

CULTURAL IMPACT ASSESSMENT
FOR
SINTON ROAD AND CLARKS LANE
PROPOSED PLAN CHANGE

PREPARED FOR
CABRA DEVELOPMENTS LTD

OCTOBER 2024

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Ref. TKITT000335

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TE KAWERAU IWI
TIAKI TRUST

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PEPEHA

Ko Hikurangi te maunga

Ko ngā Rau Pou ā Maki ngā tohu whakahī

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

CONTENTS

Introduction	5
1.0 Project Background	5
2.0 Site Description	5
3.0 Aims and Objectives	8
Methodology	9
4.0 Statutory Context	9
5.0 Planning Policy Context	11
6.0 Te Ao Māori	14
7.0 Scoping and Consultation	16
8.0 Assessment Approach	17
9.0 Assumptions and Limitations	19
Environmental Baseline	20
10.0 Topography and Geology	20
11.0 Natural Resources and Ecology	21
Cultural Baseline	23
12.0 Statement of Association	23
13.0 Māori Archaeology	26
14.0 Cultural Sites and Resources	27
Impact Assessment	29
15.0 Potential Direct Impacts	29
16.0 Potential Indirect Impacts	29
17.0 Potential Cumulative Impacts	29
18.0 Summary of Effects	30
Conclusion	35
Recommendations	36

INTRODUCTION

1.0 Project Background

Te Kawerau Iwi Tiaki Trust ('the Trust') have been commissioned by Cabra Developments Ltd (hereafter the Client) to prepare a Cultural Impact Assessment (CIA) for the proposed Plan Change at 10, 14 & 16 Sinton Road and 15 Clarks Lane, Whenuapai. The proposed rezoning and plan change area has an area of 16.65ha and includes 17, 17A Clarks Lane and 12 Sinton Rd (which are not owned by the Client) but the overall size of the Neighbourhood Plan is approximately 114ha.

The Client seeks to progress a private plan change to rezone the properties located at 10, 14 & 16 Sinton Road, and 15 Clarks Lane, Whenuapai. The proposed plan change would rezone the land from Future Urban Zone (FUZ) under the Auckland Unitary Plan (AUP) to Residential - Mixed Housing Urban with a lower intensity Residential – Mixed Housing Suburban along the coastal edge. The proposal includes an esplanade reserve to be vested along the coast, as well as 0.4ha Open Space Zone – Informal Recreation (owned by Auckland Council) at 17A Clarks Lane.

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); Whānaungatanga (people focused); Auahatanga (innovation); Mātauranga Māori (culture-driven).

2.0 Site Description

The project is located in the upper harbour area of West Auckland at Whenuapai. The Waitematā Harbour is several kilometres to the north, west and south. State Highway 16 runs to the west, while State Highway 18 extends through the Neighbourhood Plan area. The RNZAF Whenuapai Airbase is directly northwest of the area on Brigham Creek Road and Waiarohia o Ngariiki (Waiarohia Inlet) runs along the northern boundary of the site(s).

The wider proposed project area (hereafter the Study Area) includes the surrounding Whenuapai-Hobsonville-West Harbour area within a 3km radius of the project. This radius is considered necessary given the scale and nature of the proposal in order to better provide the cultural landscape context.

For the purposes of this report, the proposed project site (hereafter the Site) includes approximately 114ha and is situated in a rural residential area and is bound by Sinton Road and Clarks Lane to the southeast, lifestyle blocks to the southwest and northeast, and by Waiarohia o Ngariiki (Waiarohia inlet) to the northwest. The boundary of the site includes approximately 2.2km of coastline to the Upper Waitematā Harbour comprising the Waiarohia o Ngariiki (Waiarohia) Inlet and Wallace inlet to the northeast. Brigham Creek road forms a boundary to the south, and Hobsonville Road to the south and southeast.



Figure 1: Plan Change Area – Yellow extent, Cabra land shown with orange infill (source: Capture, August 2024)



Figure 2: Image showing regional context (source: Boffa Miskell, June 2024)

