

Ngaati Maahanga

CULTURAL IMPACT ASSESSMENT

Brymer Farms Development
584 Whatawhata Road, Hamilton
June 2026

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SECTION 1

Executive Summary

1. Executive Summary

This Cultural Impact Assessment (CIA) has been prepared by Ngaati Maahanga in relation to the proposed Brymer Development at 584 Whatawhata Road, Hamilton. The proposal comprises approximately 1,042 residential units and associated infrastructure within the upper Ohote Stream catchment of the Waikato River.

Ngaati Maahanga hold mana whenua over the development area. The site forms part of the Waikato River catchment and contains peat soils, wetlands, groundwater systems and habitat for taonga species. Although the land has been modified through historic agricultural use, these features remain environmentally and culturally relevant.

This assessment has reviewed all technical documents provided in support of the application, including ecological, hydrogeological, infrastructure, detailed site investigation, soil, transportation, urban design and landscape reports. The proposal has been evaluated in the context of:

- Te Tiriti o Waitangi principles
- Waikato-Tainui Treaty settlement legislation
- Te Ture Whaimana o Te Awa o Waikato
- Tai Tumu Tai Pari Tai Ao (Waikato-Tainui Environmental Plan)

Key Findings

- Groundwater abstraction and stormwater management present hydrological risk where drawdown, contaminant loading or infiltration capacity are not demonstrably maintained.
- Peat soils are sensitive to dewatering and compression, requiring careful earthworks design and monitoring.
- Areas of historic contamination must be remediated in a manner that prevents sediment or contaminant transfer to wetlands and waterways.
- Wetlands (approximately 2.57 hectares) and modified drainage corridors provide habitat for taonga species including tuna, kookopu, inanga, black mudfish and copper skink.
- Cumulative effects within the Rotokauri growth area require ongoing monitoring rather than reliance on one-off assessment.

Mitigation measures proposed within the technical reports are generally appropriate in principle; however, their effectiveness depends on enforceable conditions, monitoring thresholds and adaptive management mechanisms.

Ngaati Maahanga are neutral to the application, contingent upon the incorporation of the mitigation measures and cultural requirements set out in Section 6 as enforceable conditions of approval.

Neutrality reflects a position that adverse cultural effects can be appropriately managed where:

- Hydrological integrity of the catchment is maintained
- Wetlands are retained and enhanced
- Peat systems are not incrementally degraded
- Contamination is remediated responsibly
- Taonga species habitat is protected and monitored
- Cumulative effects are actively managed
- Ongoing engagement with Ngaati Maahanga is formalised

This position reflects the exercise of kaitiakitanga and the expectation that development within the Waikato River catchment advances restoration objectives rather than contributing to further degradation.

SECTION 2

Introduction

2. Introduction

2.1 Purpose and Scope

This Cultural Impact Assessment (CIA) evaluates the Brymer Development from the perspective of Ngaati Maahanga as mana whenua within the Waikato River catchment.

The purpose of this report is to:

- Identify potential adverse cultural effects arising from the proposal.
- Assess those effects in the context of statutory and Treaty-based obligations.
- Evaluate the adequacy of proposed mitigation measures.
- Set out cultural requirements necessary to avoid, remedy or mitigate identified effects.

This assessment draws on all relevant technical documents, including ecological, hydrogeological, infrastructure, detailed site investigation, soil, transportation, urban design, landscape, acoustic and economic reports.

This CIA is intended to inform decision-makers and to assist in the formulation of appropriate approval conditions.

2.2 Methodology

The assessment methodology includes:

- Review of technical reports and supporting documentation.
- Identification of matters affecting wai, whenua, wetlands and taonga species.
- Evaluation of direct, indirect and cumulative cultural effects.
- Consideration of alignment with Te Ture Whaimana, settlement legislation and Tai Tumu Tai Pari Tai Ao.
- Formulation of mitigation measures and cultural requirements.

Effects are assessed not only in isolation, but in the context of the wider Rotokauri growth area and the cumulative pressures on the Waikato River catchment.

2.3 Site Description and Cultural Context

The site is located at 584 Whatawhata Road, Hamilton and comprises approximately 130 hectares of predominantly pastoral land. The landscape includes modified watercourses, natural wetlands (approximately 2.57 hectares), peat soils and limited native vegetation. Waterways connect to the Ohote Stream and ultimately to the Waikato River.

Although the land has been modified, it retains cultural significance to Ngaati Maahanga. That significance arises through:

- Traditional connections to whenua and wai.
- The presence of taonga species subject to kaitiakitanga.
- Hydrological connections to the wider Waikato River system.
- The health and mauri of soils, wetlands and waterways.
- Ongoing opportunities to exercise kaitiakitanga in environmental management.

Native vegetation loss reduces opportunities for rongoa and diminishes ecological continuity. The sourcing of plant material from outside the rohe may compromise whakapapa relationships between species and place.

Taonga species recorded within or near the site include:

Native Fish (At Risk – Declining):

- Black mudfish
- Longfin tuna
- Giant kookopu
- Inanga

Lizards:

- Copper skink (At Risk – Declining)

Additional fauna potentially affected include ruru, kereru, pekapeka, tui, piiwakawaka, kawau and kooaro.

Natural wetlands and connected waterways provide habitat and form part of a broader ecological and cultural network extending across the catchment. These systems require careful management to protect mauri and ecological function.

2.4 Relationship to Mana Whenua Statement

This Cultural Impact Assessment is to be read alongside *Te Huia Natural Resources Ltd.'s Mana Whenua Statement and Engagement Report (2025)*. That report documents engagement undertaken between the applicant and mana whenua and outlines matters raised during that process.

This CIA is distinct from the Mana Whenua Statement. It represents the independent cultural assessment of Ngaati Maahanga as mana whenua over the site. While areas of alignment exist between the two documents, this CIA sets out Ngaati Maahanga's position on cultural effects, mitigation expectations, and ongoing involvement in the project.

Where matters raised in engagement require further clarification or strengthening, this CIA provides that direction.

