

**Cultural Impact Assessment**  
**57 Pitau Road – Mount Maunganui**  
**Ngai Tukairangi**



*E Papaki tu ana nga tai ki Mauao*

*I whaka nukunuku hia*

*I whaka nekeneke hia*

*I whiua reretia*

*E Hotu a Wahinerua ki te wai*

*Ki tai wiwi ki tai wawa*

*Ki tai papaki onepu*

*Ki te Whai Ao Ki te Ao marama.....*

*Tihei Mauriora!*

*Ko Mauao te Maunga, Ko Te Awanui te Moana, Ko Ngai Tukairangi te hapu, Ko Taapuiti te tangata.....Tihei Mauriora!*

## Introduction and Land history

This Cultural Impact Assessment has been prepared at the request of Sanderson Group and relates to their acquisition of the land at 53, 55, 55A, 57, 59, 61A and 61B Pitau Road, Mount Maunganui for the establishment of a rest home facility to be developed by Pitau LP.

As part of the required resource consents application preparation, a cultural impact assessment is needed and this document has been prepared to meet that requirement.

The sites are legally described as Lot 1 DPS 72275, Lot 2 DPS 72275, Lot 6 DP 33141, Lot 2 DPS 11426, Lot 4 DP 33141, Lot 1 DP 496171, Lot 3 DP 33141, Lot 13 DP 24561, Lot 2 DP 496171 and Lot 1 DP 465142.

The land sits inside the traditional rohe of Ngai Tukairangi hapu of Ngaiterangi. In a migration known as Te Heke O Rangihouhiri, Ngaiterangi came to Tauranga in the second half of 17<sup>th</sup> century. They displaced Ngati Ranginui on Mauao and took possession of the maunga and the surrounding land. That story is told by Ngaiterangi kaumatua Hauata Palmer:

<https://www.youtube.com/watch?v=FqLzfSHkgJQ>

Ngai Tukairangi settled on the eastern side of the harbour; from Mauao to Matapihi sharing the land with fellow hapu, Ngati Kuku and Ngai Tuwhiwhia.

But following the Battles of Pukehinahina and Te Ranga in 1864, under the New Zealand Settlements Act, 1863, the Crown confiscated most of the land around Tauranga harbour totalling nearly 250,000 acres and including the lands of Tukairangi. However, over time some of the land was returned with only some 50,000 acres retained by the Crown between the Waimapu and the Wairoa River.

The process put in place to “return” the land was at best, a sham with the underlying motive being to obtain the land anyway. To determine customary ownership of the “returned land” Commissioners were appointed to deal with the matter.

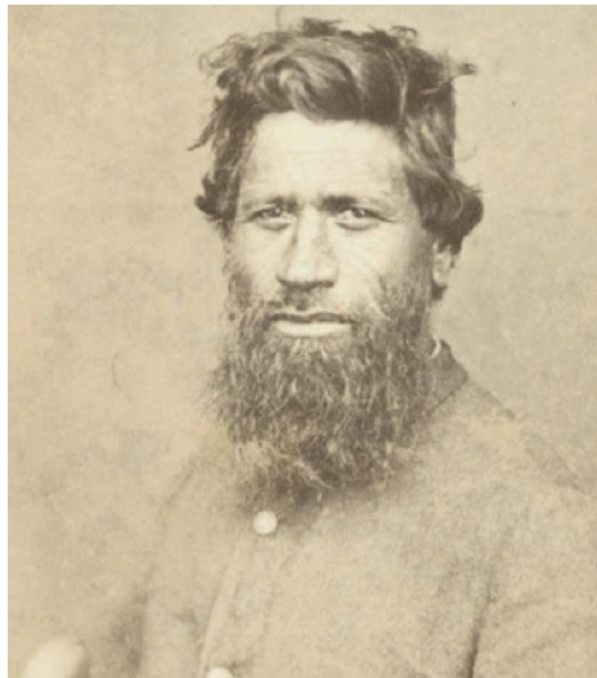
Claims to ownership of the Ngai Tukairangi land – which included the project site - were heard in 1883 by the Compensation Court under resident magistrate Henry W. Brabant. The project land fell within the land to the immediate south of Mauao and along the extended sand spit that makes up the Mauao peninsula. That land was divided into two blocks; the first being the Hopukioire block and the second the Te Maire block.

The hapu seeking the return of the land were Ngai Tukairangi, Ngai Tuwhiwhia and Ngati Kuku and they were asked to make submissions to the Commissioner in support of their claims. The Ngai Tukairangi claim to the land was brought by the chief Hohepa Hikutaia.

The Commissioner decision was to award the Te Maire block to all three hapu and the block was divided amongst them. The Te Maire No. 2 block, which contains the project site, was awarded to Ngai Tukairangi. The other two blocks Te Maire 1 and Te Maire 3 were awarded to the other two hapu. Ngai Tuwhiwhia's block being on the eastern or beach side of Te Maire 2 and Te Maire 3 – for Ngati Kuku being from the line of present day Hull Road to roughly present day Hewlett's Road.

