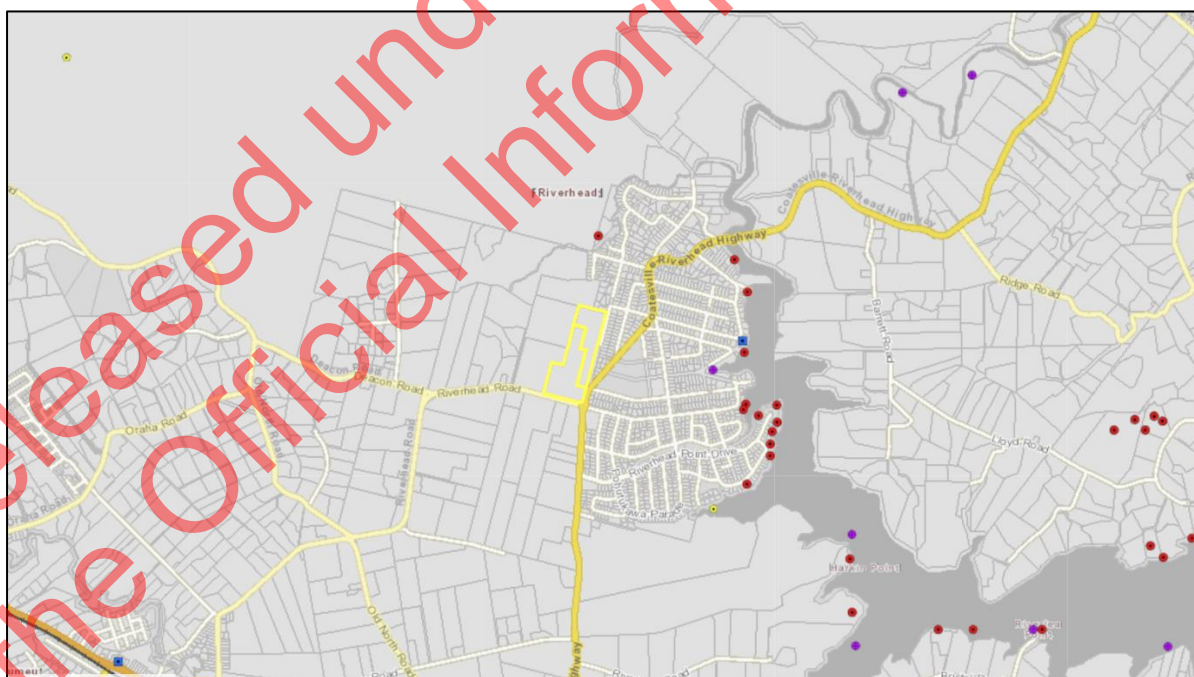


Figure 8: Map showing Māori archaeological records in the area (from Auckland Council)

