



CULTURAL EFFECTS ASSESSMENT

PROLAND MATTERS COMPANY LTD

CABRA MANGAWHAI LTD

Mangawhai East Proposed Plan Change (PPC)

Black Swamp and Raymond Bull Roads, Mangawhai

September 2024



Environs Holdings Ltd

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Whakataukī

Tupu te Toi
Whanake te Toi
He Toi ora
He Toi he Toi i ahu mai i Hawaiki
To tau muri ki te Atua
No te mea
Ko taku taha tera

Knowledge that grows
Knowledge that expands
Knowledge that survives
Knowledge that comes from Hawaiki
Knowledge that comes from patience and tolerance
Knowledge that comes from God for that is wisdom

Whakapapa

Ko te tūpuna taketake o Te Uri o Hau, Ko Haumoewaarangi.
Ka moe a Haumoewaarangi i a Waihekeao,
Ka puta ki waho ko a rāua tamariki tokowhitu: Ko Makawe, Ko Mauku, Ko Whiti,
Ko Weka, Ko Ruinga, Ko Rongo rāua Ko Hakiputatomuri.
Ka puta i a Hakiputatomuri ko nga uri matinitini e mohiotia nei i tēnei wā,
Ko Te Uri o Hau.

*According to the traditions of Te Uri o Hau, the eponymous ancestor
of Te Uri o Hau is Haumoewaarangi.*
From the marriage of Haumoewaarangi with Waihekeao came seven offspring:
Makawe, Mauku, Whiti, Weka, Ruinga, Rongo and Hakiputatomuri.
From Hakiputatomuri came many descendants known to this day as
Te Uri o Hau.

Document Control

Environs Te Uri o Hau Cultural Effects Assessment Report

For Cabra Mangawhai Ltd and ProLand Matters Co Ltd - Private Plan Change (PPC) – Mangawhai East

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Cover Photo: Taken from ProLands Site looking east looking over the wider PPC area – Site Visit 2022
Photo Credit: S. Worthington (2022).

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1. Introduction

Cabra Mangawhai Ltd (Cabra) and ProLand Matters Company Ltd (ProLand Matters) ('the Applicants') seek resource consent for a Proposed Plan Change (PPC) to rezone an area of rural land situated at Black Swamp and Raymond Bull Roads in southern Mangawhai.

Environs Te Uri o Hau (Environs) has been engaged to identify and assess the potential effects of the PPC on the cultural values and interests associated to Te Uri o Hau. Te Uri o Hau are the tangāta whenua¹ with historical claims and statutory interests in the area. Environs is the environmental subsidiary of the Te Uri o Hau Settlement Trust mandated with participating in resource management proceedings within the Resource Management Act 1991 (the 'RMA'), Te Uri o Hau Deed of Settlement 2000 and the Te Uri o Hau Claims Settlement Act 2002.

The PPC area is zoned 'Rural' within the 'Mangawhai Harbour' overlay and in an 'Area of Significance to Māori' in the current Operative Kaipara District Plan 2013 ('OKDP'). Te Uri o Hau have Statutory Acknowledgements that legally recognises and provides for Te Uri o Hau's cultural, spiritual, historical and traditional relationship in the area of Mangawhai (refer to section 6).

2. Location and Proposal

Cabra owns the site to the north which is legally described as Lot 1 DP 29903 Sec 3 BLK IV Mangawhai SD (CT NA736/23 and CT NA726/14). The site consists of low-lying flat land, previously used for farming with a number of man-made farm drains, farm shed, shelter belt and a main farm track and can be accessed from both Black Swamp Road and Tern Point Road.

ProLand Matters owns the southern site that is legally described as Sec 25 BLK IV Mangawhai SD, Lot 2 DP 29903 (CT NA1323/43). The topography is gentle rolling hills sloping to Black Swamp Road. The site contains an existing dwelling and separate unit, farm sheds, farm tracks, two dams, established shelterbelt trees and an area of saltmarsh and wetland vegetation along its northern boundary connecting to the Mangawhai estuary. It is proposed to protect this area of saltmarsh and associated wetlands.

Other properties in the PPC zone includes residential properties, Riverside Holiday Park, a boutique brewery, olive orchard and others.

The Applicants seeks to rezone the 93-ha site from 'Rural' to a combination of Large, Low and Medium Residential Zones, Neighbourhood Centre Zone and a Business Mixed Use Zone (Figure 3,4) (Appendix 1). According to information provided, the Residential Zones will allow for up to approximately 750 lots comprising of the following size ranges:

- Medium Density Residential Zone (600 m² min or 400 m² min as part of integrated development)
- Low Density Residential Zone (750 m² min)

¹ Tangata whenua - "people of the land" and refers to either a specific group of people with historical claims to a district, or more broadly the Māori people as a whole. Source: https://en.wikipedia.org/wiki/Tangata_wheuua

- Large Density Residential Zone (1500 – 3000 m²)



Figure 1: Site Location Source: KDC Planning Maps

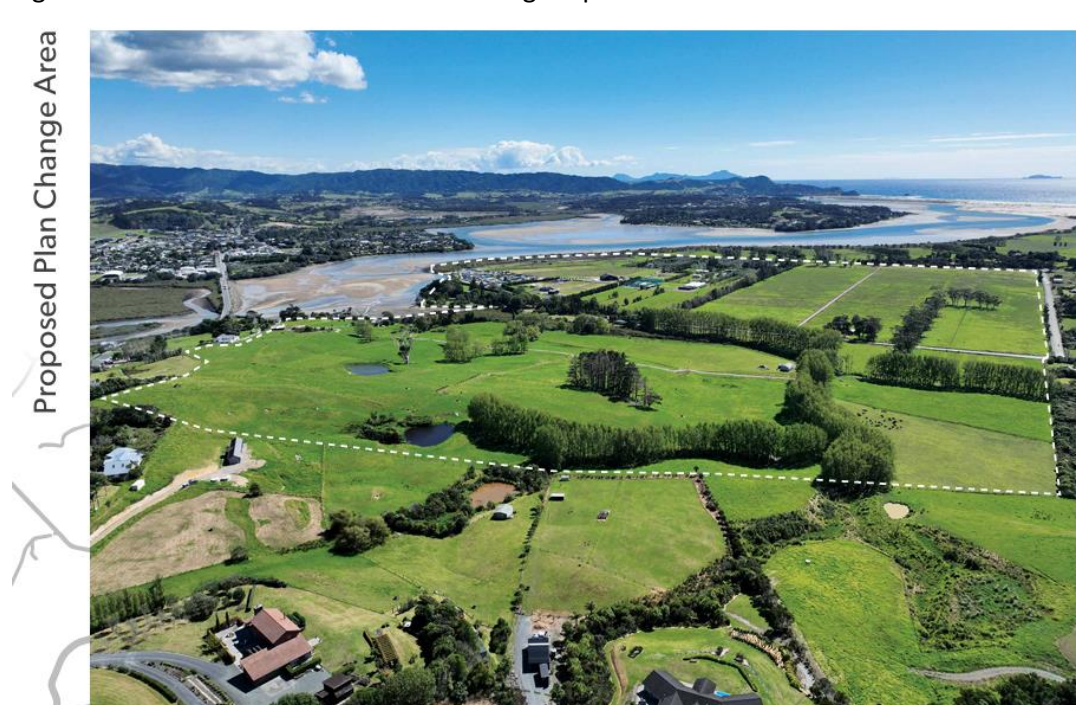


Figure 2: Proposed Plan Change Area Source: J. Worsfold - Panel from the Open Day 15 June