The Te Maire No. 2 block boundary ran across the Mauao peninsula from the harbour to the ocean with the northern boundary being on the line of present day Rata Street and the southern boundary being present day Hull Road/Tweed Street. Unfortunately Commissioner Brabant left no notes as to how he had reached his allocation decision so we do not know what the case advanced by Ngai Tukairangi and the other hapu was in order to receive the land but obviously compelling enough for the three blocks to be allocated.

But the intent of the Government in putting the land through the Compensation Court process was soon made clear – it would identify the Maori owners and dealing with hapu leaders over purchase arrangements was obviously easier than dealing with the overall iwi leadership.



**Hohepa Paraone Hikutaia**

Big pressure was brought to bear and it is no surprise that by 1888 all the land had been acquired by the Crown and on sold. Further research is needed but it is understood that a condition of the allocation of the land to the hapu was that if they chose to sell they could only sell to the Crown.<sup>1</sup>

After obtaining the Te Maire No 2 block it was sold by the Crown to a wealthy lawyer/farmer from Canterbury, Harry Johnstone. Johnstone died in 1894 and the land remained empty until 1907 when the first sections were sold. The blocks were then amalgamated into sections 6 and 7 – section 7 being from Hopukioire (Mt Drury) to present day Hull Road and including the Pitau Road site which is the subject of this Assessment. Over time the land was further subdivided and sold off.

The result is that today, Ngai Tukairangi has no actual physical presence in this part of the city. But this is a matter addressed later in this Assessment.

The development land eventually ended up in the ownership of the Tauranga City Council and was the site of the Pitau Road elder housing village.

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<sup>1</sup> These purchase arrangements were examined as part of the Waitangi Tribunal inquiry into the Tauranga Moana claims and subsequently, were the subject of a Crown apology in the 2013 Deed of Settlement for Ngai Te Rangi and Nga Potiki. The Crown apologised for "...the impact of the native land laws on tribal structures; the use of aggressive tactics during Crown purchases in the 1880s and 1890s; the failure to ensure sufficient lands were retained for future needs..." Apart from the formal Crown apology there was also cultural and financial redress for Crown breaches of the Treaty. The settlement covered all Ngaiterangi hapu



Today the site is zoned Residential under the Tauranga City Plan and consists of Lots 3, 4. And 6 DP 33141, Lot 13 DP 24561, and lot DPS 11426 held in Record of title SA7C/1386. The site has a total area of 7677m<sup>2</sup>. Negotiations are currently underway for the purchase of additional adjacent land.



The Pitau Road site when it was the Council owned elder housing village

### Development Proposal

The proposed Sanderson Group development is for a comprehensively designed apartment style retirement village.

The proposed retirement development will consist of a retirement village (as defined by the City Plan) in an apartment style facility (i.e. up to 6 levels) with an underground basement, landscaped areas, gardens, and amenity facilities for residents. Given the height of the proposed development, we understand that there is a viewshaft along Oceanview Road, the intent of which is to protect the view of Mauao along that part of the city. We understand that the Pitau Road development will not affect that viewshaft.

The development is significant for the area as it will restore retirement housing on a site previously used for this purpose and returns that particular demographic to the community. Currently elder Mount Maunganui residents are required to “leave” their community to live elsewhere in villages in Tauranga, Papamoa and Bethlehem. This proposal enables “Mount” residents to continue to live at the Mount in a village development that will also include a rest home care component.

The development responds to changes in Government National Policy Statement (“NPS”) on urban development which provides for high density urban residential development near town centres – as is the case with Pitau Road. The NPS is currently being promoted by Tauranga City Council as Plan Change 33.

### Cultural considerations

Although there are no recorded archaeological sites on the land, there is the potential for unrecorded archaeological sites to be present.

Ngai Tukairangi recommends that the applicant seek an Authority from Heritage NZ to manage the discovery of any unrecorded archaeological sites on the land and to avoid future delays if sites are encountered during earthworks.

While the site has previously been developed, nevertheless Ngai Tukairangi wishes to undertake earthworks monitoring on the site during all necessary earthworks, top stripping activities in particular. We are mindful of the recent occasions where other developments around Tauranga have unearthed taonga and koiwi (skeletal remains) in the most unexpected of places.

Given the age of the previous buildings on the site we also think it would be sensible for the need for appropriate consents to deal with the assessment and management of soil contaminants dangerous to human health such as asbestos..

Pitau Road has an iconic cultural site at No. 21 which is the large Pohutukawa tree that stands there. Our kaumatua - and those of other iwi – acknowledge the tree as being a *rakau tupapaku*. In traditional times, after mourning ceremonies, the tupapaku - the body of the dead person – would be placed in such trees with the intent being that the *tupapaku* would decompose following which the skeletal remains would be collected – a final tangi over them held – and then they would be carefully deposited in a secret and secure place, the idea being to protect the mana of that person by ensuring their bones could not be desecrated by enemies.