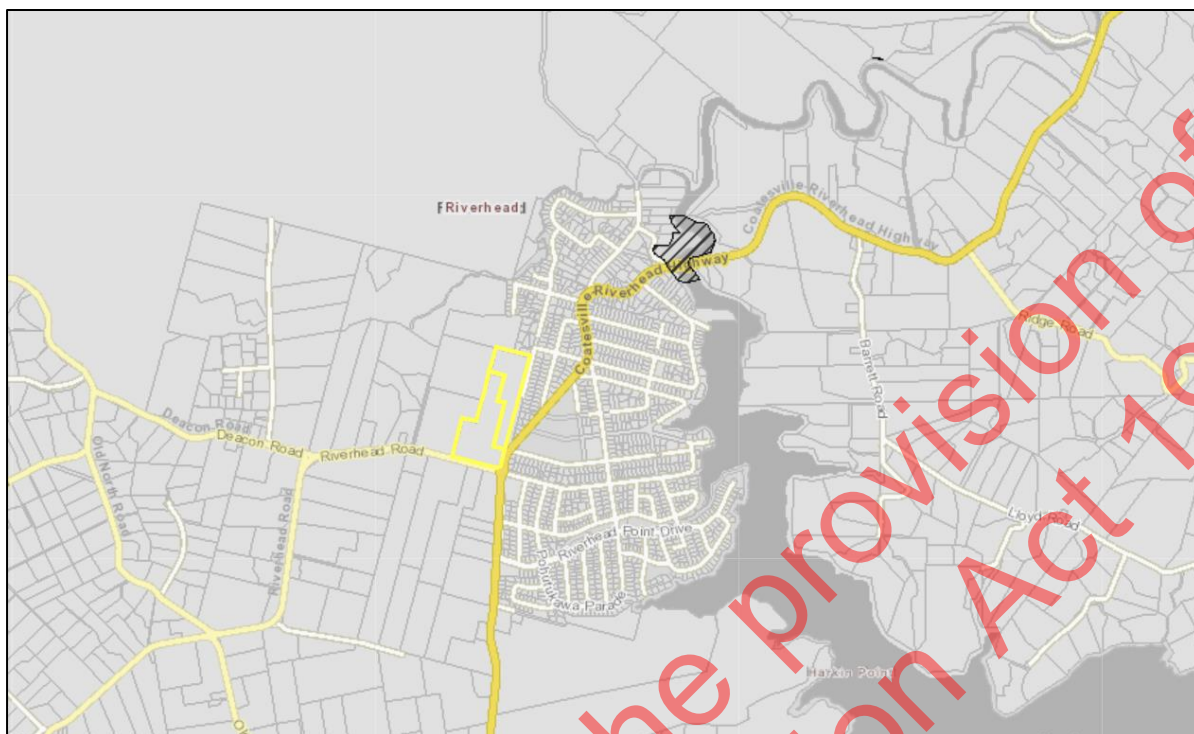


Figure 9: Map showing Taurangatira a site of significance scheduled in the Unitary Plan (from Auckland Council GeoMaps)

14.0 Cultural Sites and Resources

For Te Kawerau ā Maki the entire Rangitōpuni area is a cultural landscape, embedded with identity, meaning, and significance. The character and integrity of the whole is made up of its constituent parts, such as the awa and harbour, the coastal kāinga, the puke and maunga of the hinterland, the natural resources including the soils and waterways, and the Kaipara portage. The land on which the project is proposed is significant due to its place within this landscape, as well as the fact the Kaipara portage runs along the southern boundary. Below is an annotated list of specific sites, areas and resources of cultural significance in the Study Area which Te Kawerau ā Maki consider appropriate to disclose (Table 2).