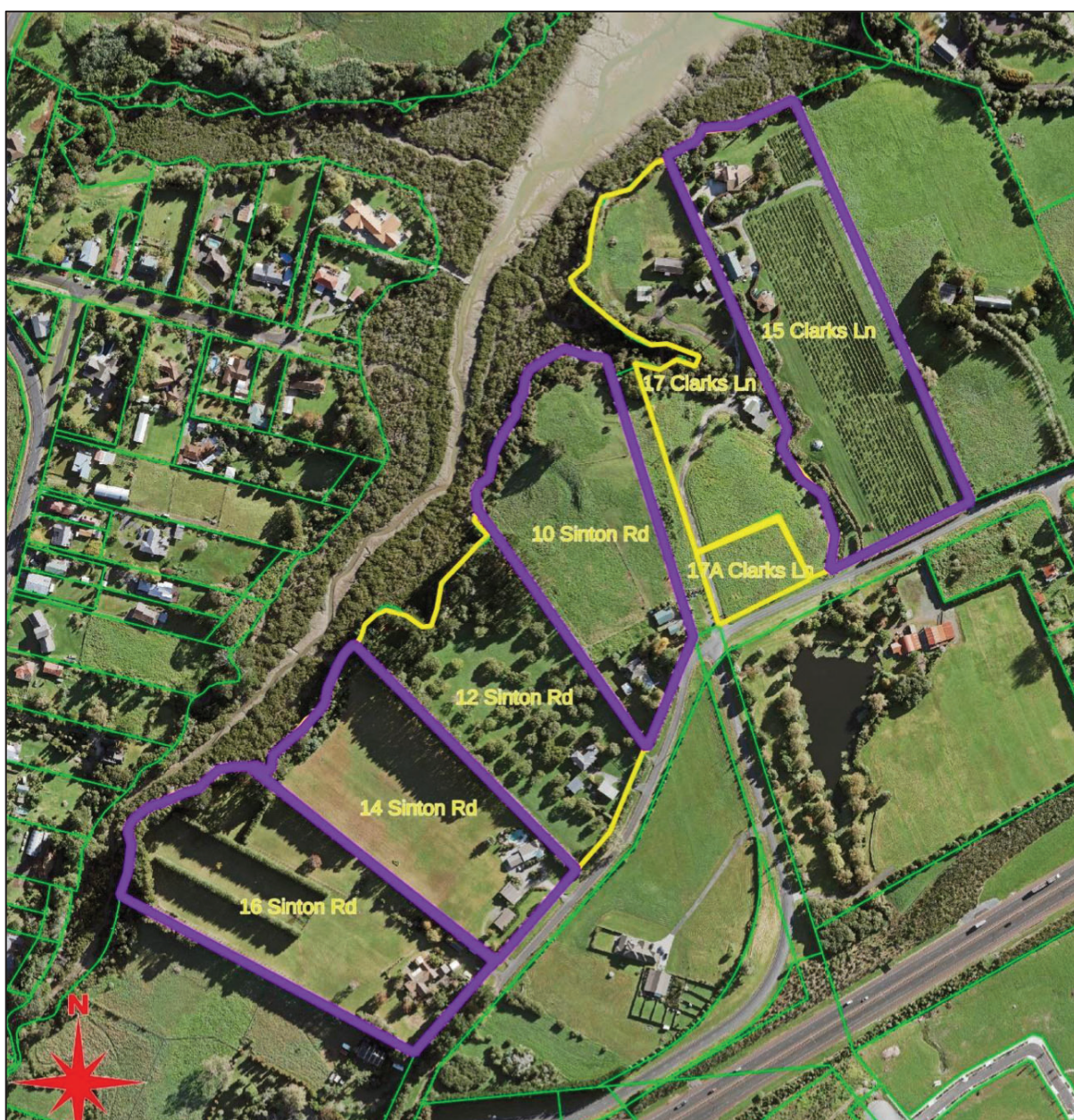


Figure 3: Image showing PPC area: purple = owned by Carba, yellow = not owned by Cabra (source: Archaeological Solutions Ltd, 2024).

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;
- 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 to work together in accordance with Te Tiriti. 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 of relevance are:

- Coastal statutory acknowledgement
- Rangitōpuni Stream and tributaries
- Te Wai-ō-Pareira / Henderson Creek and tributaries

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 competencies 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 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:

- 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 ō 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.

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 ō 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 fresh water.

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, but are also embedded in the lower-order policies and rules throughout the Plan.

Policy B6.2.2 provides for the recognition of Treaty of Waitangi/Te Tiriti ō 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 tangata 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 Matātua 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. Te Ao Māori places emphasis on the holistic link between people and the environment. 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 the 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.

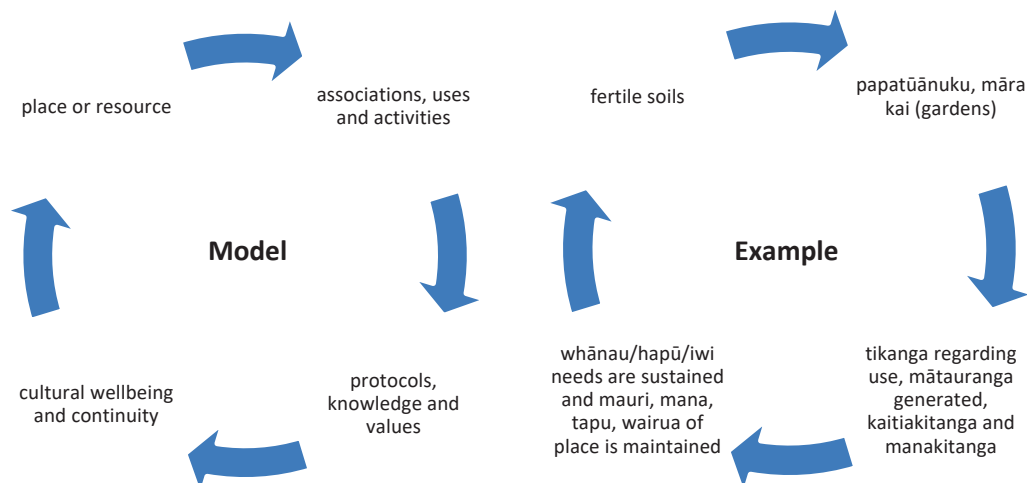
Tikanga

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).

A model of how cultural values function is provided below.



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 its close proximity to Waiarohia ō Ngariki as well as having a kainga on the site – this 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: Geotechnical assessment by ENGEO (dated April 2024), Economic Assessment by Formative (dated June 2024), Draft ecological assessment by Viridis (dated June 2024), contamination assessment by ENGEO (dated April 2024), Coastal hazard assessment by SLR (dated April 2024), Archaeological assessment by Archaeological Solutions Ltd (dated May 2024), Draft Precinct Provisions (August, 2024), Erosion Screening Assessment by ENGEO (dated August 2024), Stormwater Management Plan (August, 2024) and Infrastructure Report (August 2024). 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 as well as a site visit on the 10th of July 2024 to assess and confirm site conditions.

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 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 difficult to apply a Western paradigm of value hierarchy or significance ranking (i.e. 'low, medium, high') when using a Te Ao Māori lens. Nevertheless, the methodology here attempts to distinguish the relative importance of matters as determined by a number of criteria, including the degree of mana, tapu or mauri, the degree to which a resource has specific kōrero or mātauranga, its sensitivity to changes (ability to absorb impacts), and its relative scarcity. This approach recognises that a matters' value is intrinsic but relative to context. This approach is supported by RMA Part II matters noting the relationship of tangata whenua with their lands, waters, and taonga as nationally significant. The approach is set out below:
 - high: cultural sites/areas/resources that retain their integrity overall, are either rare or are common but hold specific customary uses or mātauranga, are considered a wāhi tohu or landscape indicator, or have a high sensitivity to change.
 - medium: cultural sites/areas/resources that retain the key elements of their integrity, are either uncommon or are common but hold specific customary uses or mātauranga, or have a moderate sensitivity to change.
 - low: cultural sites/areas/resources that have been significantly degraded or damaged, are common and do not hold specific current customary uses or mātauranga, or have a low sensitivity to change.

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. Kōrero 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:
- no change
 - negligible: changes result in small impacts on integrity of the site/area/resource such that their function is reduced but not notably diminished, ability to understand/appreciate/use/access is impacted to a inconsequential degree, the ability to interpret the cultural landscape or setting is impacted but the change can easily be absorbed.
 - minor: changes result in small impacts on integrity of the site/area/resource such that their function is reduced but not significantly diminished, ability to understand/appreciate/use/access is impacted to a small degree, the ability to interpret the cultural landscape or setting is impacted to a small degree or change can otherwise be largely absorbed.
 - moderate: changes result in appreciable/significant impacts on the integrity of the site/area/resource such that their function is impeded, ability to understand/appreciate/use/access is impacted to a notable degree, the ability to interpret the cultural landscape or setting is impacted to a notable degree or change can otherwise not be absorbed.
 - major: changes result in large scale/total impacts on the integrity of the site/area/resource such that their function is effectively destroyed, ability to understand/appreciate/use/access is impacted to a significant degree/is no longer possible, the ability to interpret the cultural landscape or setting is impacted to a significant degree or change can otherwise not be absorbed and the landscape or setting is no longer recognisable/able to function.
- Impacts can be either adverse or beneficial. Impacts can also be temporary or permanent. They can occur during the construction or the operational phase of a development. 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. Note that positive effects will be coloured green.