2.5 Documents Reviewed

The following technical documents were reviewed in preparing this assessment:

- Barker & Associates (2025). Urban Design Memorandum for Brymer Referral Application.
- Barker & Associates (2025). Landscaping Memorandum: Landscape and Visual Effects Assessment for Brymer Referral Application.
- Barker & Associates (2025). Planning Memorandum for Brymer Referral Application.
- BTW Company (2021). Detailed Site Investigation (DSI), Brymer Road, Rotokauri.
- BTW Company (2025). Updated Detailed Site Investigation (DSI), Brymer Road, Rotokauri.
- Ecological Solutions (2025). Brymer Development Fast Track Referral Application – Ecological Assessment.
- Hayward, P., & Samuels, A. (2015). *He Korongā Mātua Nā Pūhaanga: Ngāti Māhanga and the Lands of Hamilton West*. Prepared for distribution at Te Papa o Rotu Marae, Whatawhata.
- Insight Economics (2025). Economic Assessment of Fast-Track Referral Application for Brymer.
- Land Systems (2023). Soil and Land Use Capability Classification Assessment, 127 Brymer Road, Rotokauri.
- Maven (2025). Infrastructure Technical Memorandum – Brymer Development.
- Resource Management Act 1991.
- Styles Group (2025). Assessment of Noise Effects.
- Te Huia Natural Resources Limited (2025). Mana Whenua Statement and Engagement Report.
- Tonkin + Taylor (2021). Preliminary Geotechnical Assessment Report.

- Transplan (2025). Transportation Assessment – 584 SH 23 Whatawhata Road Fast Track Referral Application.
- Waikato-Tainui (2008, as amended). Te Ture Whaimana o Te Awa o Waikato – Vision and Strategy for the Waikato River.
- Waikato-Tainui (2018). Tai Tumu Tai Pari Tai Ao – Waikato-Tainui Environmental Plan.
- Waikato-Tainui Claims Settlement Act 1995.
- Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.

SECTION 3

Mana Whenua

3. Mana Whenua and Statutory Framework

3.1 Mana Whenua and Authority

Ngaati Maahanga hold mana whenua over the Brymer development area.

Ngaati Maahanga are a hapuu of Waikato-Tainui with enduring association to the Whatawhata, Te Pahu, Waitetuna, Whaingaroa, Kirikiriroa and surrounding areas following Raupatu and land alienation. Despite historic displacement, Ngaati Maahanga have maintained ahi kaa and continue to exercise mana whenua within this location. Ngaati Maahanga have three Marae: Te Papa-o-Rotu Marae, Oomaero Paa and Aramiro Paa.

The Brymer site falls within that area of responsibility. The exercise of kaitiakitanga in relation to this proposal reflects intergenerational obligations rather than recent engagement.

This CIA is prepared specifically from the perspective of Ngaati Maahanga and is to be read in conjunction with the Mana Whenua Statement and Engagement Report prepared on behalf of Waikato-Tainui.

Authority is exercised through whakapapa, continued association and the responsibility to exercise kaitiakitanga over whenua, wai and taonga within this locality.

This responsibility remains active irrespective of land tenure or modification. Development within the rohe engages that responsibility.

3.2 Te Tiriti o Waitangi

Decision-makers must recognise and provide for the principles of Te Tiriti o Waitangi, including partnership, active protection and recognition of rangatiratanga.

Where development affects wetlands, groundwater, waterways and taonga species, those obligations are engaged.

Active protection requires that adverse effects on taonga are avoided where practicable and otherwise remedied or mitigated to a standard that maintains cultural integrity.

This CIA assists decision-makers to meet those obligations.

3.3 Kiingitanga

The Kiingitanga forms part of the governance and historical context within which Ngaati Maahanga operate. Established in 1858, it provided collective leadership during a period of land pressure and conflict.

The Raupatu that followed significantly altered land ownership and patterns of land use across the rohe. Those historical events continue to shape development pressures today.

The Kiingitanga remains an enduring institution within Waikato and part of the framework within which rangatiratanga is exercised.

3.4 Te Whakakitenga o Waikato

Te Whakakitenga o Waikato is the Iwi governance body representing Waikato-Tainui marae and registered beneficiaries.

Through Treaty settlement legislation, Waikato-Tainui exercise mana whakahaere across Waikato, including within the Waikato River catchment. While Ngaati Maahanga and our three Marae: Te Papa-O-Rotu Marae, Oomaero Paa and Aramiro Paa are members of Te Whakakitenga, Ngaati Maahanga continue to uphold our position of mana whenua over our tribal rohe.

In relation to the Brymer proposal, Ngaati Maahanga exercise Iwi authority within that broader framework.

3.5 Waikato-Tainui Raupatu Settlement Framework

The Waikato-Tainui Claims Settlement Act 1995 and the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 provide statutory recognition of Waikato-Tainui rights and interests within the rohe.

The 2010 Settlement recognises the Waikato River as an indivisible and living entity and gives statutory effect to Te Ture Whaimana as the primary direction-setting document for the river and its catchments.

The Settlement establishes co-governance arrangements and Joint Management Agreements with local authorities. Decision-makers must have particular regard to the Vision and Strategy when exercising functions that affect the river.

Development within the catchment must therefore demonstrate alignment with restoration objectives and avoid incremental degradation.

3.6 Te Ture Whaimana o Te Awa o Waikato

Te Ture Whaimana is the primary direction-setting document for the Waikato River and its catchments.

The Vision:

*Tooku awa koiora me oona pikonga he kura tangihia o te maataamuri.
The river of life, each curve more beautiful than the last.*

Its purpose is to restore and protect the health and wellbeing of the river for present and future generations. It has statutory status and prevails over inconsistent planning instruments.

The objectives of Te Ture Whaimana include protection of water quality, restoration of degraded areas and safeguarding of significant sites and fisheries.

The Brymer proposal must be assessed against those objectives.

3.7 Tai Tumu Tai Pari Tai Ao

Tai Tumu Tai Pari Tai Ao is the Waikato-Tainui Environmental Plan recognised under the Resource Management Act 1991.

It sets out objectives and policies relating to freshwater, wetlands, indigenous biodiversity and development within the rohe.

Development proposals are expected to maintain or improve water quality, protect wetlands and support indigenous habitat.

This framework informs the assessment undertaken in Section 5.

3.8 Te Mana o te Wai and Kaitiakitanga

For Ngaati Maahanga, water carries mauri and whakapapa.

Water classifications articulated in the Tai Tumu, Tai Pari, Tai Ao Plan include:

- **Wai Ora** – life-giving waters requiring highest protection
- **Wai Maaori** – waters for general use, sustained carefully
- **Wai Kino** – degraded waters requiring management
- **Wai Mate** – waters requiring restoration

The project area includes headwaters and wetlands connected to the Ohote Stream and ultimately the Waikato River. Any abstraction, conveyance, discharge or modification must respect Te Mana o te Wai and avoid cumulative degradation.