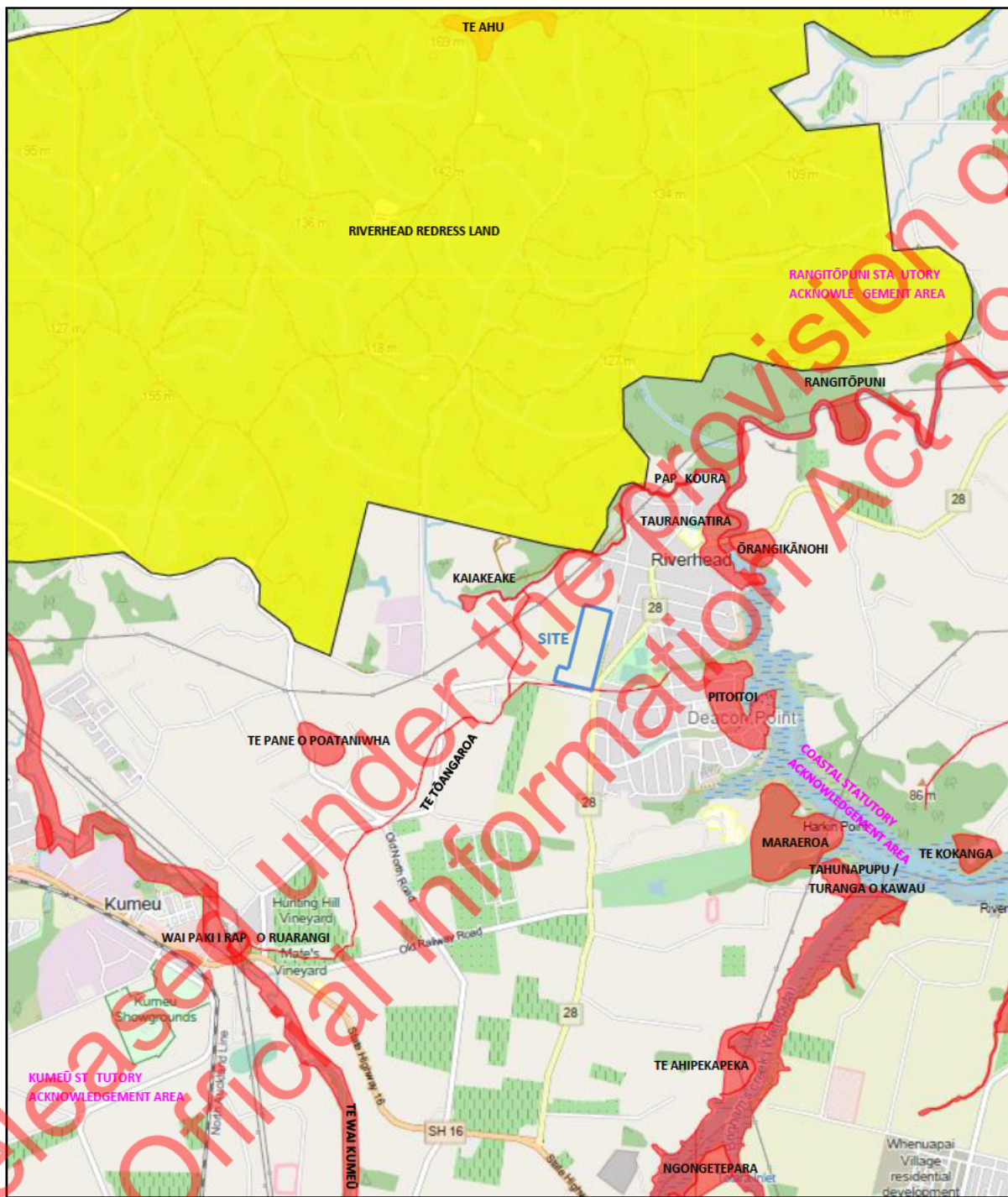


Figure 10: Map depicting some of the cultural sites, areas and resources within the Study Area and Site.

Table 2: Summary of cultural sites, areas and resources within the Study Area.