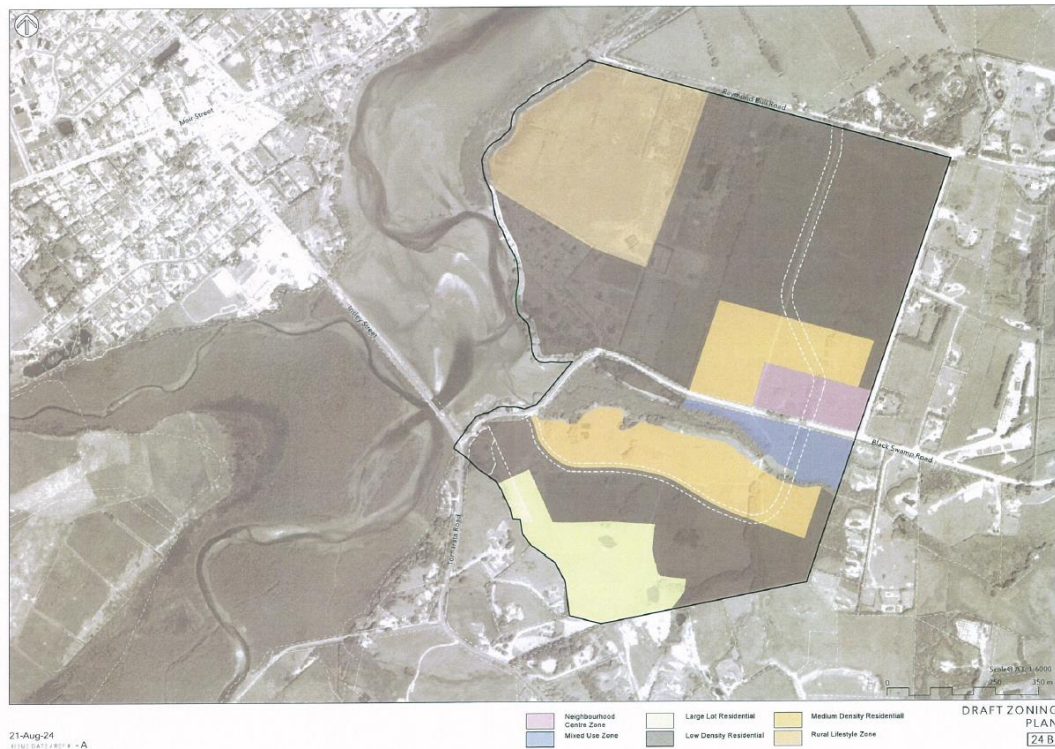


Figure 3: Final Zone Plan 22/08/2024 Source: Planning Collective



Figure 4: Draft Master Plan Source: J. Worsfold - Panel from the Open Day 15 June

3. Te Uri o Hau

Te Uri o Hau is an iwi/ hapū of Ngāti Whātua located in the North Kaipara. Te Uri o Hau are descendants of our tūpuna taketake, Haumoewaarangi and our hapū is defined in the Te Uri o Hau Claims Settlement Act 2002 Part 2, Section 13 as *"every individual who can trace descent from one or more ancestors who exercised customary rights" to-*

- a) Haumoewaarangi; and
- b) the tribal groups of Te Uri o Hau, Ngāi Tāhuhu, Ngāti Tahinga, Ngāti Rangi, Ngāti Mauku, Ngāti Kauae, Ngāti Kaiwhare, and Ngāti Kura.

Te Uri o Hau, Ngāti Whātua arrived in Aotearoa New Zealand on their ancestral waka Mahuhu ki te Rangi around the year 1250 AD at Taporapora on the shores of the Kaipara Harbour. From their present tribal beginnings Ngāti Whātua had grown and spread throughout the present tribal area from Tāmaki Makaurau, now also referred to as the Auckland Isthmus, northwards along both coasts to Whangarei Harbour on the east coast and Waipoua Forest on the west coast².

Te Uri o Hau formed strategic relationships over the centuries with other tribes which helped strengthen the links to our tribal whenua (land), maunga, rivers, coasts and its resources. Prior to the arrival of Europeans, Te Uri o Hau occupied all parts of their ancestral territory in a seasonal cycle of cultivation and resource gathering for survival. While the coast provided the tribal fishing grounds and the abundance of fish and shellfish (kaimoana), inland, the resources included food such as forest and wetland birds, freshwater fish and plants, but also rongoā (medicines), weaving and building materials to make whare and building waka. Those traditions are still practised today.

Te Uri o Hau tribal area encompasses the Taporapora and Okahukura regions on the west coast, and inland to Wellsford to the east coast at Te Arai Point to Paepae o Tū - Bream Tail. Continuing north to Pikawahine in the Tangihua Ranges to the west coast from Mahuta Gap to Pouto peninsula. Both Mangawhai and Kaipara Harbours' are inclusive of Te Uri o Hau Statutory Area of Interest extending to the outer limit of the Exclusive Economic Zone (EEZ).

Te Uri o Hau whānau have whakapapa links to one or more of the 14 marae below in its rōhe (Figure 5).

- | | | |
|---------------|-------------------------|---------------|
| 1. Naumai | 2. Ngatai Whakarongorua | 3. Ōruawharo |
| 4. Ōtamatea | 5. Ōturei | 6. Parirau |
| 7. Rawhitiroa | 8. Ripia | 9. Te Kowhai |
| 10. Te Punga | 11. Waihaua | 12. Waikaretu |
| 13. Waiohou | 14. Waiotea | |

²Mangawhai Museum, Mangawhai.



Figure 5: Te Uri o Hau Marae Locations within Te Uri o Hau Statutory Area of Interest (in green)

4. Purpose

The purpose of this report is to:

- Identify and assess any potential effects of the proposal on the cultural values and associated interests to Te Uri o Hau;
- Advise the applicant of any particular culturally significant areas and taonga (treasures) in the area that may be affected;
- Advise on ways to avoid, minimise, remedy, offset, or compensate adverse effects on Te Uri o Hau cultural values for the area; and
- Provide recommendations to mitigate the effects arising from the consent activity.

5. Methodology

The methods used to inform this assessment include:

- Consultants' desktop analysis.
- Liaise with the Applicants, their Planner and the Archaeologist.
- Review of the specialist reports, relevant addendums and associated plans.
- Cultural research, tribal archives on the history of the proposal site and surrounding area, review of various cultural surveys for the area, Operative Kaipara District Plan and maps, Te Uri o Hau Kaitiakitanga o te Taiao Environmental Management Plan 2011 policies, accessing NZAA ArchSite database for information and the relevant legal and resource-management related data.
- Engagement meetings and site visits: 13th and 27th June 2024.
- Report collation and review.
- Internal administration.

Some properties that have been culturally assessed in the area in recent years have been:

- ❖ Lot 9 DP 511484 Collier Property Development.
- ❖ Tern Point Recreation and Conservation Trust Coastal Rock Groyne.
- ❖ Lot 42 DP 198639 Tern Pont Wetland Restoration.
- ❖ Tara Iti Holdings Sandhills Development.
- ❖ Lot 4 & 6 DP 177202 Boutique Winery and Distillery (PPC Area).
- ❖ DOC Fairy Tern Chick Rearing Programme.
- ❖ Residential Land-Use Consents (PPC Area).
- ❖ PLM Proposed Integrated Subdivision (PPC Area).

The PPC area to the south owned by PLM was previously assessed (RMA20793) in August 2022 by Kaitiaki Edward Ashby and the author. There was no above ground evidence of cultural archaeology or deposits (e.g. midden) observed in the areas that were visited although a possible depression or possible pit feature near the southern boundary required an archaeological investigation.

A shell midden (R08/256) was discovered in the ProLands site during J. Carpenter's archaeological survey in August 2022, on the edge of alluvial terrace on south side of an unnamed arm of the Mangawhai harbour, which is crossed by Black Swamp Road, 100m ENE of a farmhouse and a possible gum store.

Other sites recorded in the PPC area included evidence of a gum store (ref: R08/259) on the western side of ProLand Matters Site (section 25 Block IV Mangawhai SD). R08/258 a historic era midden, glass, ceramic, building material was found eroding out of bank in the coastal reserve was recorded by Carpenter in June 2024.

5.1. Recent Site Visits

The PPC area was visited on two occasions. On 13 June 2024, the author attended an introductory meeting with the CML team and their agents who have an overview of the proposal followed by a site visit to view their site from Tern Point and Raymond Bull Roads, and the entrance to a paper road which leads to the Mangawhai Estuary.

On 27th June, the author met with the PLM owner prior to undertaking a further assessment consisting of a drive to and walking the paper road to the coast and observing for potential coastal relics before observing from a distance, the area of the local vineyard. Returning to the waka (car), the remainder of the visit involved driving the main farm track that dissects the CML site stopping at certain vantage points and the water and water quality in the man-made drains (Figures 6-10).

This site has been primarily used for pastoral farming with man made drains, farm tracks, sheds and wind breaks present. Land modification would have occurred through conventional farming practises. According to the Archaeological Report (Carpenter 2024), the 'modification of the ground surface has occurred from 100 years of pastoral farming, and the extensive rehabilitation required to convert gum land to farmland' (pg. 56).