For Ngaati Maahanga, this includes groundwater systems, wetlands, drains, streams and connected waterways within the site and wider catchment.

Mana whenua must inform decisions relating to:

- Water takes
- Conveyance systems
- Discharge locations
- Cultural monitoring

Consultation alone is insufficient where Te Mana o te Awa is engaged.

Kaitiakitanga requires active oversight of activities that may affect those systems. This includes water abstraction, discharge, earthworks, contamination remediation and ecological management.

Development within the catchment must avoid further degradation and support measurable restoration outcomes.

SECTION 4

Cultural Context

4. Cultural Context

4.1 Whakapapa and Cultural Landscape

The Brymer site is located within the rohe of Ngaati Maahanga and within the upper Ohote Stream catchment of the Waikato River.

The site contains peat soils, modified drainage networks and approximately 2.57 hectares of natural wetlands. These features form part of a connected hydrological system.

Although the land has been subject to agricultural modification, the remaining wetland areas, groundwater systems and drainage corridors continue to function ecologically and hydrologically.

The presence of these features establishes environmental sensitivity relevant to groundwater abstraction, stormwater management, earthworks and habitat modification assessed in Section 5.

4.2 Historical and Cultural Landscape Context

The Brymer Farms development area is located within a wider cultural landscape that has longstanding associations with Ngaati Maahanga, particularly through the occupation and activities of Ngāti Hourua, a principal hapuu of Ngaati Maahanga.

Hayward and Samuels (2015), in *He Korongā Mātua Nā Pūhaanga: Ngāti Māhanga and the Lands of Hamilton West*, identify the wider Hamilton West area, including Rotokauri, Dinsdale, Western Heights, Te Rapa and Whatawhata, as forming part of the traditional lands occupied and utilised by Ngāti Hourua and associated Ngaati Maahanga hapuu.

Of relevance to the Brymer Farms proposal is Te Ara o Kāroro. Hayward and Samuels (2015) describe Te Ara o Kāroro as one of the earliest Ngāti Hourua paa and identify its location as extending through what is now Dinsdale, Western Heights and Rotokauri. The report records that the main kaainga extended over three hills and that a satellite kaainga was located on Brymer Road.

The report also records that Te Ara o Kāroro takes its name from the Ngāti Hourua tupuna Kāroro, and that the name applied not only to the kaainga but to the wider ara extending from Pehihoukura, on the western bank of Whatawhata, through to Te Rapa. This places the Brymer

Farms development within a broader ancestral movement corridor, settlement network and cultural landscape.

Hayward and Samuels (2015) further record that the urupaa associated with Te Ara o Kāroro was located near the present-day Newcastle Road and Whatawhata Road intersection. Kooiwi were discovered during construction of the water tower and were retrieved and reinterred by Ngaati Maahanga. This history reinforces the sensitivity of the wider landscape and the need for appropriate cultural monitoring during ground disturbance.

The wider Rotokauri area is also associated with Te Uhi Paa, located on the northern margins of Lake Rotokauri. Hayward and Samuels (2015) identify Te Uhi Paa as an occupation site of Ngāti Ngārape and Ngāti Hourua, associated with Te Awaitaia and his close relatives. The paa formed part of a wider network of Ngaati Maahanga settlement and occupation within the Rotokauri landscape.

These historical associations demonstrate that the Brymer Farms development is not located within an isolated rural landscape. It sits within a wider Ngaati Maahanga cultural landscape connected to Te Ara o Kāroro, Te Uhi Paa, Rotokauri, Whatawhata and Te Rapa. The cultural significance of the area therefore extends beyond mapped archaeological sites and includes whakapapa, settlement, movement, cultural memory, urupaa, wai, whenua and taonga species.

This context strengthens the need for careful management of earthworks, drainage, wetland modification, contamination remediation and infrastructure installation, particularly where works may disturb whenua within an ancestral landscape.

4.3 Historical Land Use and Modification

The site has been used for farming activities, including stock management, drainage installation and infrastructure development.

Artificial drains have altered natural hydrological patterns. Historical practices have resulted in areas of soil contamination, including arsenic, cadmium, asbestos and waste disposal pits.

These modifications have already altered the original landscape condition. The proposal must therefore be assessed in the context of existing degradation and potential cumulative intensification.

The degree of prior modification does not remove cultural interest; rather, it informs the level of caution required in further altering hydrological and soil systems.

4.4 Cultural Values Associated with Wai, Whenua and Taonga

Within this area, wai, whenua and taonga species are interconnected through shared hydrological systems.

Groundwater levels influence wetland health. Wetlands support taonga fish and lizard species. Peat soils are sensitive to dewatering and disturbance.

The relevant cultural considerations for this proposal therefore include:

- Maintenance of groundwater stability
- Protection of wetland function
- Prevention of contaminant transfer
- Retention of ecological connectivity
- Long-term viability of taonga species habitat

These considerations provide the baseline against which the cultural effects identified in Section 5 are assessed.

SECTION 5

Assessment of Cultural Effects

5. Assessment of Cultural Effects

This section evaluates the cultural effects of the Brymer proposal in relation to wai, whenua, wetlands, taonga species, infrastructure and cumulative impacts.

The assessment considers whether proposed mitigation measures are sufficient to avoid degradation of the Waikato River catchment and whether the proposal aligns with Te Ture Whaimana and the statutory framework outlined in Section 3.

Where mitigation is dependent on future design detail or staged implementation, that uncertainty is identified.

5.1 Wai

The proposal involves groundwater abstraction, stormwater infrastructure, earthworks and peat modification within the Ohote Stream catchment.

Groundwater Abstraction

Groundwater drawdown presents risk to connected wetlands and peat stability. The hydrogeological memorandum indicates abstraction can be managed; however, the assessment relies on modelling assumptions and future monitoring.

Mitigation is potentially adequate provided that:

- Monitoring bores are installed prior to abstraction.
- Clear drawdown thresholds are established.
- Adaptive management mechanisms are enforceable.

Without defined thresholds and reporting requirements, the risk to wetland function and peat stability remains uncertain.

Stormwater Management

Urbanisation will increase impervious surfaces and alter runoff patterns. The proposed detention ponds and infiltration systems are intended to maintain pre-development discharge rates.