Name	Description	AUP value	Cultural value
Whenua (Soils)	The soils of the Site are relatively productive and able to be used for the growing of food and sustaining of habitat, and hence contain a strong sense of mauri	Mauri, Rawa Tūturu	High
Native Animals	While the Site contains little native habitat, and practically no aquatic habitat, it is possible that native lizards, birds, and potentially bats could be present	Mauri	High
Te Tōangaroa	The Kaipara portage ran approximately along the southern boundary of the site from Pitoitoi to south Kumeū township	Kōrero Tūturu	High
Māori occupation and use (archaeology)	The surrounding area was known to be utilised extensively by our ancestors, however most archaeological evidence is confined to the coastline. It is likely that use within the Site would have been relatively transitory or impermanent, and combined with the observed record, means the likelihood of unknown archaeology is low. If encountered however, such evidence is important as it relates directly to our ancestors	Kōrero Tūturu	High
Rangitōpuni Cultural Landscape	The cultural landscape is one connected to the great forest that once reached to the shores of the Waitematā, and the character of the many low-lying ancient seasonal coastal kāinga that are located along the shores of the Waitematā wherever fresh water food resources, and transport access were available. The area is associated in particular with the activities of the tūpuna Ruarangi, and also the later series of peace meetings between Te Kawerau and Te Taou	Mauri, Wāhi Tapu, Kōrero Tūturu, Rawa Tūturu, Hiahiatanga Tūturu, Whakaaronui o te Wa	High
Te Wai te matā o Kahu	The waters of the harbour are of shared customary and ancestral rights, are integral to the understanding of our rohe and cultural landscapes, and provided a source of kai and transport for generations	Mauri, Wāhi Tapu, Kōrero Tūturu, Rawa Tūturu, Hiahiatanga Tūturu,	High
Rangitōpuni Awa	The awa is a significant ancestral wāhi tohu, transport corridor, and source of resources for generations of our people and has a strong sense of mauri	Mauri, Wāhi Tapu, Kōrero Tūturu, Rawa Tūturu, Hiahiatanga Tūturu,	High
Kumeū Awa	The awa is a significant ancestral wāhi tohu, transport corridor, and source of resources for generations of our people and has a strong sense of mauri	Mauri, Wāhi Tapu, Kōrero Tūturu, Rawa Tūturu, Hiahiatanga Tūturu,	High
Pitoitoi Awa	The awa is a significant ancestral wāhi tohu, transport corridor, and source of resources for generations of our people and has a strong sense of mauri	Mauri, Wāhi Tapu, Kōrero Tūturu, Rawa Tūturu, Hiahiatanga Tūturu,	High
Te Ahu	The high point within Riverhead forest	Mauri, Wāhi Tapu, Kōrero Tūturu	High
Te Pane o Poataniwha	The hill that marked the territory of Poataniwha and watched over the Kaipara portage	Wāhi Tapu, Kōrero Tūturu	High
Wai paki i ake o Ruarangi	A wāhi tūpuna involving Ruarangi of significance located near the Kumeū bridge	Wāhi Tapu, Kōrero Tūturu	High
Kaiakeake	The area of northern Riverhead named after and event involving the akeake plant and the tūpuna Ruarangi	Kōrero Tūturu	High
Papakoura	The western tributary of Rangitōpuni where fresh water crayfish could be gathered	Mauri, Rawa Tūturu	High
Rangitōpuni	A peace-making site in the southern part of the stream catchment, to the northeast of Riverhead	Wāhi Tapu, Kōrero Tūturu	High
Taurangatira	Kāinga of significance where Tawhiakiterangi and generations of rangatira dwelt seasonally	Wāhi Tapu, Kōrero Tūturu	High
Ōrangikānohi	Kāinga	Kōrero Tūturu	High
Pitoitoi	Kāinga and start of the portage	Kōrero Tūturu	High
Maraeroa	Kāinga	Wāhi Tapu, Kōrero Tūturu	High

Tahunapupu / Turanga o Kawau	Seasonal camping site	Kōrero Tūturu, Rawa Tūturu	High
Te Kokanga	Headland kāinga	Kōrero Tūturu	High
Te Ahipekapeka	Settlement and wāhi tapu catchment	Wāhi Tapu, Kōrero Tūturu	High
Ngongetepara	Kāinga and awa	Mauri, Kōrero Tūturu, Rawa Tūturu	High
Riverhead Redress Land	Riverhead forest lands returned to the tribe through the Treaty settlement	Hiahiatanga Tūturu, Whakaaronui o te Wa	High

IMPACT ASSESSMENT

15.0 Potential Direct Impacts

Potential direct adverse impacts (arising from both construction and operation phases) include bulk earthworks and changed landuse that will remove relatively productive topsoils (permanent adverse), discharge of stormwater to the waterways and harbour (permanent adverse), direct mortality or injury to less mobile native species that may be present during site works (temporary adverse), light pollution (permanent adverse), and (low) potential to destroy or modify Māori archaeological sites.

Potential direct beneficial impacts can arise from the creation of naturalised watercourses as part of the stormwater network and water-sensitive design (permanent beneficial), revegetation of areas with native vegetation (permanent beneficial), and from provision of pedestrian access through the site.