Figure 6: Site Visit 13th June – CML site looking south



Figure 7: Site Visit 27TH June – coastal reserve at the end of an existing paper road to the Mangawhai Estuary



Figure 8: PPC area - track leading to a vineyard and boutique winery



Figure 9: CML from the left side of the farm track looking east



Figure 10: CML site looking east from the same farm track



Figure 11: 1961 Historical Image of the PPC area and wider surrounds Source: Retrolens
<https://retrolens.co.nz/map>

6. Legal Framework and Planning Documents

6.1. Te Tiriti o Waitangi 1840: Treaty of Waitangi Principles

The Treaty of Waitangi is the founding document of Aotearoa New Zealand, signed on February 6, 1840, between the British Empire and more than 500 Māori chiefs. The Treaty has three articles, and the principles of the Treaty are derived from these articles. The principles of the Treaty of Waitangi are a set of guidelines that provide a framework for the relationship between the Crown and Māori. There are different interpretations of the principles, but the following five principles are widely accepted:

- ❖ Partnership: The Crown and Māori are partners, and they must work together to achieve common goals.
- ❖ Participation: Māori have the right to participate in decision-making processes that affect them.
- ❖ Protection: Māori have the right to be protected from discrimination and to have their culture and traditions respected.
- ❖ Redress: Māori have the right to seek redress if their rights are breached.
- ❖ Active protection: The Crown has a duty to actively protect Māori cultural values and interests.

6.1.1. Treaty Principles Bill

The Treaty Principles Bill is a proposed piece of legislation aimed at defining the principles of the Treaty of Waitangi. This bill seeks to provide clarity and certainty by having Parliament, rather than the courts, define these principles. The bill includes principles such as the Civil Government, Rights of Hapū and Iwi Māori, and the Right to Equality. It aims to promote a national conversation about the place of these principles in New Zealand's constitutional arrangements.

6.2. Te Uri o Hau Claims Settlement Act 2002

Through the Waitangi Tribunal process, the Te Uri o Hau Claims Settlement Act 2002 came into effect on 17 October 2002. It recognised breaches of the Treaty through an apology and injustices spanning over 150 years by historical Crown practices and passing of government laws in those times. The injustices had a severe negative impact on Te Uri o Hau economic, social, and cultural identity with the confiscation of large tracts of land and resources.

The legislation provides statutory acknowledgement of statements by Te Uri o Hau regarding their particular cultural, spiritual, historical and traditional association, requiring the relevant authorities to have regard to all matters affecting Te Uri o Hau.

Link: <https://www.legislation.govt.nz/act/public/2002/0036/latest/whole.html>

Through the post settlement process, Te Uri o Hau Claims Settlement Act 2002 (the Act) came into effect on 17 October 2002 which has provisions acknowledging Te Uri o Hau cultural, spiritual,

historical and traditional interests and relationships to Mangawhai. The statutory acknowledgements in the Act are the Mangawhai Harbour Coastal Area and Mangawhai Marginal Strip (Figures 12,13).

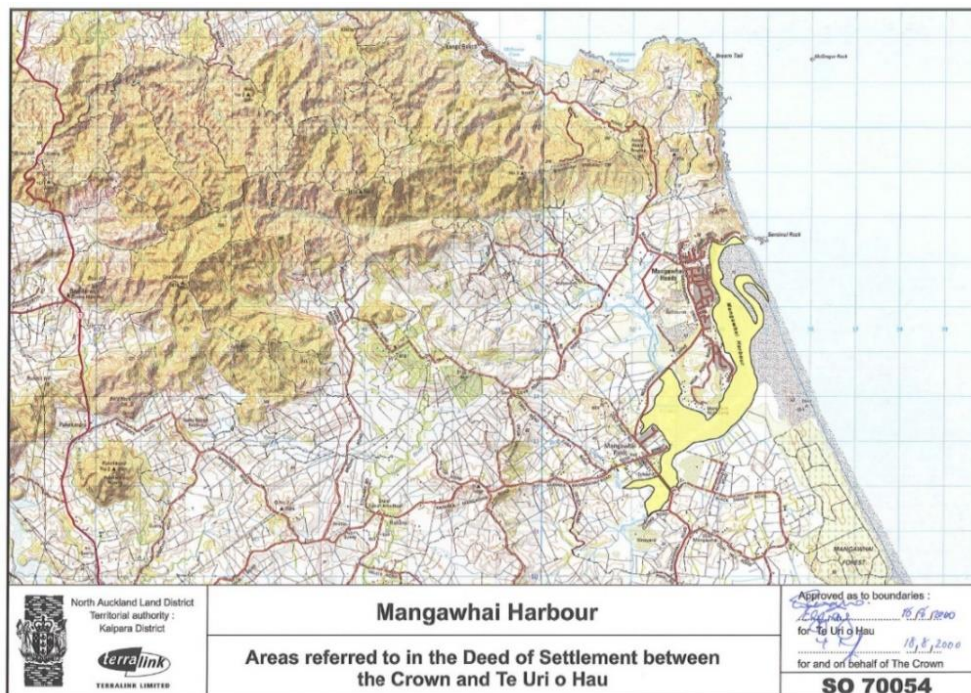


Figure 12: Mangawhai Harbour Coastal Area

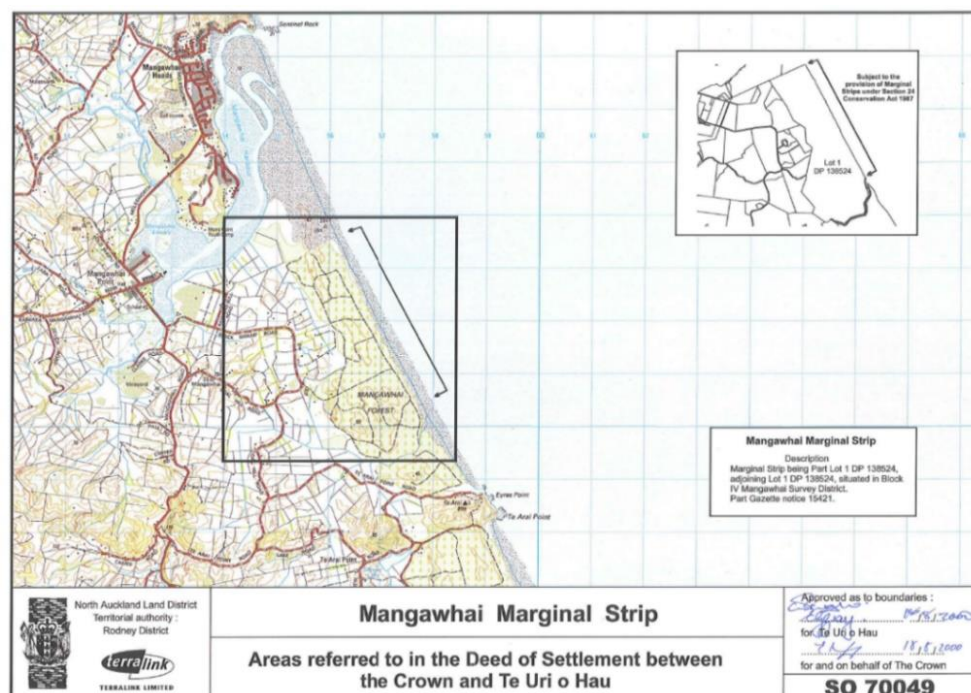


Figure 13: SO70054 Mangawhai Marginal Strip

6.3. Resource Management Act 1991 (the 'RMA')

The RMA enacted in 1991, is New Zealand's primary legislation for environmental management. It aims to promote the sustainable management of natural and physical resources. The RMA provides

statutory recognition of the Tiriti o Waitangi Treaty, and the principles derived from the Treaty. It introduces the Māori resource management system via the recognition of kaitiakitanga and tino rangatiratanga and accords Territorial Local Authorities with the power to delegate authority to iwi over relevant resource management decisions.

The Act contains over 30 sections, which require Councils to consider matters of importance to tangata whenua. Some of the most important of these are:

- Recognition and provision for 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)).
- Having regard to any relevant planning document recognised by an iwi/hapū authority (Sections 61 (2) (a (ii) 66(2)(c)(ii), 74(2)(b)(ii)).
- 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).
- The principles of the Treaty of Waitangi and their application to the management of resources (Section 8) are taken into account.