		Table 1: Significance of effect				
		LEVEL OF IMPACT				
		No Change	Negligible	Minor	Moderate	Major
CULTURAL VALUE	High	Neutral	Minor	Moderate	Large	Large
	Medium	Neutral	Negligible	Minor	Moderate	Large
	Low	Neutral	Negligible	Negligible	Minor	Moderate

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.

ENVIRONMENTAL BASELINE

10.0 Topography and Geology

The Study area is situated in the Tāmaki Ecological District of the Auckland Region. This district comprises Takapuna, East Coast Bays, the Auckland isthmus and the Waitematā Harbour. The geology is largely Waitematā group sandstone, siltstone and minor limestone, with some basaltic scoria cones, tuff rings and lava flows and some alluvium. Soils are mainly volcanic ash soils of medium to high fertility. Most of the district is heavily modified by urban development. Historically (pre-human), the site would have likely contained the ecosystem type 'Pūriri forest' (WF7-1). While gardening was not a major focus of Māori settlement, the kāinga along the Upper Harbour would have all maintained māra kai.

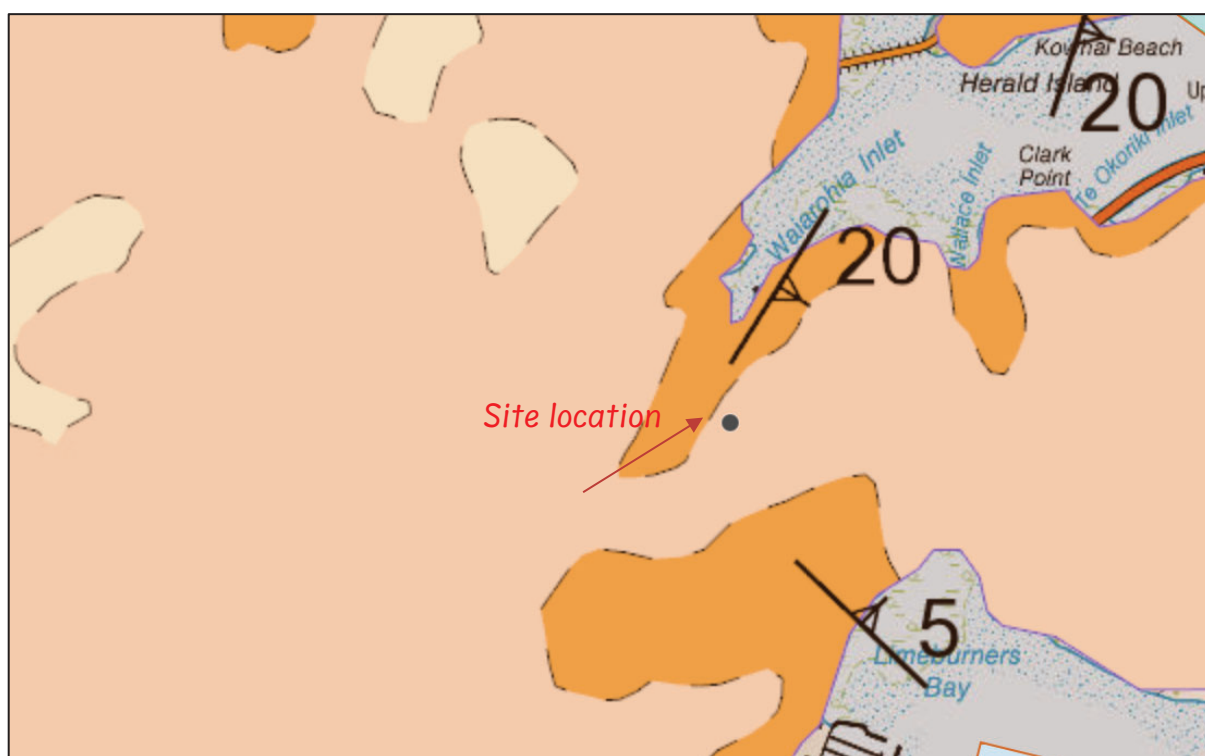


Figure 3: Image showing Geology of the Study Area (source: GNS Science)

The site is characterised as having broadly undulating topography which descends from the southern side of Clarks Lane and Sinton Road towards the Waiarohia ō Ngariki (Waiarohia) inlet and Wallace Inlets to the north and northeast. The coastal margin is characterised by low height (typically 5 to 10 m) slopes between 30 and 50 degrees with a sub-vertical soil or very weak rock cliff exposed in the tidal zone.

A network of overland flow paths and permanent streams dissect the landscape and drain towards the Waiarohia ō Ngariki (Waiarohia) Inlet to the northwest. A man-made pond has been formed on the southern side of Clarks Lane and is connected to the gully through 15 and 17 Clarks Lane via a culvert beneath the road. Auckland Council GeoMaps identifies areas of land that could be affected by flooding during and / or following periods of heavy rain. Portions of the site labelled as flood prone, or flood plains are limited to areas immediately adjacent to Waiarohia Inlet and its associated tributaries, including the pond.