Mitigation is appropriate in principle; however, effectiveness depends on final design detail and long-term maintenance.

Particular risk remains where:

- Infiltration capacity of peat soils is overestimated.

- Contaminant loading increases over time.
- Discharge quality monitoring is not ongoing.

Stormwater mitigation is acceptable subject to enforceable design standards and monitoring.

Catchment Integrity

The Brymer site forms part of the upper Ohote Stream catchment, which connects to the Waikato River. Hydrological changes at this scale have downstream implications.

Maintenance of catchment integrity requires that:

- Groundwater abstraction does not reduce connected baseflows.
- Stormwater discharge does not increase contaminant loading.
- Wetland function is retained.
- Cumulative effects are monitored across development stages.

Mitigation measures must therefore be assessed not only at site level, but in the context of their contribution to overall catchment health.

5.2 Whenua

Technical investigations identify areas of contamination associated with historical farming practices, including:

- Arsenic
- Cadmium
- Asbestos
- Offal pits and septic systems

Although human health risks may be assessed as manageable, contamination of soil and connected waterways affects the integrity of whenua.

Contamination

The Detailed Site Investigation identifies arsenic, cadmium, asbestos and historic waste disposal areas.

Human health risks may be manageable through remediation; however, cultural concern extends to soil integrity and sediment discharge to wetlands.

Mitigation is considered adequate only where:

- Remediation occurs prior to residential occupation.

- Contaminated soils are not redistributed.
- Sediment controls are actively monitored.

Absent strict sediment management, there remains risk of contaminant transfer to receiving environments.

Peat Soils

Peat soils are sensitive to dewatering and compression. Earthworks and groundwater abstraction may increase oxidation and subsidence.

Mitigation is dependent on maintaining groundwater levels and limiting dewatering.

Given staged development, long-term peat stability remains an area requiring ongoing monitoring rather than one-off assessment.

5.3 Wetlands and Ecology

The site includes approximately 2.57 hectares of natural wetlands and modified drainage providing habitat for taonga species.

Habitat Loss

Some habitat loss is unavoidable due to urban form and infrastructure placement.

Proposed restoration and planting measures are positive; however, replacement habitat must be demonstrably functional and not solely landscape driven.

On-site restoration is preferable to biodiversity offsetting.

Mitigation is acceptable where restoration outcomes are measurable and monitored.

Fish Passage and Species Management

Fish capture and transfer and compliance with NZ Fish Passage Guidelines are supported.

Mitigation effectiveness depends on:

- Long-term functionality of passage structures.
- Maintenance responsibility.
- Post-construction monitoring.

Without ongoing monitoring, fish passage mitigation cannot be assumed to remain effective.

5.4 Wastewater and Infrastructure

Wastewater discharge and infrastructure installation present risk to groundwater and wetlands.

Connection to the municipal network reduces long-term contamination risk and provides regulatory oversight. Alternative land-based systems introduce uncertainty where peat soils and shallow groundwater are present.

Mitigation is considered adequate only where:

- Discharge effects on groundwater are demonstrably avoided.
- Infrastructure maintains separation from wetlands.
- Failure contingencies are enforceable.

5.5 Urban Form and Landscape

The scale of transformation from pastoral land to urban environment is significant.

Urban form presents cultural risk where wetlands are isolated, ecological corridors fragmented or hydrological systems over-engineered.

Mitigation is acceptable where:

- Wetlands are retained within functional ecological buffers.
- Corridors remain connected.
- Cultural engagement informs detailed design.

Landscape enhancement alone does not compensate for ecological loss.

5.6 Cumulative and Interacting Effects

The proposal forms part of the wider Rotokauri growth area.

Incremental groundwater abstraction, contaminant loading and wetland modification across multiple developments present cumulative risk to the Ohote Stream and Waikato River catchment.

While individual mitigation measures may appear sufficient in isolation, cumulative effects require ongoing monitoring and adaptive management.

Mitigation is acceptable only where cumulative monitoring frameworks are implemented across development stages.

5.7 Waahi Tapu me ngaa Taonga Tuku Iho

As outlined in Section 4.2, the Brymer site is located within a wider Ngaati Maahanga cultural landscape associated with Te Ara o Kāroro, Te Uhi Pā and historical Ngāti Hourua occupation. While no recorded archaeological sites may currently be mapped within the development footprint, the potential for waahi tapu, archaeological material, taonga tuuturu and kooiwi tangata to be present cannot be excluded. While no recorded archaeological sites may currently be mapped within the development footprint, the potential for waahi tapu, archaeological material, taonga tuuturu and kooiwi tangata to be present cannot be excluded.

Earthworks, bulk excavation and drainage installation increase the likelihood of accidental discovery.

The risk is not hypothetical. It is inherent in development within ancestral landscapes.

Mitigation is considered adequate only where:

- Cultural monitoring is present during ground disturbance in sensitive areas.
- Accidental Discovery Protocols are clearly established and enforceable.
- Taonga tuuturu processes are consistent with statutory requirements.
- Kooiwi tangata discovery procedures are immediate and culturally appropriate.

The protocols outlined in the Mana Whenua Statement Appendices 2 and 3 must be incorporated into consent conditions.

SECTION 6

Mitigation Measures and Cultural Requirements

6. Mitigation Measures and Cultural Requirements

Ngaati Maahanga are ***neutral*** to the proposal, contingent on the following mitigation measures and cultural requirements being incorporated into approval conditions and implemented throughout the life of the development.

These requirements respond directly to the cultural effects identified in Section 5 and reflect obligations arising under Te Ture Whaimana, Treaty settlement legislation and the exercise of kaitiakitanga.

6.1 Water and Hydrology

Groundwater Abstraction

- A detailed hydrogeological assessment shall be completed prior to finalisation of the water supply strategy.
- Groundwater monitoring bores shall be installed prior to abstraction commencing.
- Monitoring data shall be shared with Ngaati Maahanga at agreed intervals.
- If groundwater drawdown exceeds predicted thresholds or monitoring identifies adverse effects on connected wetlands or baseflows, abstraction rates shall be reviewed and adjusted through an adaptive management framework.
- Groundwater abstraction shall avoid, remedy or mitigate adverse effects on connected wetlands and baseflows. Monitoring thresholds, trigger levels and adaptive management responses shall be established to ensure wetland health and hydrological function are maintained.