6.4. Heritage New Zealand Pouhere Taonga Act 2014

Under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA; previously the Historic Places Act 1993) all archaeological sites are protected from any modification, damage, or destruction except by the authority of the Historic Places Trust.

Section 6 of the HNZPTA defines an archaeological site as:

- " 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)"

To be protected under the HNZPTA an archaeological site must have physical remains that pre-date 1900 and that can be investigated by scientific archaeological techniques. Sites from 1900 or post-1900 can be declared archaeological under section 43(1) of the Act.

6.5. Te Uri o Hau Kaitiakitanga o Te Taiao (Environmental Management Plan) 2011

Te Uri o Hau Kaitiakitanga o Te Taiao (2011) is an environmental management plan to support Te Uri o Hau kaitiakitanga (guardianship) and rangatiratanga (authority) responsibilities in natural resource management within Te Uri o Hau Estates and Territory: Statutory Area of Interest. The plan outlines the policies that the Crown and representative agencies, resource consent practitioners, applicants

and research institutions take into account and give effect to, when preparing or reviewing regional and national statements, plans, policies, and strategies.

Te Uri o Hau Kaitiakitanga o te Taiao’ plan advocates and support kaitiakitanga and the management and development of natural resources within the statutory area of Te Uri o Hau. This plan is addressed to Te Uri o Hau whānui (all whānau), the Crown and their representative agencies, resource consent applicants, research institutions, landholders, a wider community and non-government organisations. In general Te Uri o Hau policies describe:

- *The ways in which Te Uri o Hau, as kaitiaki, want to participate in natural resource management within their statutory area of interest; and*
- *The rangatiratanga and kaitiakitanga of natural resources as guaranteed by Article 2 the Tiriti o Waitangi.*

7. Cultural Hitori (History) - Mangawhai

7.1. Mangawhai and Mangawai

Te Uri o Hau are the tangāta whenua who know the area as ‘Te Mangawhai’ meaning the “Stream of the rays”. Early European records used two spellings for the area – Mangawhai and Mangawai. The name Mangawhai was formally adopted by the New Zealand Geographical Board in 1951.

The name Te Mangawhai is ancient and relates to the evil that will be returned if anyone should harm the stingrays. In the early 1800’s, the Mangawhai Harbour area was the home of Chief Te Whai³.

Chief Te Whai lived at Pakiri before being expelled by a Ngāpuhi war party and retiring to Manga-Te-Whai where the streams meet. In 2015, the pā where Te Whai lived was recently uncovered during vegetation clearance for a development on Estuary Drive.

7.2. Te Arai

Te Arai is named after the prominent rocky feature known as Te Arai-o-Tāhuhu, the landing place of the waka Moe Kakara of the chief Tahuhunui-a-rangi who erected an altar (Tuahu) to the gods which is reflected in the name. In 1909, Eru Maihi of Ngati Whātua recounted this story of this Tuahu⁴:

“Now let me speak of one other of our ancestral canoes, Moe-kakara. Tahuahu was the chief. He landed near Te Arai, so-called because Tahuahu set up a temporary shelter (Arai). He there also set up this stone found there as a Tuahu (altar) and made the ceremonial offerings to the spirits of the land, to prevent offending them, as also to safeguard his folk against the witchcraft of the people of Kupe and Toi, who already lived thereabouts”

The Tuahu now stands on a stone plinth in Cornwall Park in Auckland.

³ Mangawhai Museum, Mangawhai.

⁴ Mangawhai Museum

tribes, armed with at least 300 muskets, and a confederation of Kaipara tribes who possessed only two. The confederation consisted of hapu from Ngāi Tāhuhu, Ngāti Manuhiri, Te Uri o Hau, Ngāti Rongo, Te Taou, and Te Roroa⁷.

Many of the Kaipara people were killed during this period of time and the area was declared tapū (sacred) and the land unoccupied.



Figure 15: 1825 Battle Site - Te Ika a Ranganui. Source: Mangawhai Museum

8. Cultural Values to Te Uri o Hau

8.1. Te Ao Māori

Te whakapapa mai a Io Matua Kore
Ka moe a Papatuanuku a Ranganui i
Ka puta ko Tanenuiarangi
Ko Tangaroa
Ko Tumatauenga
Ko Haumietiketike
Me Rongomatane
Ko enei nga taonga tuku iho
Putake ake i te rohe o Te Uri o Hau, Ngāti Whātua

⁷ Ngāi Tāhuhu: Originally populated the Mangawhai area whose descendants are from Tāhuhunui o te rangi. Known for their ancestral connections and historical significance in the Auckland region.

Ngāti Manuhiri: Based around the coastal areas of Omaha and Pakiri.

Te Uri o Hau: A hapū (sub-tribe) of Ngāti Whātua, with significant settlements around the Kaipara Harbour.

Ngāti Rongo: Another hapū of Ngāti Whātua, with historical roots in the Kaipara region.

Te Taou: Also a hapū of Ngāti Whātua, known for their historical presence in Tāmaki Makaurau, Auckland area.

Te Roroa: have historical roots in the north Kaipara region.

Ko matou te kaitiaki⁸

To provide a context for assessing mana whenua values, it is useful to briefly explain the principles of Te Ao Māori - the Māori world view.

As explained by Barlow (1991), to understand a Māori world view you need to understand that there are spiritual elements found in multiple places and time. This concept is intertwined with the Māori philosophical notion of mauri. As Barlow describes:

‘Everything has a mauri, including people, fish, animals, birds, forests, land, seas, and rivers: the mauri is the power which permits these living things to exist within their own realm and sphere. No one can control their own mauri of life existence.’

This is supported by Marsden (1992) who expands on this concept and explains that the water and the forests which are sustained by biodiversity have a mauri which is enveloped by natural phenomena such as wind, rocks, rain, and mist.

8.2. Spiritual and Cultural Connectedness

The spiritual and physical dimensions, one is the other at one time but not both at the same time tangata whenua a connectedness of the realm, inherent of cultural values with responsibilities abound. As tangata whenua Te Uri o Hau has an inherent relationship and responsibility with the natural environment and specifically to that part of Papatuanuku which lies within their tribal area. At the heart of this relationship is the philosophy of holistic management. Holistic management demands the respect of humans to all divine creations of natural environment.

8.3. Mauri (Life force)

All life possesses a mauri; an intangible life force that unites all creatures and enables them to flourish. The principles of holistic management acknowledge that human interactions with the natural environment impose a reaction to the mauri of nga taonga. The same principles are equally associated to the energy of life in an ecosystem.

The concept of mauri is essential to respecting each and all creation. All taonga possess a mauri; an intangible life force that unites all creatures and enables them to flourish. The principle of holistic management acknowledges that human interactions with the natural environment impose a reaction to the mauri of taonga. The same principles are equally associated to the energy of life in an ecosystem. Likewise, to the mauri of tāonga - human interactions with one part of an ecosystem necessitates a reaction to the whole.

Mana Whenua are the kaitiaki of mauri who have a cultural and spiritual responsibility to ensure the essence of Mauri is maintained and protected. Mauri is intimate and inclusive of the physical and spiritual wellbeing of the natural environmental which all living beings are sustained from.

⁸ Te Uri o Hau Kaitiakitanga o te Taiao 2013 Pg 14

8.4. Kaitiakitanga (Guardianship)

Traditionally, Māori believe there is a deep kinship between humans and the natural world. This connection is expressed through kaitiakitanga – a way of managing the environment. Today there is growing interest in kaitiakitanga as iwi restore their environment and their culture⁹.

Kaitiaki is the ethics and practise of safeguarding and conserving the natural environment and the resources on which our uri rely on. Te Uri o Hau has guardianship over its land, air and sea in its rōhe. Te Uri o Hau has an obligation to care for the lands and waters to which we whakapapa to.

8.5. Whakapapa (Genealogy, Lineage, Identity)

Whakapapa is important as it connects us with our tūpuna, whānau, whenua, iwi and marae. It is how we learn about our family history and trace our genealogy, and it is knowing who we are and where we are from. As the core of mātauranga Māori (Māori knowledge), our whakapapa provides us with identity and history and connects us with our tūpuna and the whenua.

As with most communication, whakapapa was traditionally recalled through kōrero and waiata, as well as shared through carvings and karakia. In each iwi, hapū or whānau, whakapapa experts were responsible for recounting the genealogy of the whole iwi, hapū or whānau. They often held rākau whakapapa, a stick similar to a walking stick – with small ridges running down the length of it, representing ancestors and generations.