Figure 4: Image showing Catchments and Hydrology from Auckland Council GeoMaps (source: Boffa Miskell, June 2024)

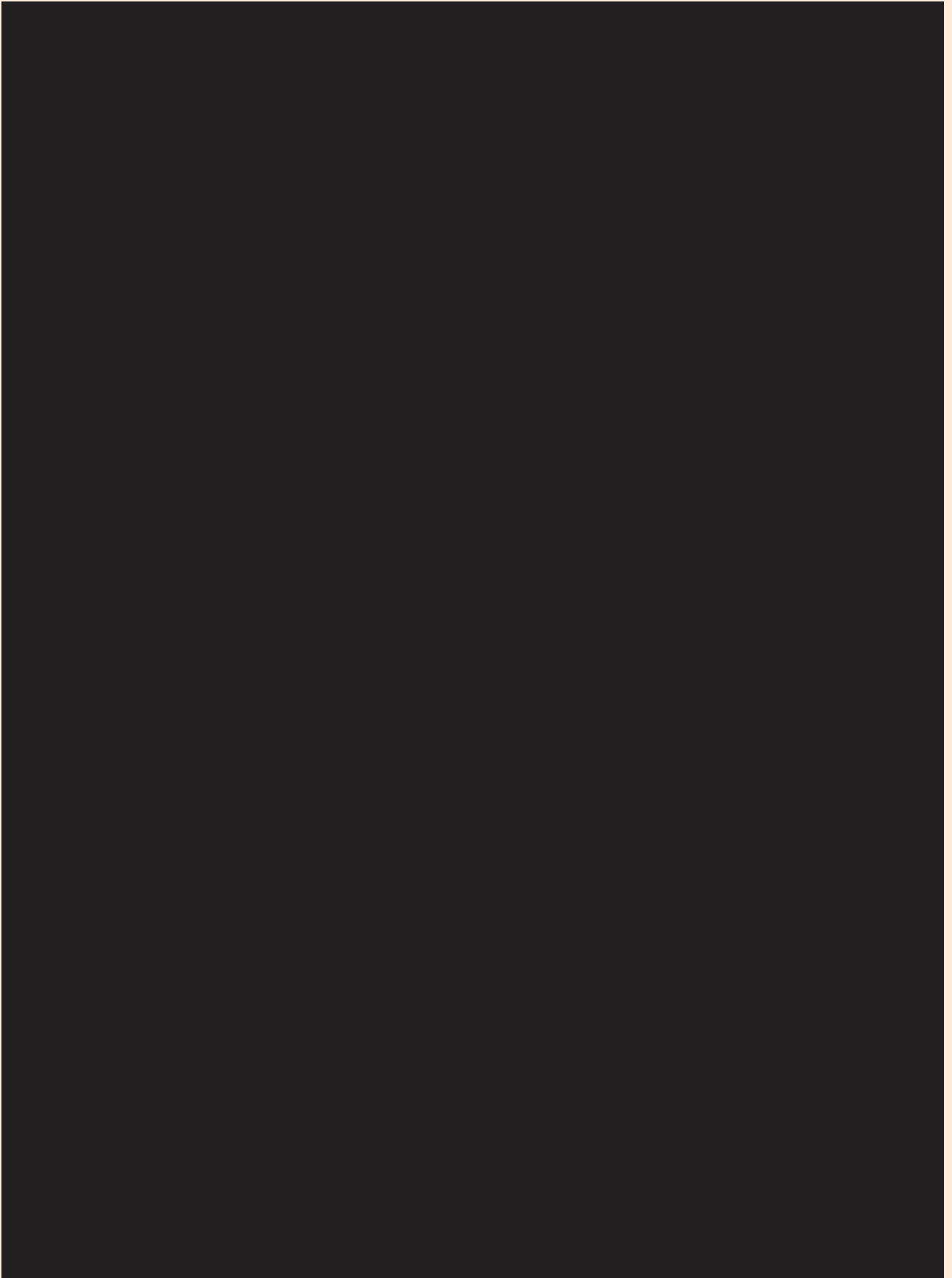
11.0 Natural Resources and Ecology

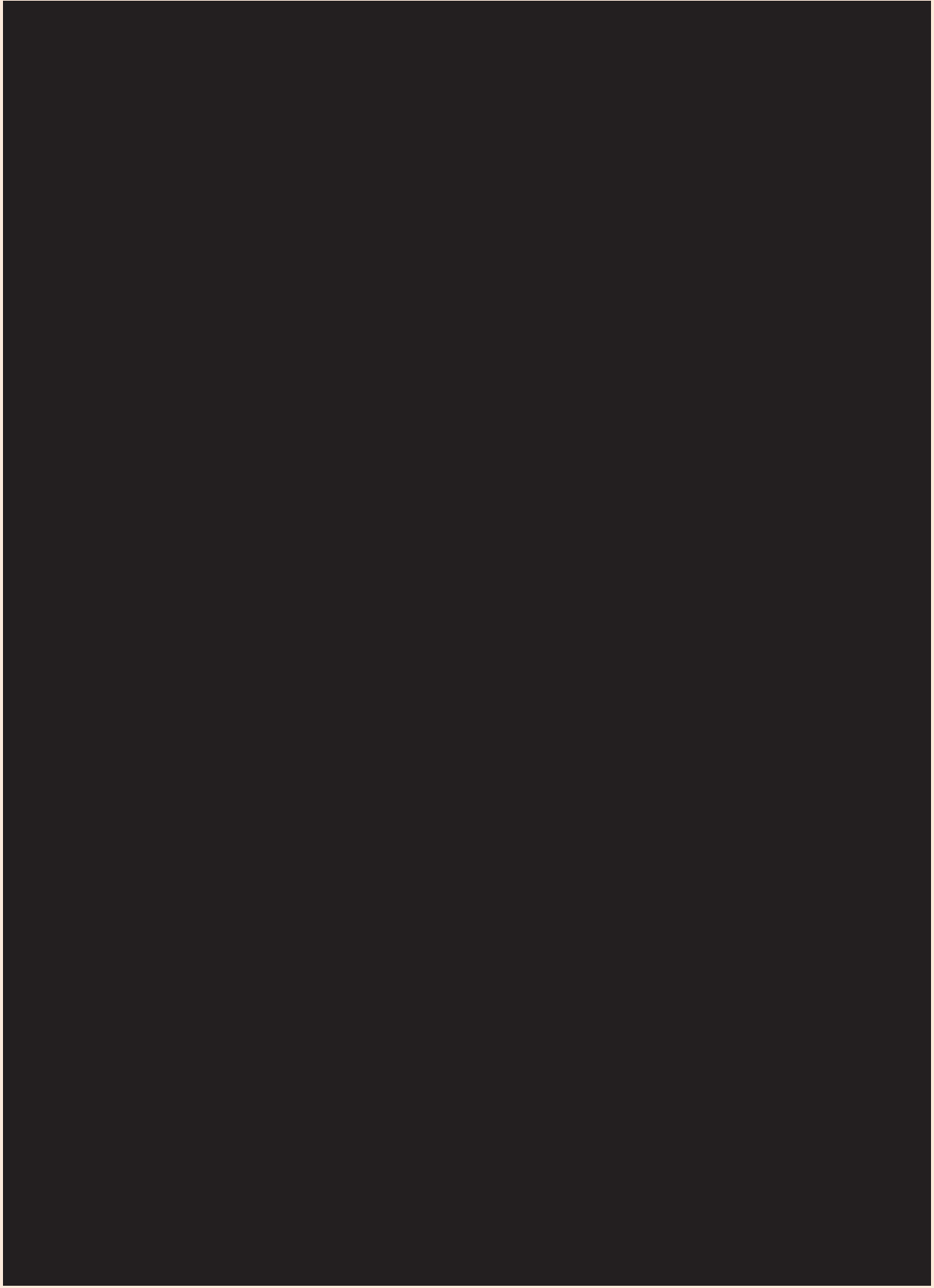
The site is mainly flat and elevated above the CMA, with fairly steep banks around much of the coastal edge. Land use within the site is currently dominated by agriculture and horticultural activities. Land use within the general surrounding environment area is largely rural. Currently, most of the lots within the PPC area contain a small number of residential dwellings, and associated farm buildings. The remainder of the site is mainly in pasture. There is an extensive area of mangroves along the coastal edge of the Sinton Road - Clarks Lane Neighbourhood Plan Area. This is adjoined by mixed native and exotic coastal edge vegetation. A band of vegetation is within a Significant Ecological Area (SEA) at the south-western end of the Neighbourhood Plan Area.