Stormwater Management

- Stormwater systems shall prioritise infiltration and natural treatment.
- Pre-development discharge rates and volumes shall be maintained.
- Stormwater discharge quality shall achieve water quality outcomes that avoid, remedy or mitigate adverse effects on receiving environments and shall comply with agreed performance standards, monitoring requirements and adaptive management measures.
- Discharge structures shall avoid placement within natural wetlands wherever practicable. Where avoidance is not practicable, effects shall be minimised and appropriate mitigation measures implemented.

- Final stormwater design shall be provided to Ngaati Maahanga for review prior to construction.

Wetland Protection

- Existing natural wetlands (approximately 2.57 hectares) shall be retained wherever practicable.
- No construction water shall be extracted from wetlands.
- Groundwater levels necessary to support wetland health and ecological function shall be maintained through monitoring, trigger levels and adaptive management responses.
- Biodiversity offsetting shall only be considered where avoidance and on-site mitigation are demonstrably not practicable.
- Ngaati Maahanga shall be involved in any offsetting proposal.

6.2 Whenua and Contamination

Contamination Remediation

- A Remedial Action Plan (RAP) and Site Management Plan (SMP) shall be provided to Ngaati Maahanga for review where remediation intersects with wetlands or drainage corridors.
- Contaminated soils shall not be redistributed across the site.
- Sediment controls shall prevent discharge to wetlands, drains and waterways.
- Offal pits and septic systems shall be removed in accordance with the RAP.

Peat Stability

- Earthworks shall be designed and undertaken to minimise peat oxidation and subsidence, with monitoring undertaken throughout staged development to identify and respond to peat instability.
- Stormwater recharge systems shall be designed, monitored and managed to maintain groundwater stability and minimise adverse effects on peat soils and wetlands.
- Monitoring shall be undertaken throughout staged development to identify peat shrinkage or instability, with adaptive management measures implemented where agreed trigger levels are exceeded.

6.3 Wetlands and Ecology

- Fish management plans shall be implemented in accordance with NZ Fish Passage Guidelines.
- Fish passage infrastructure shall be monitored post-installation to ensure ongoing functionality.
- Lizard management plans shall be approved by the Department of Conservation prior to habitat disturbance.
- Riparian and wetland planting shall utilise eco-sourced native species from within the catchment wherever practicable.
- Engagement with Ngaati Maahanga, tribal nurseries and iwi businesses shall be prioritised where practicable.
- Habitat restoration shall provide for long-term ecological connectivity.
- Biodiversity offsetting is considered a last resort. On-site restoration is strongly preferred.

6.4 Wastewater and Infrastructure

- Connection to the Hamilton City Council wastewater network is the preferred option.
- Any alternative land-based discharge must demonstrate no adverse effect on groundwater, peat systems or receiving environments.
- Wastewater infrastructure shall maintain separation from natural wetlands.
- Cultural monitoring shall occur during installation of infrastructure near wetlands or drainage corridors.
- Contingency planning shall address potential overflow or system failure.

6.5 Urban Design and Cultural Integration

- Ngaati Maahanga shall be engaged at key detailed design stages and provided reasonable opportunity to review and comment on relevant management plans and design documentation.
- Cultural input shall inform naming of wetlands, reserves and streetscapes.
- Ecological corridors shall be retained and enhanced.

- Interpretive elements may be incorporated where appropriate.
- Opportunities for Ngaati Maahanga participation in ecological restoration, monitoring and enhancement activities shall be supported wherever practicable.

6.6 Cumulative Effects Management

- Monitoring frameworks shall address groundwater levels, water quality and wetland health throughout all stages of the development and assess cumulative effects attributable to the development.
- Monitoring results shall be provided to Ngaati Maahanga.
- Adaptive management shall be implemented where monitoring identifies cumulative adverse effects attributable to the development or where agreed trigger levels are exceeded.
- Engagement with Ngaati Maahanga shall continue through design, construction and operation phases.

6.7 Cultural Monitoring and Discovery Protocols

As a condition of approval:

- Ngaati Maahanga cultural monitors shall be present during bulk earthworks, drainage installation, wetland modification, works within or adjacent to wetlands, and other agreed high-risk ground disturbance activities.
- Cultural monitoring shall include authority to initiate agreed stop-work procedures where taonga, kooiwi tangata or culturally significant material is identified in accordance with the approved Accidental Discovery Protocol and Kooiwi Discovery Protocol.
- The Accidental Discovery Protocol contained in Appendix 2 of the Mana Whenua Statement shall be adopted in full.
- Kooiwi discovery procedures contained in Appendix 3 shall be enforceable and adhered to immediately upon identification.
- The Taonga Tuuturu process shall be followed in accordance with statutory requirements.
- The Specific Fauna Management Protocol outlined in Appendix 4 shall be implemented alongside ecological mitigation measures.

- Monitoring is not advisory. It forms part of the mitigation framework necessary to safeguard Ngaati Maahanga interests.

The mitigation measures and cultural requirements set out in this CIA are to be read alongside the recommendations and appendices contained within the Mana Whenua Statement and Engagement Report (2025). Where overlap occurs, the more protective standard shall apply.

The mitigation measures and cultural requirements set out in this CIA are to be read alongside the recommendations and protocols contained within the Mana Whenua Statement and Engagement Report (2025), including:

- Appendix 1 – Cultural Monitoring Requirements
- Appendix 2 – Accidental Discovery Protocol (Taonga Tuuturu)
- Appendix 3 – Kooiwi Tangata Discovery Protocol
- Appendix 4 – Specific Fauna Management Protocol

Where overlap occurs, the more protective standard shall apply.

SECTION 7

Overall Position of Ngaati Maahanga

7. Overall Position of Ngaati Maahanga

Ngaati Maahanga acknowledge that the Brymer development is of significant scale within the Rotokauri growth area and has the potential to result in both environmental effects and restoration opportunities.

The site contains wetlands, peat soils, groundwater systems and taonga species that remain culturally relevant despite historic modification. The proposal therefore engages the responsibilities of Ngaati Maahanga as mana whenua within the Waikato River catchment.

Ngaati Maahanga are neutral to the application, contingent upon the incorporation of the mitigation measures and cultural requirements set out in Section 6 as enforceable conditions of approval.

Neutrality does not imply absence of effect. It reflects a position that adverse cultural effects can be appropriately managed where:

- Hydrological integrity is maintained
- Wetlands are retained and enhanced
- Peat systems are not degraded
- Contamination is remediated responsibly
- Taonga species are protected
- Cumulative effects are actively monitored
- Ongoing engagement with Ngaati Maahanga is formalised

Should those requirements not be incorporated into approval conditions, Ngaati Maahanga reserve the right to reconsider their position.