8.6. Tikanga (Customs, Traditions, Protocols)

Tikanga Māori forms the basis of how we live in a relationship with all living things and their environment, and how we manage those natural and physical resources and all mauri. Tikanga Māori is defined under Section 2 of the Resource Management Act 1991 and Section 3 of Te Ture Whenua Māori Act 1993 as Māori customary values and practices.

8.7. Mana (authority, power, influence, and spiritual force)

Of all the attributes of Te Ao Māori, mana is arguably the most highly prized and most jealously guarded. Mana is inter-generational. Mead (2016) enforces this concept of mana in relation to belonging to the whenua through our identity which is imbedded in our hapū (pregnancy), whenua (placenta), the pito (umbilical cord) and iwi (bones). Furthermore, Durie (1987) further highlights the tikanga of what this relationship to the whenua looks like.

‘In the beginning land was not something that could be owned or traded. Māori did not seek to own or possess anything, but to belong. One belonged to a family, which belonged to a hapu, which belonged to a tribe. One did not own land. One belonged to the land.’

⁹ Te Ahukaramū Charles Royal - Kaitiakitanga – guardianship and conservation. Source: <https://teara.govt.nz>

9. Cultural Effects to Te Uri o Hau

This section assesses the potential impacts of the PPC on the cultural values, interests and associations that Te Uri o Hau has in the area and helps ensure that any issues or concerns are given effect to, in the planning process for the proposal.

9.1. Wāhi Tapū and Wāhi Tāonga: Sacred Areas, Treasures, Places

Wāhi tapu refers to places within Te Uri o Hau rōhe that are extremely sacred due to their traditional, spiritual, historical and cultural significance. They can include (not limited to) burial grounds, battle sites and ritual sites. These sites are often subject to long-term restrictions on access or use to preserve their sanctity and integrity. Te Uri o Hau's role is to ensure our Wāhi tapu are protected and their recognition is provided for, so that these culturally significant places are respected and preserved for our future mokopuna.

Wāhi taonga refers to places or objects that are treasured and hold significant cultural, historical, or spiritual value. These can include pā, marae, and a range of natural features such as our harbours, lakes, rivers, maunga, forests, flora and fauna.

Te Uri o Hau has an important relationship with the Mangawhai area due to the immense cultural sites present in the area that showed the level of pre-European occupation, where settlements were established, and where kaimoana resources were plentiful. This is evidenced by the numbers present in the Tern Point farm park and Mangawhai Sandspit (NZ Archaeological Association (NZAA) ArchSite) at figure 16:

NZAA Site Record	NZTM Coordinates	Description
TERN POINT FARM PARK		
R08/120	E 1744387 N 6002161	Midden/Oven
R08/118	E 1744588 N 6001762	Midden/Oven
R08/91	E 1744688 N 6001762	Midden/Oven
R08/117	E 1744489 N 6001362	Midden/Oven
MANGAWHAI SANDSPIT		
R08/92	E 1744486 N 6002462	Midden/Oven
R08/119	E 1744587 N 6002162	Midden/Oven
R08/93	E 1745086 N 6002463	Midden/Oven
R08/30	E 1745187 N 6002163	Midden/Oven
R08/90	E 1745387 N 6001964	Midden/Oven
R08/108	E 1745432 N 6001532	Midden/Oven
R08/190	E 1745527 N 6001531	Midden/Oven

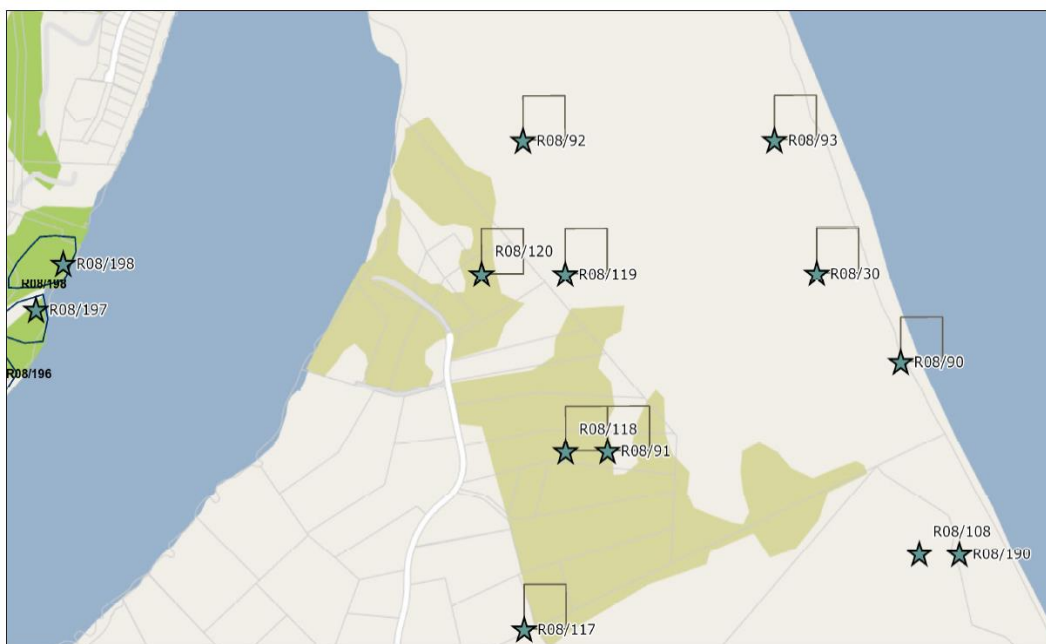


Figure 16: Mapped archaeological sites recorded in Tern Point and Mangawhai Sandspit
Source: NZ Archaeological Association (NZAA) ArchSite map.

Assessment

As previously mentioned, the PPC area is in an ‘Area of Significance to Māori’ in the current Operative Kaipara District Plan 2013 (‘OKDP’). Te Uri o Hau have Statutory Acknowledgements in Mangawhai that legally recognises and provides for Te Uri o Hau’s cultural, spiritual, historical and traditional associations, interests and relationships to the area as indicated previously.

There are three archaeological sites that have been identified and recorded within the PPC area. A review of the NZ Archaeological Association (NZAA) ArchSite database and Archaeological report prepared by Geometria (10 June 2024) confirms these as shown at Figure 17:

- R08/258 Historic era midden, glass, ceramic, building material eroding out of bank in the coastal reserve (Recorded by Carpenter June 2024).
- R08/256 Shell midden site (Carpenter August 2022).
- R08/259 Evidence of a gum store on the western side of ProLand Matters Site (section 25 Block IV Mangawhai SD).

Shell Midden (*He ahu otaota*) or Ancient Māori middens (rubbish dumps) can be found where old Māori settlements were located. Middens are places where food remains, such as shellfish, animal and bird bones, ash, stone, and charcoal from fires, were thrown away. Middens are located mainly near the coast and can be uncovered due to erosion exposing layers of shell and other materials. On occasions, human remains or “koiwi” and tools can also be found.

- The midden is in an area of the proposed esplanade reserve, and as the author understands, the reserve has been proposed for formal protection.
- The extent of the midden is unknown as pointed out in Carpenter’s report until such time the midden can be clearly defined, any fencing arrangements are known and formal surveying is undertaken to ensure the midden extent is fully captured within the reserve.



Figure 18: Looking west over R08/256 Midden and its extent Source: Carpenter.

The midden is significant to Te Uri o Hau not only as a physical reminder of the occupation of Māori on the whenua but also, in the wider cultural context of the movements of our people and the different regions of Mangawhai that they stayed at while still remaining close to the coast and why that particular spot.

Te Uri o Hau considers there is potential to be effects on cultural values to develop the ProLands site under the PPC, and that works in vicinity to the midden site may have effects on that midden itself.

Recommendations:

1. Midden R08/256 shall be formally surveyed by the project Archaeologist to ascertain its extent so it is contained for protection wholly within the boundary of the proposed esplanade reserve.
2. Environs assigned Kaitiaki shall be engaged for the surveying the middens extent and assist the project Archaeologist if required.
3. Environs supports the requirement of an Archaeological Authority as recommended by J. Carpenter.

4. Te Uri o Hau consent for the Archaeological Authority and Input into the Archaeological Management Plan (if required).
5. Cultural Monitoring of topsoil stripping to form the site (i.e. Roding, trenching for services, building platforms, landscape planting) with particular attention required in the area of the midden.