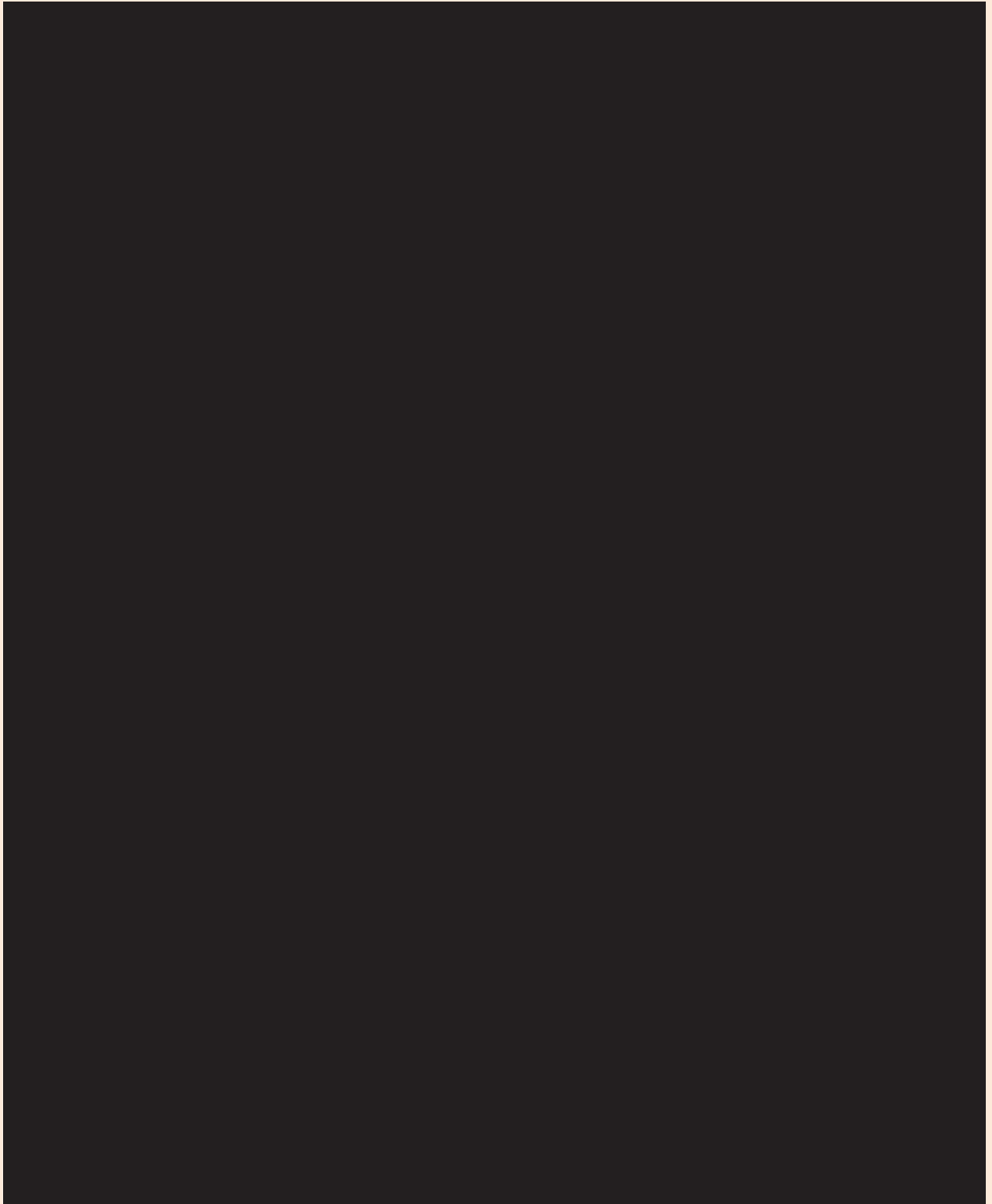
According to Viridis (2024) the terrestrial ecological values of the site are generally low, except for the vegetation around the coast that is considered to be of low to moderate value and may provide some habitat for birds, bats and lizards. Very little native vegetation remains across the site to provide any significant habitat for indigenous fauna, with most of the site being covered in pasture. At Risk indigenous fauna may be present on an intermittent basis. The natural inland wetland and intermittent streams on the site have low ecological value due to the exotic species present, the lack of aquatic habitat and hydrological variation and the effects of agricultural land uses such as sedimentation. However, the permanent stream likely provides habitat for At Risk fish species and has been assessed as moderate value. The adjacent coastal area is of moderate-high ecological significance, despite not being designated as marine SEA under the AUP-OP, it is expected to support At Risk/Threatened species.



Figure 5 & 6: Pictures taken at site visit of the mangroves and Waiarohia ō Ngariki awa along boundary of site.







13.0 Māori Archaeology

The known archaeological record (surmised from NZAA) shows records close to the survey area or within the survey area. Historic structures are recorded in Auckland Council's Cultural Heritage Inventory and some sites from both databases are scheduled in the AUP(OP). According to Archaeological Solutions Ltd's report, the wider heritage context is dominated by coastal shell midden and reflects the kai moana exploitation in the upper Waitematā harbour.