16.0 Potential Indirect Impacts

Potential indirect impacts (arising from both construction and operation phases) include displacement of native fauna if present (temporary adverse), construction related noise and vibrations or dust (temporary adverse), construction related sediment and stormwater contaminants (temporary adverse), and plastic particulates, organics or heavy metal contaminants entering waterways from domestic and vehicular activities (permanent adverse).

Potential indirect beneficial impacts include attracting new avian individuals to the area (assuming ecological enhancement works), and thus overall fitness, through weed and pest management and enhancement planting, particularly as trees mature (permanent beneficial). Other potential indirect positive effects could arise from place-naming that could contribute to a growth in understanding of the cultural history of the area.

17.0 Potential Cumulative Impacts

Potential cumulative adverse impacts (arising from both construction and operation phases) include the removal of further relatively productive soils from the landscape (permanent adverse), a net increase in urban discharges to the harbour (permanent adverse), increase in net light pollution (permanent adverse), and slight changes to the character of the cultural landscape through further urbanisation (permanent adverse). Noting that in this area of the landscape the sensitivity to change is moderate.

Potential cumulative beneficial impacts include from contributing to weed and pest control combined with stream and vegetation enhancement (permanent beneficial) that contribute to the net ecological outcome for the catchment, and from reintegrating Māori place-names.

18.0 Summary of Effects

Specific potential impacts identified as relating to the proposed project are included in Table 3 below:

Table 3: Summary of potential cultural impacts

Name	Summary of impact	Level of Impact	Significance of effect	Proposed mitigation	Residual effect	Offsetting
Whenua (Soils)	Direct and cumulative permanent adverse from bulk earthworks and land-use change removing relatively productive topsoil	Minor Adverse	Moderate Adverse	Nil – cut and fill balance/neutral may be possible given the size of the Site	Moderate Adverse	Recommend pushing for cut/fill balance and/or reintegration of <i>in situ</i> topsoils into landscaping where possible
Native Animals	Direct, indirect and cumulative temporary and permanent adverse from injury or mortality during construction works, noise pollution, light pollution Potential direct and cumulative permanent beneficial from improved habitat (streams and vegetation)	Minor Adverse	Moderate Adverse	Subject to a full ecological assessment, implement a lizard management plan, a pre-vegetation removal bird nesting (and bat) survey with identified nests protected until nestlings have fully fledged, minimise light spill into planned vegetation areas, enhance vegetation to increase quality of habitat	Minor Beneficial	N/A
Te Tōangaroa	Direct setting impacts on the route through urbanisation	Negligible Adverse	Minor Adverse	N/A	Minor Adverse	N/A Recommend incorporating cultural design
Māori occupation and use (archaeology)	Direct permanent adverse arising from earthworks or landscape planting removing part of all material of a site, noting however that the likelihood of this occurring is low	Neutral – Major Adverse	Variable but probable Neutral Adverse	Nil – NB Te Kawerau ā Maki do not consider archaeological excavation a form of full cultural mitigation. Our participation in excavations is a mitigate, but only a minor one	Neutral Adverse (Potential)	If encountered interpretation /cultural design could help mitigate further
Rangitōpun Cultural landscape	Cumulative permanent adverse arising from further urbanisation, noting that in this section of the landscape the sensitivity to change is moderate	Negligible Adverse	Minor Adverse	Nil	Minor Adverse	N/A Recommend potential to reduce through reintegration of cultural history and values via placemaking
Te Wai te matā o Kahu	Direct, indirect, and cumulative temporary and permanent adverse from stormwater discharge carrying sediments and contaminants, noting drainage is about 1km from the coast but ultimately drains to the harbour Potential combined neutral impact if	Negligible Adverse	Minor Adverse	Undertaking stream/natural network creation, employ a 100% native vegetation palette for all street planting/public spaces, and will install a mixture of tree pits, vegetated swales, proprietary devices and retention/detention tanks for	Neutral Adverse	N/A