9.2. Kaitiakitanga – Cultural Monitoring

Te Uri o Hau can claim a level of relationship with the area – that of kaitiaki. As kaitiaki, we are responsible for both the knowledge (mātauranga) and the practice (tikanga) of kaitiakitanga in relation to the resource. Te Uri o Hau reflect that this responsibility is not a right, but a duty bound by tikanga.

Kaitiakitanga requires the recognition and empowerment of kaitiaki as the implementers. The role of kaitiaki would traditionally belong with a particular whānau or person or where tribal processes nominate kaitiaki in relation to a particular resource. The recognition of the role and function of kaitiaki is consistent with the sustainable management of resources and in particular the sustaining the mauri of a resource.

Monitoring enables Te Uri o Hau to carry out its Kaitiakitanga responsibilities where the health, wellbeing and safety of those working on the development is prioritised.

Recommendations:

9.2.1. Cultural Monitoring

At least up to fifteen (15) working days prior to the commencement of works in the year of the activity, the Consent Holder shall engage, at their full expense, Kaitiaki and/or Environs representatives shall:

1. Attend the pre-works meeting with the client, developer and Archaeologist (where required).
2. Undertake a blessing and cultural induction' as part of the formal health and safety induction process to ensure all workers and contractors are properly trained and understand the requirements of the Accidental Discovery Protocols (ADP) in the discovery of Archaeological sites.
3. Cultural monitoring of topsoil stripping to develop the site i.e. construction of roads, drainage, trenches for services, building platforms, proposed landscape and planting areas and/or other activities where it is deemed appropriate.

NOTE: Please contact: rma@uriohau.co.nz directly or Rebecca Fletcher 021 567 816 to advise of the pre-works meeting date and for Kaitiaki monitoring arrangements to be made.

Cultural Monitoring and Advice

Kaitiakitanga is the application of indigenous planning of resource management. Te Uri o Hau are able to offer environmental services as kaitiaki of our rōhe that may add value to this development and assist in better environmental outcomes. Cultural monitoring can apply to this development in future, which may include (but is not limited) the following areas:

- Wai (surface) water monitoring,
- Earthworks monitoring,
- Consultation on indigenous planting,
- Incorporating mātauranga concepts,
- Additional site inspections.

9.3. Whenua

Cultural values in relation to the whenua (land) are deeply significant to Te Uri o Hau. The values are not just part of a physical space but a vital part of our identity, spirituality, and heritage. The whenua is central to their cultural identity and well-being. It is seen as a living entity with its own life force (mauri). The connection to land is expressed through various cultural practices and traditions, including:

- ❖ Wāhi Tapu: Sacred sites that hold historical, spiritual, and cultural significance.
- ❖ Marae: Communal and sacred meeting grounds that serve as the focal point for social, cultural, and spiritual activities.
- ❖ Kaitiakitanga: The guardianship and stewardship of the environment, emphasizing the responsibility to protect and preserve the land for future generations.

As kaitiaki, Te Uri o Hau is responsible for maintaining the health and connections of the whenua land. The life supporting capacity of the whenua enables optimum health and wellbeing for all - tāngata (people); plants and animals; awa (waterways) and moana (sea). There are also specific connections to the whenua through historical events and activities which may limit the types of use of whenua (land).

Issues:

- Impacts from silt, sediment and erosion on whenua land, waterways, flora and fauna and the coastal marine environment.
- Altered landscapes by the removal of indigenous vegetation and effects to cultural landscape values (e.g. pā, other significant geographic features)
- Damage, and effects to taonga including kōiwi.
- Soil degradation and the effects to the soils natural structure.
- The removal of soil from its natural whakapapa.
- Impacts of climate change.

Assessment

A Stormwater Management Plan (July 2024) that outlines the overall potential impacts and management strategy for stormwater and an Infrastructure Report (August 2024 - draft) have been prepared by Aspire Consulting Engineers. The Infrastructure Report outlines how the infrastructure

required can be managed, either within the site or within road reserve, to develop the site, subject to the requirements of the resource consent process.

Mitigation of effects on cultural values for Earthworks, Erosion & Silt, Te Mana o te Wai for Water Supply, Stormwater and Wastewater Treatment and Disposal have been carefully considered due to the cultural values associated to Mangawhai Harbour, the largest receiving environment in close proximity to the PPC area, and Mangawhai Harbour Statutory Acknowledgement to Te Uri o Hau.

Proposed mitigation has been included some from the reports, that will assist to avoid, minimise, remedy, offset, or compensate adverse effects on Te Uri o Hau cultural values. To ensure contaminants will not directly or indirectly be discharged into the harbour, several measures will be implemented or may be considered:

Recommendations:

1. The requirement of an Excavation and Fill Management Plan for works under the RMA provisions.
2. Implementation of best practice earthwork controls as a standard requirement to mitigate the effects on the receiving and surrounding environment (following Auckland Councils Guidelines for Land Disturbing activities (GD05) and geotechnical recommendations).
3. Erosion and Silt controls to prevent soil erosion and sediment runoff into the harbour. These include silt fences, topsoil bunding, clean water diversion bunds, decanting earth-bunds and sediment retention ponds to capture and treat stormwater (designed in accordance with Kaipara District Council and Northland Regional Council).

Environs had the opportunity to view a previous Ecological report (RD draft February 2023) for ProLand Matters proposed subdivision at Lot 2 DP 29903 but not the detailed Ecological assessment completed by Viridis or recent report by RD as it relates to the PPC as a whole.

The previous report by RD describes the ProLand Matters site is connected to a significant Level 1 Protected Natural Area (PNA) of the Rodney Ecological District (ED) on its northern boundary known as the Mangawhai Harbour, Sandspit and Surrounds (ROD 014). The site contains streams, saltmarsh and associated wetlands that is understood, will be legally protected.

4. Further engagement with an Ecologist on the earthworks design to adapt to the Ecological features within the PPC area is supported by Environs.
5. The preparation of an Ecological Enhancement plan, as a condition of consent to incorporate public access, connectivity to wider features, landscape and cultural values. Input from Environs is recommended.
6. Copies of the Ecological assessment completed by Viridis and recent report by RD for the entire PPC area if available.

New Zealand has low-lying coastal areas that are vulnerable to inundation (flooding) by the sea, especially during storms. Coastal inundation is particularly likely when high tides, storm surge and/or large waves occur at the same time. At these times, areas where rivers or creeks meet the sea are

more vulnerable because high seas can cause the rivers to back up inland. Sea level is also rising and future storms may be more intense, so areas that are inundated only occasionally now are likely to be inundated much more frequently in future.

It is acknowledged that coastal inundation will be a major factor in how the development is managed.

7. Mitigation measures include raising existing ground levels and defining minimum floor levels for future lots.

The site has been mapped with Holocene River deposits, Late Pleistocene river deposits, and Pakiri formation of Warkworth subgroup which was reviewed by Initia Geotechnical Specialists.

The Stormwater Management Plan has identified the presence of underlying peat material in the 'northern portion of the PPC area. The peat material may require removal and replaced with certified engineering fill, or alternatively, preloading of the peat material which can remain in place. The reason for recharge is to maintain existing groundwater levels so as to not exacerbate any settlement. According to some online information, groundwater recharge is the process where water from the surface, such as rain (or snowmelt), infiltrates the soil and moves downward to replenish underground aquifers. This process is crucial for maintaining the levels of groundwater, which is a vital resource for drinking water, agriculture, and ecosystems.

1. Environs is open to further engagement to get a better understanding if the removal of peat from the PPC will have effects on underground aquifers in the area.
2. All aquifers are to be protected from contamination.

Te Uri o Hau believes the capacity of soil as a living ecosystem is to sustain and support all forms of life (to sustain microbes, plants, animals, humans and complex interconnections), through the maintenance of te mauri, to strengthen and enhance whakapapa, taonga tuku iho, mana, oranga and wairua. "Whakapapa defines what a healthy soil is, it comes from our whakapapa, we define ourselves from our pepeha, our land. So whatever happens to the soil happens to me, when we are disenfranchised from our soil, our land, it also effects our physical and mental health" "The indicators and measures of soil health can be seen in the place names, the geographical whakapapa" (Hema Wihongi interview by Kiri Reihana, 2017).

For Te Uri o Hau, these freshwater bodies are part of a complex system of genealogical relationships from which derive the traditional Maori knowledge, values and ethics which shape our customary practices for freshwater monitoring and freshwater management.