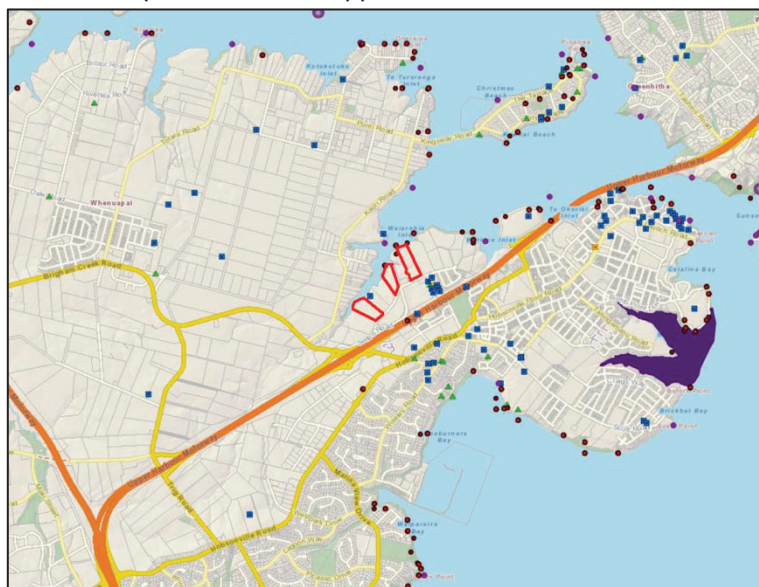


Figure 8: Map showing NZAA and CHI sites (Source: Archaeology Solutions Ltd, May 2024)

Two archaeological coastal sites were discovered/relocated in the development area (R11/3501 and R11/2024) – both of them are within the coastal zone and both will be impacted by any coastal vegetation removal and new plantings. One further site is outside the survey area but within the plan change area (R11/2025) and is also located on the coastal zone and is also a shell midden site. It is worth noting that the total resource of an area is not known until it is either fully investigated by exploratory means prior to works or uncovered during project earthworks. Generally, the likelihood for potential unrecorded archaeology on this site is low, but this increases to moderate within 100m of the perimeter waterways. It is important to note that, absence of archaeology does not necessarily equate to absence of cultural activity and cultural value.

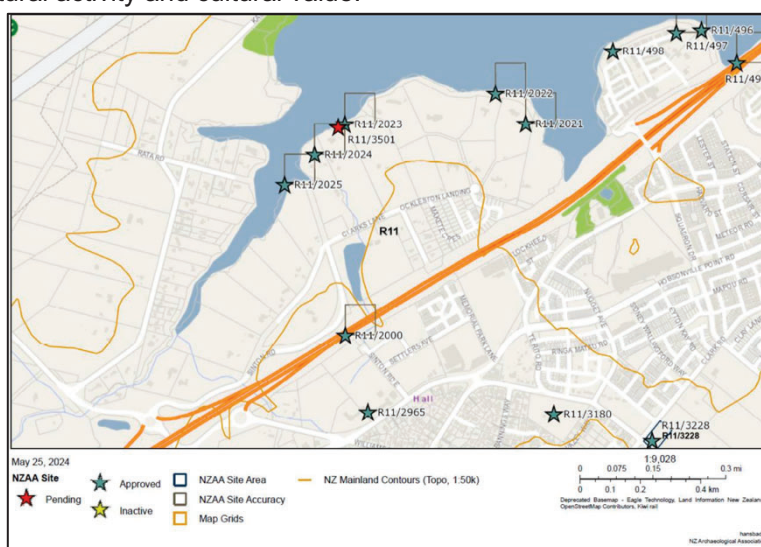


Figure 9: Map of recorded archaeological sites in the vicinity of site (Source: Archaeology Solutions Ltd, May 2024)





IMPACT ASSESSMENT

15.0 Potential Direct Impacts

The Proposed Plan Change will have a range of potential adverse and beneficial direct impacts (arising from both construction and operation phases). These include from earthworks, stormwater, removal of vegetation, disturbance to fauna, light pollution and visual or setting impacts arising from bulk of structures within the landscape.

Direct adverse construction impacts will likely include bulk earthworks that will remove the productive topsoils and alter the contours of Papatūānuku, potentially require either the removal of soil from the site or importing of soil from elsewhere, and contribute to the risk of sediment runoff. Impacts will also arise from the removal of established trees and vegetation, the potential to harm native animals (e.g. birds, bats and lizards) during physical works, and works within or adjacent to Waitematā Harbour, Waiarohia ō Ngariki awa/inlet and its tributaries. Direct adverse operational impacts will likely include increased light pollution, noise pollution, stormwater discharge from impervious areas, and changes to the rural setting of Waiarohia ō Ngariki awa and kainga and potentially sight lines across the Waitematā Harbour.

Potential direct beneficial impacts are unconfirmed but could include a 30m setback from Waiarohia ō Ngariki awa/inlet, removal of weeds from the awa, enhancement planting along the banks of the awa/inlet and the Waitematā Harbour and providing protection and access for iwi to Waiarohia ō Ngariki awa via scheduling and covenanting, increased native tree planting on the site via open space and street tree planting.

16.0 Potential Indirect Impacts

Indirect adverse construction impacts will likely include risk of sediment and erosion from vegetation clearance and topsoil stripping, potential impact if soil is removed from the takiwa (area) and deposited in a different takiwa, and temporary disturbance to birds.

Indirect adverse operational impacts could include the invasion of new weeds from residential (backyard) gardens, introduction of new pests (cats) from houses, impacts to Waiarohia ō Ngariki awa from contaminants (including heavy metals and microplastics) entering stormwater from residential areas, the mixing of different waters without the mediation of Papatūānuku (via soil or bio filtration), downstream impacts to kāinga site from discharges, downstream impacts to Waitematā Harbour from discharges.

Beneficial impacts are unconfirmed but could include improved water quality to Waiarohia ō Ngariki inlet/awa from setbacks and enhancement, improved biodiversity (birds, lizards, fish, and other vertebrates and invertebrates) coming to new areas of bush particularly along the awa/inlet, enabling provision of kaitiakitanga through scheduling and covenanting Waiarohia ō Ngariki awa for iwi access, uplifting the Māori history and values of the place through cultural design embedded within the urban environment (particularly open spaces and community infrastructure as well as precinct and road naming opportunities).