Ngaati Maahanga seek a long-term working relationship with Brymer Farms Ltd and relevant authorities for the duration of the project, including design refinement, construction, monitoring and operational phases.

This position reflects the exercise of kaitiakitanga and the expectation that development within the Waikato River catchment advances restoration objectives rather than contributing to incremental degradation.

SECTION 8

Conclusion

8. Conclusion

This Cultural Impact Assessment has considered the Brymer development in the context of Ngaati Maahanga mana whenua responsibilities within the Waikato River catchment.

The proposal engages matters of cultural significance, including groundwater systems, peat soils, wetlands, taonga species and the integrity of connected waterways. These systems remain culturally relevant despite historic land modification.

Ngaati Maahanga acknowledge that the proposal presents opportunities for ecological restoration and improved management of degraded areas, if mitigation measures are properly designed, implemented and monitored.

Ngaati Maahanga remain neutral to the application, contingent upon the incorporation of the mitigation measures and cultural requirements outlined in this report as enforceable conditions of approval.

The exercise of kaitiakitanga does not end at consent. It extends through design refinement, construction, monitoring and long-term operation. Ongoing engagement will be necessary to ensure that the development does not result in incremental degradation of the catchment and that restoration outcomes are measurable and sustained.

This conclusion reflects the responsibility of Ngaati Maahanga to protect the mauri of whenua and wai for future generations, while engaging constructively in development occurring within the rohe.

Ngaati Maahanga Cultural Impact Assessment

Prepared and signed for on behalf of Ngaati Maahanga



Jo Kukutai | Chair of Ngaa Uri o Maahanga Trust Board (Ngaati Maahanga)

Revised: June 2026

SECTION 9

References

9. References

Barker & Associates (2025). *Urban Design Memorandum for Brymer Referral Application*.

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Te Huia Natural Resources Limited (2025). *Mana Whenua Statement and Engagement Report*.

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SCHEDULE OF AMENDMENTS AND RESPONSES Brymer Farms Cultural Impact Assessment (CIA) – Version 2 (June 2026)

This schedule forms part of the record accompanying CIA Version 2 (June 2026) and is provided to assist the applicant in identifying amendments made following review of the Barker & Associates response.

The following schedule records amendments incorporated into CIA Version 2 following consideration of the Barker & Associates review, together with additional cultural information identified by Ngaati Maahanga during final review. The schedule also records recommendations that were reviewed and retained without amendment.

Section	CIA Version 1	CIA Version 2 (June 2026)	Ngaati Maahanga Response
2.5 Documents Reviewed	Hayward & Samuels (2015) not included.	Added: Hayward, P., & Samuels, A. (2015). <i>He Korongā Mātua Nā Pūhaanga: Ngāti Māhanga and the Lands of Hamilton West</i> .	Additional historical and cultural source identified during final review and considered directly relevant to the Brymer Farms development area.
4.2 Historical and Cultural Landscape Context	Section not included.	New subsection added incorporating Te Ara o Kāroro, Te Uhi Pā, Ngāti Hourua occupation, Brymer Road kāinga, associated urupā and the wider Ngaati Maahanga cultural landscape.	Additional historical and cultural information identified during final review and considered directly relevant to the cultural context of the site.
5.7 Waahi Tapu me ngaa Taonga Tuku Iho	The Brymer site is located within an area of historic Maaori occupation and land use. While no recorded archaeological sites may currently be mapped within the development footprint, the	As outlined in Section 4.2, the Brymer site is located within a wider Ngaati Maahanga cultural landscape associated with Te Ara o Kāroro, Te Uhi Pā and historical Ngāti Hourua	Consequential amendment arising from the inclusion of additional historical and cultural landscape information within Section 4.2. The amendment strengthens the relationship

Section	CIA Version 1	CIA Version 2 (June 2026)	Ngaati Maahanga Response
	potential for waahi tapu, archaeological material, taonga tuuturu and kooiwi tangata to be present cannot be excluded.	occupation. While no recorded archaeological sites may currently be mapped within the development footprint, the potential for waahi tapu, archaeological material, taonga tuuturu and kooiwi tangata to be present cannot be excluded.	between the historical cultural context of the site and the rationale for cultural monitoring, discovery protocols and protection of cultural values.
6.1 Groundwater Abstraction	If groundwater drawdown exceeds predicted thresholds or adversely affects wetlands, abstraction rates shall be reviewed and adjusted.	If groundwater drawdown exceeds predicted thresholds or monitoring identifies adverse effects on connected wetlands or baseflows, abstraction rates shall be reviewed and adjusted through an adaptive management framework.	Refinement adopted following consideration of Barker & Associates' response.
6.1 Groundwater Abstraction	Abstraction shall not result in degradation of connected wetlands or reduction in baseflows.	Groundwater abstraction shall avoid, remedy or mitigate adverse effects on connected wetlands and baseflows. Monitoring thresholds, trigger levels and adaptive management responses shall be established to	Refinement adopted following consideration of Barker & Associates' response.

Section	CIA Version 1	CIA Version 2 (June 2026)	Ngaati Maahanga Response
		ensure wetland health and hydrological function are maintained.	
6.1 Stormwater Management	Stormwater discharge quality shall demonstrate no deterioration of receiving environments.	Stormwater discharge quality shall achieve water quality outcomes that avoid, remedy or mitigate adverse effects on receiving environments and shall comply with agreed performance standards, monitoring requirements and adaptive management measures.	Refinement adopted following consideration of Barker & Associates' response.
6.1 Stormwater Management	Discharge structures shall avoid direct placement within natural wetlands where practicable.	Discharge structures shall avoid placement within natural wetlands wherever practicable. Where avoidance is not practicable, effects shall be minimised and appropriate mitigation measures implemented.	Refinement adopted following consideration of Barker & Associates' response.
6.1 Wetland Protection	Groundwater levels supporting wetland health shall be maintained.	Groundwater levels necessary to support wetland health and ecological function shall be maintained through monitoring, trigger levels and	Refinement adopted following consideration of Barker & Associates' response.