The presence of acid sulphate has been identified in soil on the low flats requiring further investigation to identify the presence of acid sulphate in this area. It is advised that proposed mitigation measures will be investigated and implemented depending on the results.

8. Environs requests a review of the findings and proposed mitigation options.

Zoning and Land Use Controls:

9. Use zoning ordinances and land use controls to limit impervious surfaces and encourage open spaces, reducing runoff and contamination.
10. The proposed plan change shall retain the relevant overlay provisions and chapter 17 Heritage of the Operative District Plan. These provisions are considered to provide appropriate mechanisms within which tangata whenua can address potential effect of development on freshwater.

a. Wai: Water

Wai Water has enormous cultural importance to Te Uri o Hau. The Wai acts as a link between the spiritual and physical worlds, and many water bodies are associated with wahi tapu (sacred sites). All elements of the natural environment (including people) are believed to possess a mauri (life force), which Māori endeavour to protect.

The wellbeing of an iwi (tribe) is linked to the condition of the Wai in its rōhe (territory). Wai also provides important mahinga kai (food, tools and other resources collected from fresh and marine waters). Supply and exchange of mahinga kai forms part of the social fabric of Māori tribal life. Māori consider that the land, sky, water and its people are inseparable; they are all connected.

The RMA requires that the Wai Water is managed in a way that:

- recognises and provides for 'the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga (treasures)' [Section 6(e)] and 'the protection of protected customary rights' [Section 6(g)].
- gives regard to 'kaitiakitanga(guardianship)' [Section 7(a)].
- takes into account the principles of the Treaty of Waitangi [Section 8], including the principles of partnership and active protection.

Under the National Policy Statement for Freshwater Management 2020¹⁰ (NPS-FM) which came into effect on 3 September 2020, the fundamental concept encompasses **Te Mana o te Wai**, which refers to the importance of water and recognises that protecting the health of freshwater will protect the health and wellbeing of the wider environment.

There are six principles of Te Mana o te Wai in the NPS-FM 2020 that inform its implementation:

- **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.
- **Kaitiakitanga:** the obligation of tangata whenua to preserve, restore, enhance, and sustainably use freshwater for the benefit of present and future generations.

¹⁰ Ministry for the Environment: National Policy Statement for Freshwater Management 2020. Retrieved from: <https://environment.govt.nz/assets/Publications/Files/national-policy-statement-for-freshwater-management-2020.pdf>

- **Manaakitanga:** the process by which tangata whenua show respect, generosity, and care for freshwater and for others.
- **Governance:** the responsibility of those with authority for making decisions about freshwater to do so in a way that prioritises the health and well-being of freshwater now and into the future.
- **Stewardship:** the obligation of all New Zealanders to manage freshwater in a way that ensures it sustains present and future generations.
- **Care and respect:** the responsibility of all New Zealanders to care for freshwater in providing for the health of the nation.

Assessment

1. The role of Kaitiakitanga is recognised within the proposed plan change.
2. That the provisions require the enhancement of all aquatic habitats via protection and management in perpetuity following an approved Ecological Management Plan.
3. The proposed plan change provisions seek to enable manaakitanga of the water within the plan change area.
4. The proposed plan change provisions seek to ensure on-going protection and management of freshwater in perpetuity at time of subdivision achieving governance which prioritises the health and wellbeing of the freshwater.
5. Subdivision can only occur when appropriate ecological enhancement has been undertaken.
6. Future residential development is managed via proposed land use rules, including limitation of impervious area coverage and stormwater management.

Council stormwater, wastewater and water reticulated services are not available to the site. The Stormwater Management Plan (Aspire) gives strategies to mitigate stormwater use through the management of effects. These are listed, in addition to other considerations that can be considered:

11. Water Quality – Ensuring contaminants are not discharged to the receiving environment.
12. Wastewater Treatment: Connection to Councils wastewater reticulation is being proposed and that any connection will have to be created with pipework following the road from Black Swamp Road utilising Insley bridge to the main Council connection.
13. Environs will need to assess the engineering details once these have been completed. In principle, Environs would support a connection by road to the public reticulation services or option of support as the only option.
14. Water sources have been identified as being limited in availability in Mangawhai. Properties in the PPC will be reliant on rainwater from dwelling roof to household water tanks and re-use for potable and non-potable water.
15. Emphasis is given to the potential environmental effects of the proposed zone change and provisions, through evaluation of all fresh water within the plan change area.
16. That any proposed provisions go beyond that of the Operative District Plan affording a higher level of protection of fresh water and strike a balance between protecting the water and enabling residential development.
17. The proposed plan change shall retain the relevant overlay provisions and chapter 17 Heritage of the Operative District Plan. These provisions are considered to provide

appropriate mechanisms within which tangata whenua can address potential effect of development on freshwater.

b. Biodiversity

The cultural value of “Ki uta, ki Tai” from the source to the sea, demonstrates the interconnectedness of all life, not just in waterways but all ecosystems. As kaitiaki, Te Uri o Hau is responsible for maintaining healthy indigenous ecosystems which in turn sustain indigenous biodiversity and therefore sustain the people.

Native birds, plants, and animals are of iconic and cultural significance and are taonga to Te Uri o Hau. Generally, taonga species have a body of inherited knowledge relating to them, they are related to the Iwi or Hapū by whakapapa, and the Iwi or Hapū is obliged to act as their kaitiaki. As kaitiaki, Te Uri o Hau is responsible for maintaining taonga species to sustain the people, our cultural practices, connections, and identity.

Issues

- Loss of indigenous biodiversity and habitats, especially wetlands, compounded by increasing pest plant and animal numbers.
- The lack of recognition of Te Uri o Hau special association with indigenous species, fish, flora, and fauna within the Te Uri o Hau Area of Interest.
- Intellectual property rights to indigenous forests, flora and fauna is an issue under WAI 262 e.g. bioprospecting.
- On-going disregard for the mauri of indigenous forests, flora, and fauna within the statutory area of Te Uri o Hau.
- Introduced pests and the effects of bush clearing has meant that there has been almost total destruction of native forests within the statutory area of Te Uri o Hau .

The PPC is in a position to create positive environmental effects. Through robust planning and management of effects, the PPC is able to:

- Enhance and protect the ecological corridors from the hills to the sea.
- Improve connectivity and public access to the local natural environment.
- Provide blue-green infrastructure to enhance biodiversity, environmental health, and provisions for adequate stormwater management.

Comments

- I. The protection and enhancement of the natural features constitute a significant net ecological benefits to the values of Wai (water), Ngahere (native bush), Manu (birdlife), flora and fauna.
- II. The PPC ecological features are protected and enhanced as much as possible.
- III. The selection and use of native plants in the PPC area is encouraged and supported by Environs.

c. Growth and Development

Ensuring sustainable growth through the development of subdivisions is pivotal in the development of any lands within the statutory area of Te Uri o Hau. There are many ways in which mitigation or remediation might be undertaken. The challenge for Te Uri o Hau, resource consent applicants, developers, and landholders, will be finding practical solutions for creating sustainable development.

Issues:

- Inappropriate development and uncontrolled growth are having adverse effects on Te Uri o Hau environment, taonga and relationships.
- The mitigation and remediation of adverse effects to natural resources in the development of subdivisions and the associated infrastructure within the statutory area of Te Uri o Hau.

Comments:

Given the scale of the project, the proposed area for development will ensure that urban growth is integrated with the protection and enhancement of ecological features, management of provision of infrastructure and mitigation of landscape effects.

The PPC proposes a range of controls for subdivision, urban design, protection and enhancement of ecological features, provision of open space and reverse sensitivity.

d. Māori Toi – Cultural Wayfinding - Iwi concepts, designs, naming

Heritage and art are embedded in Māori culture which captures a sense of community, language, ethnicity, sports, recreation, places, and space (such as built environment and landscapes). It encompasses all the multiple interactions of emotion, spiritual, historical, and physical aspects of human life within local contexts such as, seeing the surf at Mangawhai Heads or the smell of Pohutukawa trees blossoming.

Wayfinding is about all of the ways in which people (and animals) orient themselves in physical space and navigate from place to place. Cultural Wayfinding can include elements from a particular cultural or heritage which are included to express:

- a) urban development, the creative industries, tourism, and recreation;
- b) aspects of economic development and leisure activities (including sport);
- c) diversity, participation, partnership, and innovation;
- d) impact on the individual, the neighbourhood, and the community; and
- e) vitality, health, and inclusion.