17.0 Potential Cumulative Impacts

Potential cumulative adverse impacts (arising from both construction and operation phases) include the removal of further productive soils from the landscape (permanent adverse), loss of potential habitats for lizards and bats (permanent adverse), a net increase in urban discharges to Waiarohia ō Ngariki and eventually 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).

Potential cumulative beneficial impacts include contributing to weed and pest control combined with stream and vegetation enhancement that contribute to the net ecological outcome for the catchment (permanent beneficial). Could include increasing the biodiversity and water quality of Waiarohia ō Ngariki (Waiarohia) inlet/awa if a 30m buffer were established, combined with a robust treatment plan. Also potential benefits from reintegrating Māori place names and ensuring access for iwi, hapu and whanau to their awa.

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
Te Wai te matā	Direct adverse from Stormwater discharge carrying sediments and contaminants; indirect adverse from extra vehicles on impervious surfaces; cumulative adverse from net contaminant loading of the harbour; potential combined beneficial impact if stream restoration works undertaken and robust storm water systems in place	Large	Large Adverse	Restore and enhance native vegetation along the coastal edge, streams and wetlands Esplanade reserves accommodating 100 year coastal erosion and coastal inundation Silt fences, clean water (& dirty water) diversion bunds/channel, Sediment Retention Pond, Decanting Earth Bunds, contour drains	Moderate Adverse – could be Minor Adverse with proposed mitigations and offsetting	Could be reduced or mitigated further through larger setback (30m) from the awa/harbour. Enhancement planting, stream restoration works and robust stormwater systems in place.
Te Waiarohia o Ngariki	Direct, indirect, and cumulative temporary and permanent adverse from installation of drainage pipes/infrastructure, discharge of stormwater, and domestic contaminant discharges	Large	Large Adverse	Restore and enhance native vegetation along the coastal edge, streams and wetlands Silt fences, clean water (& dirty water) diversion bunds/channel, Sediment Retention Pond, Decanting	Moderate Adverse – could be Minor Adverse with proposed mitigations and offsetting	Awa/inlet could be greater protected via a larger (30m) setback with enhancement planting, scheduling and access via a covenant.

Name	Summary of impact	Level of Impact	Significance of effect	Proposed mitigation	Residual effect	Offsetting
				Earth Bunds, contour drains Bioretention, swales and proprietary devices to GD01 requirements in accessways and COALS Bioretention and Proprietary devices, living roofs, pervious pavements and inert roof materials on lots (p.27 of SMP)		
Te Waiarohia ō Ngariki – kāinga	Cumulative permanent adverse arising from further urbanisation and development – history of this kainga being lost and built over	Moderate	Moderate Adverse		Minor Adverse if suggested offsetting is agreed	Creating a larger setback or green space near the SEA where the kainga was. Providing interp and naming opportunities so that this history is not lost.
Whenua (Soils)	Direct and cumulative permanent adverse from bulk earthworks, changes to the topology and land-use change removing relatively productive topsoil	Moderate	Moderate Adverse	Maximum cuts and fills expected to be less than 1m Topsoil will remain onsite and reused onsite where possible	Minor Adverse	
SEA adjacent to site footprint	There is a band of vegetation within a Significant Ecological Area at the south-western end of the site which physically interacts with and is adjacent to, SEA_T_4733.	Minor	Negligible		Negligible	
Native Vegetation	Direct, indirect, and cumulative temporary adverse	Moderate	Minor Adverse	Planting that supports greenhouse	Negligible Adverse if suggested	Ongoing weed and pest

Name	Summary of impact	Level of Impact	Significance of effect	Proposed mitigation	Residual effect	Offsetting
	from site clearance and earthworks, habitat edge effects Potential direct, indirect, and cumulative permanent beneficial from ongoing weed and pest management and native enhancement planting, habitat			gas emission reduction	mitigations and offsetting is agreed	management and native enhancement planting, habitat enhancement, avian fitness.
Fauna (Lizards, avifauna, bats)	Direct and indirect adverse impact through earthworks and construction that could include physical harm resulting in injury or death (e.g native lizards during earthworks, birds during earthworks, birds during nesting season) or dislocation via construction disturbance such as noise or removal of trees. Increased (eventual) residential lighting could adversely impact night life and animal activity/behaviour.	Moderate	Minor Adverse		Minor Adverse Or Negligible Adverse if suggested offsetting is agreed	Light pollution sensitive design should be incorporated into consent conditions, a lizard, bird and bat management plan should be in place during construction, avoidance of removing trees or where possible, replacing these, and cultural monitoring opportunity needed as part of consent conditions
Aquatic Fauna	Direct, indirect and cumulative temporary and permanent adverse from construction disturbance to instream features while installing outfalls/infrastructure, sediment discharge during construction, stormwater and contaminant discharge from roading and private	Moderate	Moderate Adverse	No works are proposed in stream beds Erosion and sediment controls, stormwater treatment, hydrology mitigation as above Stormwater outfalls, rip rap	Minor Adverse with mitigations	Adoption of awa and inlet mitigations above

Name	Summary of impact	Level of Impact	Significance of effect	Proposed mitigation	Residual effect	Offsetting
	activities (e.g. washing vehicles, spraying round-up) Potential direct and cumulative permanent beneficial from riparian yard protection and enhancement			to avoid scouring. Native riparian planting		
Māori occupation and use (archaeology)	Direct permanent adverse arising from earthworks or landscape planting removing part or all material of a site, noting however that the likelihood of this occurring is low	Minor	Minor Adverse		Minor Adverse	
Northwest Waitematā Cultural Landscape	Direct and cumulative adverse operational impacts from changes to the character of the landscape and potentially the sight lines and views to the ridgeline/across the harbour.	Moderate	Moderate Adverse	Lower density housing at the coastal edge to respond to the character of the coastal environment and increased density closer towards Hobsonville local center. Adopt a block pattern and urban form that optimises physical access and sightlines to the coast.	Minor Adverse Or Neutral if suggested mitigations/offsetting agreed	Enhancement planting, scheduling, and access via a covenant, will significantly reduce the impact by 'softening' the visual impact, increasing net mauri, protection from further impacts, and enhancing kaitiaki access. Cultural design framework for urban development may also reduce impact.
Kōpupāka	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Te Onekiritea	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A

Name	Summary of impact	Level of Impact	Significance of effect	Proposed mitigation	Residual effect	Offsetting
Tahingamanu	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Te Okoriki	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Motu Pākihi	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Te Turerenga	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Te Rarawaru	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
Pukewhakatarara	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Waikōtukutuku	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A
Treaty settlement redress	The are no anticipated impacts.	Neutral	Neutral	N/A	Neutral	N/A

CONCLUSION

The proposal is for a private plan change for rezoning land at 15 Clarks Lane and 10, 14 and 16 Sinton Rd at Hobsonville. The plan change is proposed for these properties but also includes 17, 17A Clarks Lane and 12 Sinton Rd (which are not owned by the Client). This proposed rezoning and plan change includes development of approximately 16.8ha of land, including a coastal edge walkway and Open space – Informal Recreation Zone which will be a future neighbourhood park).