Name	Summary of impact	Level of Impact	Significance of effect	Proposed mitigation	Residual effect	Offsetting
	stream and ecological enhancement works undertaken and robust stormwater systems in place			stormwater treatment		
Rangitōpuni Awa	Direct, indirect, and cumulative temporary and permanent adverse from stormwater discharge carrying sediments and contaminants, noting drainage is about 1km from the awa but ultimately drains to the awa and harbour Potential combined neutral impact if stream and ecological enhancement works undertaken and robust stormwater systems in place	Negligible Adverse	Minor Adverse	Undertaking stream/natural network creation, employ a 100% native vegetation palette for all street planting/public spaces, and will install a mixture of tree pits, vegetated swales, proprietary devices and retention/detention tanks for stormwater treatment	Neutral Adverse	N/A
Kumeū Awa	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Pitoitoi Awa	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Te Ahu	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Te Pane o Poataniwha	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Wai paki i rape o Ruarangi	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Kaiakeake	Direct setting impacts on the area through urbanisation	Negligible Adverse	Minor Adverse	N/A	Minor Adverse	N/A Recommend incorporating cultural design
Papakoua	Direct, indirect and cumulative temporary and permanent adverse from stormwater discharge carrying sediments and contaminants, noting drainage is about 1km from the awa but ultimately drains to the awa and harbour Potential combined neutral impact if stream and ecological enhancement works undertaken and robust stormwater systems in place	Negligible Adverse	Minor Adverse	Undertaking stream/natural network creation, employ a 100% native vegetation palette for all street planting/public spaces, and will install a mixture of tree pits, vegetated swales, proprietary devices and retention/detention tanks for stormwater treatment	Neutral Adverse	N/A

Name	Summary of impact	Level of Impact	Significance of effect	Proposed mitigation	Residual effect	Offsetting
Rangitōpuni	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Taurangatira	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Ōrangikānohi	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Pītoitoi	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Maraeroa	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Tahunapupu / Turanga o Kawau	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N A
Te Kokanga	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Te Ahipekapeka	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Ngongetepara	The are no anticipated impacts.	Neutral	Neutral	N A	Neutral	N/A
Riverhead Redress Land	The are no anticipated impacts.	N utral	Neutral	N/A	Neutral	N/A

CONCLUSION

The proposal is for a large (approximately 10ha) urban development predominantly focused on retirement living with ancillary services and landscaped spaces. The proposal includes naturalising the stormwater network and landscaping that will include significant amounts of new native vegetation. The site is currently used for horticultural purposes and has negligible ecological or habitat values. The proposal sits within the highly significant cultural landscape of Rangitōpuni. It sits close to the upper Waitematā harbour and between the Rangitōpuni and Kumeū rivers, with several highly significant cultural sites in the immediately surrounding vicinity. The site is within our statutory acknowledgement area and close to our Treaty settlement land at Riverhead forest. In total 24 cultural features were identified within a 3km radius of the Site, relating to the cultural landscape, a number of important kāinga and other sites, and environmental resources.

The proposal has sought to avoid or lessen potential effects to the receiving water environment (rivers and harbour) by proposing a naturalisation of the stormwater network combined with water-sensitive treatment of impervious areas. The ecology of the Site is very poor and will be enhanced through native plantings. The soils of the Site, while not elite soils, are relatively productive and the loss of topsoil here represents a loss of mauri from the landscape and whenua. A total of eight adverse cultural effects were recorded. Pre-mitigation these were measured overall as minor adverse (two moderate effects) which are considered less than significant effects (moderate effects are considered significant however). Post-mitigation (including some mitigation that is assumed on the author's part) one of these effects were reduced to minor beneficial, three to neutral, and the remainder unchanged. While the proposal will result in adverse cultural effects, these are considered to be within acceptable limits provided the mitigation and offsets (predominantly relating to earthworks) discussed in this report are properly implemented and monitored over time.

Further engagement is required in the form of confirmation of the outcome of the consent application, participation in place-naming and placemaking/cultural design/interpretation opportunities, and opportunity to undertake a site visit during the construction phase.