Section	CIA Version 1	CIA Version 2 (June 2026)	Ngaati Maahanga Response
		adaptive management responses.	
6.2 Peat Stability	Earthworks shall minimise peat oxidation and subsidence.	Earthworks shall be designed and undertaken to minimise peat oxidation and subsidence, with monitoring undertaken throughout staged development to identify and respond to peat instability.	Refinement adopted following consideration of Barker & Associates' response.
6.2 Peat Stability	Stormwater recharge systems shall be designed to maintain groundwater stability.	Stormwater recharge systems shall be designed, monitored and managed to maintain groundwater stability and minimise adverse effects on peat soils and wetlands.	Refinement adopted following consideration of Barker & Associates' response.
6.2 Peat Stability	Monitoring shall be undertaken during staged development to identify peat shrinkage or instability.	Monitoring shall be undertaken throughout staged development to identify peat shrinkage or instability, with adaptive management measures implemented where agreed trigger levels are exceeded.	Refinement adopted following consideration of Barker & Associates' response.
6.3 Wetlands and	Riparian and wetland planting	Riparian and wetland planting	Refinement adopted following

Section	CIA Version 1	CIA Version 2 (June 2026)	Ngaati Maahanga Response
Ecology	shall use eco-sourced native species from within the catchment.	shall utilise eco-sourced native species from within the catchment wherever practicable.	consideration of Barker & Associates' response.
6.3 Wetlands and Ecology	Engagement with tribal nurseries and iwi businesses shall be prioritised where practicable.	Engagement with Ngaati Maahanga, tribal nurseries and iwi businesses shall be prioritised where practicable.	Refinement adopted following consideration of Barker & Associates' response.
6.5 Urban Design and Cultural Integration	Ngaati Maahanga shall be engaged at detailed design stage.	Ngaati Maahanga shall be engaged at key detailed design stages and provided reasonable opportunity to review and comment on relevant management plans and design documentation.	Refinement adopted following consideration of Barker & Associates' response.
6.5 Urban Design and Cultural Integration	Opportunities for iwi participation in restoration and monitoring shall be supported.	Opportunities for Ngaati Maahanga participation in ecological restoration, monitoring and enhancement activities shall be supported wherever practicable.	Refinement adopted following consideration of Barker & Associates' response.
6.6 Cumulative Effects Management	Monitoring frameworks shall address groundwater levels, water quality and wetland health across all	Monitoring frameworks shall address groundwater levels, water quality and wetland health throughout all stages of the	Refinement adopted following consideration of Barker & Associates' response.

Section	CIA Version 1	CIA Version 2 (June 2026)	Ngaati Maahanga Response
	development stages.	development and assess cumulative effects attributable to the development.	
6.6 Cumulative Effects Management	Adaptive management shall be implemented where cumulative degradation is identified.	Adaptive management shall be implemented where monitoring identifies cumulative adverse effects attributable to the development or where agreed trigger levels are exceeded.	Refinement adopted following consideration of Barker & Associates' response.
6.7 Cultural Monitoring and Discovery Protocols	Ngaati Maahanga cultural monitors shall be present during bulk earthworks, drainage installation, wetland modification and infrastructure works within or adjacent to wetlands and identified sensitive areas.	Ngaati Maahanga cultural monitors shall be present during bulk earthworks, drainage installation, wetland modification, works within or adjacent to wetlands, and other agreed high-risk ground disturbance activities.	Refinement adopted following consideration of Barker & Associates' response.
6.7 Cultural Monitoring and Discovery Protocols	Cultural monitoring shall have authority to temporarily halt works where taonga, kooiwi or culturally significant material is identified.	Cultural monitoring shall include authority to initiate agreed stop-work procedures where taonga, kooiwi tangata or culturally significant material is identified in accordance with the approved Accidental Discovery Protocol and Kooiwi Discovery Protocol.	Refinement adopted following consideration of Barker & Associates' response.

Section	CIA Version 1	CIA Version 2 (June 2026)	Ngaati Maahanga Response
6.1 Wetland Protection	Existing natural wetlands shall be retained wherever practicable.	No change.	Ngaati Maahanga consider the recommendation remains appropriate as drafted.
6.1 Water Management	No construction water shall be extracted from wetlands.	No change.	Ngaati Maahanga consider the recommendation remains appropriate as drafted.
6.1 Biodiversity Offsetting	Ngaati Maahanga shall be involved in any biodiversity offsetting proposal.	No change.	Ngaati Maahanga consider involvement remains appropriate given the cultural and ecological values potentially affected.
6.2 Remediation	RAP and SMP shall be provided to Ngaati Maahanga for review where remediation intersects with wetlands or drainage corridors.	No change.	Ngaati Maahanga consider review of relevant plans remains appropriate to support informed engagement.
6.2 Contamination Management	Contaminated soils shall not be redistributed across the site.	No change.	Ngaati Maahanga consider the recommendation remains appropriate as drafted.
6.2 Sediment Control	Sediment controls shall prevent discharge to wetlands, drains and waterways.	No change.	Ngaati Maahanga consider the recommendation remains appropriate as drafted.
6.3 Fish Management	Fish Management Plan and fish passage monitoring requirements.	No change.	Ngaati Maahanga consider the recommendation remains appropriate as drafted.

Section	CIA Version 1	CIA Version 2 (June 2026)	Ngaati Maahanga Response
6.3 Lizard Management	Lizard Management Plan requirements.	No change.	Ngaati Maahanga consider the recommendation remains appropriate as drafted.
6.4 Wastewater	Connection to the Hamilton City Council wastewater network is the preferred servicing option.	No change.	Ngaati Maahanga consider the recommendation remains appropriate as drafted.
6.5 Cultural Integration	Cultural naming and interpretive opportunities.	No change.	Ngaati Maahanga consider the recommendation remains appropriate as drafted.
6.6 Monitoring and Engagement	Monitoring results provided to Ngaati Maahanga and engagement through design, construction and operation phases.	No change.	Ngaati Maahanga consider these recommendations remain fundamental to informed engagement and the exercise of kaitiakitanga.
6.7 Discovery Protocols	Adoption of ADP, Kooiwi Discovery Protocol and Taonga Tuuturu Protocol.	No change.	Ngaati Maahanga consider these recommendations remain appropriate as drafted.
9 References	Hayward & Samuels (2015) not included.	Added full citation.	Consequential amendment arising from the inclusion of additional cultural context information.

Summary

Following review of Barker & Associates' response, Ngaati Maahanga incorporated a number of refinements into CIA Version 2 where those refinements improved clarity regarding implementation through consent conditions, management plans, monitoring frameworks and adaptive management processes.