The site is also close to Hopukioire (Mt Drury) where caves on the southern side (Pacific Ave) were used as burial caves. The contents of the caves were desecrated by early Pakeha visitors.



The story of Hopukioire is related here but it was an important place for a number of reasons. Respected kaumatua Kihi Ngatai tells the history: <https://www.youtube.com/watch?v=yyP5ztag6XU>

The *rakau tupapaku* and the burial caves emphasise the cultural importance of the area and accordingly we think there is a high likelihood of discoveries of cultural items during development works. For that reason we would like to see any work on the site preceded by a karakia and blessing.

The other important place of cultural significance near Pitau Road is the Waikorire or Pilot Bay foreshore. Apart from its obvious value as a *kete kai moana* seafood gathering area, Waikorire has a long history of settlement which pre-dates the arrival of the three main iwi in Tauranga Moana. The area has produced archaeological evidence to show that it was inhabited at a time when moa were found in the area and the many stone flakes show it was also an important adze manufacturing area too. As recently as 2013, koiwi were recovered from Waikorire during construction of the boardwalk located there.

One other matter that has been considered is the existence of cultural view shafts which link various marae around the harbour to the ancestral maunga, Mauao. The proposed building will not affect these view shafts.

### **Monitoring of earthworks**

Ngai Tukairangi have a kaitiaki obligation towards looking after found cultural items or taonga from the past and accordingly, we seek earthworks monitoring of any earthworks associated with the development. We have experienced earthworks monitors available for this work and would like to work in conjunction with the project archaeologist where possible. An agreed accidental discovery protocol should be put in place.

Our contact for earthworks monitoring is:

**Hayden Henry**

s 9(2)(a)

s 9(2)(a)

### **Site Landscaping and environmental initiatives**

Ngai Tukairangi has a commitment to climate change and has encouraged developers to consider their carbon footprint in projects such as this. Accordingly we would like to see maximum planting of appropriate native species on the project land and where possible the use of innovative measures such as rain gardens as a way of capturing, processing and making appropriate use of stormwater. We would support the establishment of a community garden and also composting/recycling measures. We are also supportive of the planting of appropriate fruit trees for the residents and community – feijoa hedging is one example.

The use of timber rather than concrete in construction is another measure that can help reduce the carbon footprint of the development; while we would also support initiatives such as community gardens, roof gardens and solar panels as appropriate.



### Stormwater

We note that treatment and disposal of stormwater to ground via soakage is proposed and as kaitiaki for the harbour and ocean we support this approach. We have previously mentioned rain gardens as a landscaping possibility and which might also be used for stormwater treatment/disposal. We understand the applicant is considering the storage and reuse of stormwater for raingardens and similar. This proposed water usage could be presented as a cultural feature of the site, representing a celebration of water as the life giving element that it is.

As noted earlier in this assessment, Ngai Tukairangi no longer has a physical presence in this part of the city. Nevertheless we do retain kaitiaki or guardianship obligations for the land and this be addressed through ongoing consultation – particularly where activities might impact the land and environment. We would like to ensure that the mana of the land is acknowledged and look forward to discussion as to how this might be achieved; particularly through facilitation of a joint stewardship or kaitiaki role.

With the co-operation of the developers we would be pleased to propose some measures which would acknowledge our links to the site and the wider area, while adding what we believe could be an enhancement with an appropriate cultural layer.

This could be by way of project building(s) having Maori name(s) which we would be happy to gift.

We are also very keen to discuss with you cultural design features/art works either outside the complex entrance and perhaps in the reception area of the main building. In recent times on other projects we have seen such acknowledgement made in paved surfaces for example or on suitable wall surfaces. There are already a number of examples around the city as shown below. The first is a wall surface (Farmers building in Devonport Road) and the second, paving design in Elizabeth Street, Tauranga.





Our intent would be to have one of our hapu artists come up with a pattern/design that reflects Ngati Tukairangi links to the land. A pattern from our marae for example.

We believe that such an acknowledgement would contribute to the restoration of our mana whenua status while adding a new and special dimension to the cultural and community fabric that the new development will bring.

We think that the inclusion of cultural art would add to rather than detract from, the development. Some themes that could be considered might be:

- Seasonal activities relevant to Mauao area e.g. tāmure or snapper running when the pohutukawa tree is flowering.
- Kai moana or seafood gathering.
- Acknowledgement of the importance of working and living with te taiao ao – the natural world.
- Acknowledgement of other important geographical features of the locality – Tirikawa or North Rock and Motuotau (Rabbit Island) and Moturiki (The Blowhole) – in their time, valuable kai moana (seafood) gathering places.





*Tirikawa North Rock*

Finally, given the nature of this project, we would like to work on ideas that might capture in an innovative way, traditional aspects of whanaungatanga – whanau or family values - respect and care for our elders being paramount and the benefits that come from having an intergenerational presence in the community.

### **Conclusion**

Thank you for the opportunity to contribute to this development. We would be happy to discuss any aspects including implementation of proposals – at a time convenient to the parties.

Nga mihi

(signed)

(date)