Comments:

The opportunity to include Toi Māori as a creative and engaging way to share our stories, celebrate our journey and reinvigorate the area by incorporating into future design concepts ancestral names,

local tohu and iwi narratives included in landscape and architecture plans, interior design, street and development naming and public art.

10. Conditions of Consent

Consent Notices/ Conditions of Consent

1. The Consent Holder/their agent shall forward a copy of the granted consent conditions and approved plans to Environs at rma@uriohau.co.nz within five working days of the consent being granted.

Future Construction and Development:

2. Mana whenua values and Mātauranga shall be incorporated into concepts, planning and designs for the PPC area.
3. Provision for open spaces within sub zones to break up large tranches of dense housing shall be considered.

Historic Heritage – Archaeological Sites:

All archaeological sites, whether these are known (or recorded) or unknown are protected under the Heritage New Zealand Pouhere Taonga Act (HNZPTA 2014). The potential for sub-surface taonga to be discovered during works is a distinct possibility.

4. Midden R08/256 shall be formally surveyed by the project Archaeologist to ascertain its extent so it is contained for protection wholly within the boundary of the proposed esplanade reserve.
5. Environs assigned Kaitiaki shall be engaged for the surveying of the middens extent.
6. Environs supports the requirement of an Archaeological Authority.

Site Blessing:

The opportunity for Te Uri o Hau to perform a blessing of the site prior to earthworks commencing.

NOTE: Please contact: rma@uriohau.co.nz directly or Environs on 0800 438 834 for arrangements to be made.

Cultural Monitoring

At least up to fifteen (15) working days prior to the commencement of works in the year of the activity, the Consent Holder shall engage, at their full expense, Kaitiaki and/or Environs representatives shall:

7. Attend the pre-works meeting with the client, developer and Archaeologist (where required).
8. Undertake a blessing and cultural induction' as part of the formal health and safety induction process to ensure all workers and contractors are properly trained and understand

the requirements of the Accidental Discovery Protocols (ADP) in the discovery of Archaeological sites.

9. Cultural monitoring of topsoil stripping to develop the site i.e. construction of roads, drainage, trenches for services, building platforms, proposed landscape and planting areas and/or other activities where it is deemed appropriate.

NOTE: Please contact: rma@uriohau.co.nz directly or Rebecca Fletcher 021 567 816 to advise of the pre-works meeting date and for Kaitiaki monitoring arrangements to be made.

Earthworks

10. All earthworks shall comply with the applicable sediment control standards or Councils regulations.
11. Stormwater Management shall be implemented that will ensure high water quality standards will be met.
12. Implementation of rain gardens into development design where possible to assist with silt and sediment reduction.
13. Soil is retained onsite where possible, during any development process.

Wai

14. The values and principles of Te Mana o Te Wai are incorporated into developing the PPC area.
15. All watercourses including areas that have an underground wai source shall be protected.
16. Storm water management controls shall be implemented to avoid mixing of contaminated water with fresh water.
17. The use of raingardens or similar methods to mitigate against the effects of stormwater runoff and disposal.
18. On-going protection of the mauri of the wai and watercourses that are recognised as wāhi taonga to Te Uri o Hau.
19. Wetlands shall be formally protected and enhanced with additional native planting.
20. Wastewater systems are connected to public reticulation via the roadway to Councils connection point, for each future household.

Ecological

21. The requirement of an Excavation and Fill Management Plan for works under the RMA provisions.
22. Implementation of best practice earthwork controls as a standard requirement to mitigate the effects on the receiving and surrounding environment (following Auckland Councils Guidelines for Land Disturbing activities (GD05) and geotechnical recommendations).
23. Erosion and Silt controls to prevent soil erosion and sediment runoff into the harbour. These include silt fences, topsoil bunding, clean water diversion bunds, decanting earth-bunds and sediment retention ponds to capture and treat stormwater (designed in accordance with Kaipara District Council and Northland Regional Council).
24. Further engagement with an Ecologist on the earthworks design to adapt to the Ecological features within the PPC area is supported by Environs.

25. The preparation of an Ecological Enhancement plan, as a condition of consent to incorporate public access, connectivity to wider features, landscape and cultural values. Input from Environs is recommended.
26. Copies of the Ecological assessment completed by Viridis and recent report by RD for the entire PPC area if available.
27. The natural ecological features within the PPC area are formally and physically protected and enhanced.
28. Te Uri o Hau is involved in the planting plan for the PPC area.
29. Low density of housing located near to the significant natural areas.
30. Provision for fish passage is implemented into design plans where possible.

Cultural Footprint

31. Te Uri o Hau welcomes the opportunity for input into the development by including:
32. Discussions with the client to incorporate cultural design concepts ancestral names, local tohu and iwi narratives included in landscape and architecture plans, interior design, street, road and development naming and public art.
33. Opportunities for Te Uri o Hau to advise and provide input into the proposed walkway for the PPC area. Such opportunities would support Kaipara Council's Mangawhai Spatial Plan 2020 and Spatial Plan themes for iwi and culture.

Climate Change

34. Use of sustainable, energy-efficient materials and sustainably sourced materials in future construction methods proposed within the PPC area.

Additional Engagement

35. Where new information is provided after the release of this assessment, additional engagement may be required.

Costs

36. All costs associated with any ceremonies, inductions, monitoring, reporting, site visits and/or meetings attended by Te Uri o Hau representatives shall be met by the Applicant.

Appendices 1: Archaeology - Accidental Discovery Protocols

The most common types of cultural sites in Northland are pa, pits and terraces and more frequently located by the coast: Shell Middens. However, there are other types such as bone (animal/fish), charcoal (from burning hangi), burnt stone (hangi/oven), obsidian, chert (cutting stones) or stone tools to name a few.

Burial Kōiwi tangata (human skeletal remains) can also be uncovered. Note: Local iwi consider this as the most sacred find and therefore, kōiwi must be treated with the utmost respect.

In the event of an “Accidental Discovery” of archaeological materials, the following steps must be taken:

1. All work in the immediate vicinity to the site shall cease immediately and all machinery/equipment shall be shut down and removed.
2. The Contractors/works supervisor/consent holder will take immediate steps to secure the site by taping around the site extending out to a minimum of 10m (buffer) to ensure the remains are undisturbed and the site is safe in terms of health and safety requirements. Work may continue outside the roped off area.
3. A Qualified Archaeologist and Environs (rma@uriohau.co.nz) are contacted and arrangements made to visit the site to confirm the nature of the discovered material.
4. The Contractors/ Works Supervisor/Consent Holder shall notify Heritage NZ (HNZ) – Pouhere Taonga (Northland Office), Environs, and any other required law or statutory agencies (e.g., NZ Police for human skeletal remains).
5. Works in the area shall not commence until all cultural protocols and HNZ statutory requirements have been met.

IF IN DOUBT- STOP, ASK, TAKE A PHOTO AND SEND IT TO BOTH THE CONSENT HOLDER, PROJECT

Appendix 2: Glossary

Battle of Te Ika a Ranganui	1825 Battle between Ngāpuhi and Ngāti Whātua at Hākaru, Mangawhai
Hapū	Sub-tribe
Haumoewaarangi	Eponymous ancestor of Te Uri o Hau
Iwi	Tribe
Iwi authority	The authority that represents an iwi or hapū
Kaitiaki	To guard; to keep guardian over
Kaitiakitanga	Exercise of guardianship; and in relation to a resource includes the ethic of stewardship based on the nature of the resource itself
Kai Moana	Seafood
Karakia	Prayer
Kōiwi	Human skeletal remains
Mahinga kai	Customary food /resources
Marae	Meeting house
Pā	Fortified settlement /village/site
Papatūānuku	Earth Mother
Tino Rāngātiratanga	Sovereignty, chieftainship, right to exercise authority, chiefly autonomy, self-determination, self-management, ownership
Ranginui	Sky Father
Rōhe	Region of Interest
Mana whenua	People belonging to any particular place – Indigenous people
Tāne Māhuta	Guardian spirit of the forest
Tangaroa	Guardian of the sea
Te Uri o Hau	The descendants of Haumoewaarangi
Tūpuna	Ancestor(s)
Wāhi Tapu	Sacred areas/Reserved ground/cemetery
Wāhi Taonga	Sacred treasures
Wairoa	Water body

Appendix 3: References

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