As the proposal is for a plan change, it must give effect specifically to AUP B6.5.2(7) which requires structure plan and plan change proposals to include a cultural assessment that identifies cultural sites and values in the landscape including those that may be suitable for scheduling, and incorporate these values into the plan change.

This report has identified that the site sits on relatively productive soils within a cultural landscape focused on coastal settlements and resource extraction around the upper Waitematā harbour. The site is in very close proximity to (and contains part of) Te Waiarohia ō Ngariki, a historic kāinga site and the Waiarohia ō Ngariki (Waiarohia Inlet) area – with the running along the northern and western boundary of the site.

Six (6) significant adverse effects have been identified (2 large adverse and 4 moderate adverse). These adverse effects relate to earthworks, water sensitivity, native flora and fauna, archaeology, and further urbanisation of the cultural landscape. Where significant adverse effects are identified, particularly in relation to RMA Part II matters, plan change, and consenting applications should be declined unless the effects can be reduced to non-significant (e.g. minor or less).

It is noted that at this stage information or detail is limited about the contents of a subsequent resource consent(s) which could address some of the above matters. However, we consider it appropriate that spatial and outcome-level concerns should be dealt with at the plan change level. Without further avoiding, remedying, mitigating, offsetting or compensating the significant cultural effects we have identified the application should be declined. However, we recognise the pattern of development in the area has shifted to a largely urbanised form, and our position is not that a medium-density development cannot happen here, but rather that it must happen in a way that reduces the cultural impacts to minor (or hopefully beneficial) and maintains the overall intent and settings of the existing Precinct, namely the protection and enhancement of the natural environment. To this end, in the absence of existing proposed mitigation, we have offered recommended mitigation and offsetting for each of the impacts.

Our proposed mitigations/offsets are outlined in Table 4 (below). Ongoing engagement with Te Kawerau ā Maki in terms of plan change drafting as well as subsequent consenting and monitoring are required.

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 mana and mauri of Wai te Matā Harbour and Waiarohia ō Ngariki (Waiarohia Inlet) are provided for via 30m setback with enhancement planting	Kaitiakitanga	4.4.2	RMA6(e), 7(a), 8	B6.2.2(1), B6.3.2(1), B6.3.2(2), B6.5.2(9)	UNDRIP, NPSFW
3	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
4	Preserve as far as practicable the productive capacity or mauri of the soil by achieving a cut-fill balance. We recommend that topsoil (or any clean soil) in order of preference be re-used on site, be re-used in the local area, be re-used or disposed of within Te Kawerau ā Maki rohe (Northern half of Auckland region). We also recommend avoiding winter earthworks.	Kaitiakitanga	4.1.2, 4.7.2	RMA 6(e), 7(a), 8	B6.3.2(1), B6.3.2(2), B6.3.2(6)	UNDRIP
5	Work with us on ecologically sensitive design that incorporates our tikanga, including eco-sourced restoration planting, a 100% native plant commitment (with native fruiting and flowering plants and shrubs) as the default, stock exclusion, habitat enhancement, fish passages, a recommended 'cat free' covenant and a 'new residence kaitiakitanga pack' should be developed to provide guidance for residents around weeds and pests	Kaitiakitanga Mātauranga	4.8.2	RMA 6(e), 7(a), 8	B6.2.2(1) (participation), B6.3.2(1),	UNDRIP
6	Work with us on water sensitive design that incorporates our tikanga, noting the importance of not mixing waters and soil and plant filtration, stormwater recycling, not building within	Kaitiakitanga Mātauranga	4.8.2	RMA 6(e), 7(a), 8	B6.2.2(1) (participation), B6.3.2(1),	UNDRIP

No.	Recommendation	TKaM Strategic Value alignment	IMP policy alignment	Legislative alignment	AUP policy alignment	Other policy alignment
	natural flood plains, only undertaking earthworks in dry months, and giving effect to Mana ō te Wai, and including elements such as riparian planting buffers					
7	That a native fauna management plan be prepared to address the construction and long-term protection of native birds, bats, lizards and freshwater species	Kaitiakitanga	4.8.2	RMA 6(e), 7(a)	B6.2.2(1), B6.3.2(2), B6.3.2(3)	NZCPS
8	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
9	Work with Te Kawerau ā Maki on incorporating our wāhi tohu and history into the development (particularly around the kainga at the south-western end of the development) through things like cultural design, street naming, park/reserve naming and educational and physical (artistic) interpretation of cultural sites and history and opportunity to input into the built form of elements of the project (e.g. boardwalks, walkways, future park, etc).	Mana Motuhake, Mātauranga Māori, Kaitiakitang	2.2, 4.9.2	RMA Part 2 (6(e)), HNZPTA	Policy B6.5.2(9)	UNDRIP, ICOMOS
10	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))	RMA6(e), 7(a)	B6.2.2(1), B6.3.2(2), B6.3.2(3)	UNDRIP
11	Opportunity for cultural ceremonies (e.g. sod-turning) should be provided at the expense of the Client	Kaitiakitanga	2.2	RMA6(e), 7(a), 8	B6.2.2(1) B6.3.2(1)	UNDRIP
12	Given this is a plan change we require engagement on the formulation of any precinct provisions or introductory text	Kaitiakitanga Mana Motuhake	2.2, 4.1.2, 4.9.2	RMA6(e), 7(a), 8		UNDRIP
13	We have identified that Waiarohia ō Ngariki is a site of significance that should be scheduled – the plan change should either adopt the scheduling of the length of the awa that adjoins a boundary, or support a future Council-initiated plan change to do so.	Kaitiakitanga , Mana Motuhake, Mātauranga Maori	2.2, 4.2.2, 4.3.2, 4.5.2	RMA Part 2 (6(e)), HNZPTA 45	B5.2.1, B5.2.2(1), B5.2.2(2) B5.2.2(3)	UNDRIP, ICOMOS