It is noted that while the separate structure plan process underway is not the subject of this report, it should be noted that AUP Policy B6.5.2 Clause 7 requires a cultural assessment identifying cultural values associated with the landscape for any structure plan or plan change process. This is a directive clause (e.g. non optional). This report is not tailored to that purpose and should not be used for it, but if required Te Kawerau ā Maki are happy to adapt our cultural mapping to help inform such a process.

RECOMMENDATIONS

Table 4: Recommendations and outcome alignment

No.	Recommendation	TKaM Strategic Value alignment	IMP policy alignment	Legislative alignment	AUP policy alignment	Other policy alignment
1	Te Kawerau ā Maki do not oppose the proposal provided that the mitigations discussed are incorporated – we desire notice of the outcome of the application and the final consent conditions	Mana Motuhake, Kaitiakitanga	2.2, 4.1.2, 4.2.2, 4.4.2, 4.5.2, 4.7.2, 4.8.2, 4.9.2	RMA Part 2, RMA s88(2)(b), HNZPTA s45, TKAMCSA s12(2b), Te Tiriti Active Protection	B6.2.2(1), Policy B6.3.2(2), B6.3.2(3), B6.3.2(6), B6.5.2(9)	UNDRIP, NPSFW, NZCPS, ICOMOS
2	The adoption of a combination of on-site detention/retention tanks, tree pits/rain gardens, vegetated swales, proprietary devices or other methods such as to develop a secondary or tertiary (three-step) stormwater treatment process for the development	Kaitiakitanga	4.1.2, 4.4.2	RMA Part 2	B6.2.2(1), B6.3.2(2), B6.3.2(3), B6.3.2(6)	NPSFW, NZCPS
3	Retain or reinter cut soils within the Site as much as possible, including through landscaping or other means	Kaitiakitanga	2.2, 4.7.2	RMA 6(e), 7(a)	B6.2.2(1), B6.3.2(2), B6.3.2(3), B6.3.2(6)	
4	The adoption of 100% native eco-sourced plantings for all streetscape, reserve or public spaces within the development, or a minimum preferential policy for native species and exceptions for non-weedy/spreadable exotics	Kaitiakitanga	4.8.2	RMA Part 2	B6.2.2(1), B6.3.2(2), B6.3.2(3), B6.3.2(6)	
5	That a native fauna management plan be prepared to address the construction and long-term protection of native birds, lizards and potentially bats	Kaitiakitanga	4.8.2	RMA 6(e), 7(a)	B6.2.2(1), B6.3.2(2), B6.3.2(3)	
6	That a pest management plan be developed for the site, either a part of the vegetation and native fauna management plans (above) or separately, and it is recommended that this includes a policy discouraging the use of highly spreadable weed plants in private gardens	Kaitiakitanga	4.8.2	RMA 6(e), 7(a)	B6.2.2(1), B6.3.2(2), B6.3.2(3)	
7	If archaeological material is encountered obtain a HNZPTA authority and include TKaM in cultural monitoring – any cultural material found on site should be reinterred into the Site	Mana Motuhake, Mātauranga Māori, Kaitiakitanga	2.2, 4.9.2	RMA Part 2 (6(e)), HNZPTA 45	B6.2.2(9)	UNDRIP, ICOMOS
8	Work with TKaM on incorporating our wāhi tohu and history into the development through things like street naming, park/reserve naming and interp	Mana Motuhake, Mātauranga Māori, Kaitiakitanga	2.2, 4.9.2	RMA Part 2 (6(e)), HNZPTA	Policy B6.5.2(9)	UNDRIP, ICOMOS

No.	Recommendation	TKaM Strategic Value alignment	IMP policy alignment	Legislative alignment	AUP policy alignment	Other policy alignment
9	Te Kawerau ā Maki are afforded the opportunity (and resourced) to undertake a site visit during the construction phase to examine controls	Kaitiakitanga	(s4.2.2(2))	RMA 6(e), 7(a)	B6.2.2(1), B6.3.2(2), B6.3.2(3)	



Edward Ashby
Director – Mana Taiao
Te Kawerau Iwi Tiaki Trust