Ngaati Maahanga also incorporated additional historical and cultural landscape information identified during final review, including amendments to Sections 4.2 and 5.7 relating to Te Ara o Kāroro, Te Uhi Pā, Ngāti Hourua occupation and the wider Ngaati Maahanga cultural landscape.

Where recommendations were not amended, Ngaati Maahanga consider those recommendations remain appropriate and continue to reflect the cultural outcomes sought through the CIA.

The amendments do not alter the cultural effects identified within the CIA, the mitigation outcomes sought by Ngaati Maahanga, or Ngaati Maahanga's overall neutral position on the proposal.

MEMORANDUM OF UNDERSTANDING

Between

Ngaa Uri o Maahanga Trust Board (on behalf of Ngaati Maahanga)

and

Brymer Farms Limited

1. PURPOSE

The purpose of this Memorandum of Understanding (MOU) is to establish a framework for ongoing engagement, collaboration and mutual understanding between Ngaa Uri o Maahanga Trust Board (on behalf of Ngaati Maahanga) and Brymer Farms Limited in relation to the Brymer Farms Development.

The parties acknowledge their shared interest in achieving positive environmental, cultural, social and economic outcomes while supporting the successful delivery of the development.

2. BACKGROUND

- A. Ngaati Maahanga are mana whenua within the area in which the Brymer Farms Development is proposed and exercise responsibilities as kaitiaki in relation to the whenua, wai, taonga species and wider cultural landscape.
- B. Brymer Farms Limited is the landowner and developer of the Brymer Farms Development and is responsible for the planning, design, consenting, construction and implementation of the project.
- C. Ngaati Maahanga prepared a Cultural Impact Assessment (CIA) for the project to identify cultural values, potential effects and recommended mitigation measures.
- D. The parties acknowledge that ongoing engagement and collaboration will assist in achieving positive outcomes for both the development and the wider community.
- E. Parties acknowledge that this MOU is separate from, and does not alter, the findings or position expressed in the Ngaati Maahanga Cultural Impact Assessment – Version 2 (June 2026).

3. GUIDING PRINCIPLES

The parties agree to:

- Engage in good faith, respectfully and in a timely manner.
- Recognise and respect the role of Ngaati Maahanga as mana whenua and kaitiaki within its rohe.
- Recognise and respect the role of Brymer Farms Limited as the developer responsible for delivering the project.
- Maintain open communication and transparency throughout the life of the project.
- Work collaboratively to identify practical and achievable solutions to issues as they arise.
- Support environmental enhancement, cultural wellbeing, housing delivery and long-term community outcomes.
- Foster a relationship based on mutual respect, trust and shared understanding.

4. RELATIONSHIP COMMITMENTS

The parties commit to maintaining regular communication throughout the planning, consenting, construction and implementation phases of the project.

Brymer Farms Limited will provide reasonable opportunities for Ngaati Maahanga to review and comment on relevant management plans, monitoring programmes and project documentation where cultural and environmental matters are involved.

Ngaati Maahanga will provide cultural advice and feedback within reasonable timeframes to support project delivery and implementation.

5. CULTURAL IMPACT ASSESSMENT

The parties acknowledge the Ngaati Maahanga Cultural Impact Assessment prepared for the Brymer Farms Development.

Brymer Farms Limited acknowledges the recommendations and outcomes identified within the CIA and will seek to incorporate those outcomes through project design, consent conditions, management plans and implementation processes where appropriate.

Ngaati Maahanga acknowledge the willingness of Brymer Farms Limited to engage constructively throughout the CIA process and to consider the recommendations identified within the assessment.

6. CULTURAL MONITORING

Brymer Farms Limited will engage Ngaati Maahanga cultural monitors for agreed high-risk ground disturbance activities including:

- Bulk earthworks;
- Drainage installation;
- Wetland modification works;
- Works within or adjacent to wetlands; and
- Other agreed high-risk activities.

Cultural monitoring will operate in accordance with agreed project protocols, including the Accidental Discovery Protocol and Kooiwi Discovery Protocol.

7. ENVIRONMENTAL AND ECOLOGICAL OUTCOMES

The parties recognise the importance of protecting and enhancing wetlands, waterways, indigenous biodiversity and ecological corridors associated with the development.

The parties will work collaboratively to support:

- Wetland protection and enhancement;
- Ecological restoration initiatives;
- Biodiversity outcomes;
- Monitoring and adaptive management processes; and
- Long-term environmental stewardship.

8. RESTORATION, PLANT SUPPLY AND SERVICES

Where practicable and subject to commercial requirements and procurement processes, Brymer Farms Limited will provide Ngaati Maahanga, iwi-owned nurseries and Ngaati Maahanga-affiliated businesses with reasonable opportunities to participate in:

- Native plant supply;
- Ecological restoration works;
- Environmental monitoring services;
- Cultural monitoring services; and
- Other project-related services.

Nothing in this clause creates an exclusive supply arrangement or procurement obligation.

9. EMPLOYMENT, TRAINING AND BUSINESS OPPORTUNITIES

The parties acknowledge the potential for the project to contribute to local employment and economic development.

Where practicable, Brymer Farms Limited will seek opportunities to:

- Promote employment opportunities to Ngaati Maahanga members;
- Promote supplier and contractor opportunities to Ngaati Maahanga businesses;
- Explore training, internship and development opportunities associated with the project.

10. HOUSING OUTCOMES

The parties acknowledge the importance of housing outcomes for current and future generations.

Where practicable, Brymer Farms Limited and Ngaati Maahanga will explore opportunities that may support Ngaati Maahanga whaanau participation in future housing opportunities, home ownership or whaanau housing opportunities arising from the development.

Nothing in this clause creates any obligation to provide housing allocation, discounted housing or preferential purchasing rights.

11. CULTURAL RECOGNITION

Brymer Farms Limited will engage with Ngaati Maahanga regarding opportunities for:

- Cultural naming of reserves, wetlands, streets and public spaces;
- Interpretation of cultural history and landscape values; and
- Recognition of Te Ara o Kāroro, Te Uhi Pā and the wider Ngaati Maahanga cultural landscape where appropriate.

12. INFORMATION SHARING

Brymer Farms Limited will provide Ngaati Maahanga with relevant monitoring information associated with environmental and cultural outcomes identified through the CIA and associated consent conditions.

13. DISPUTE RESOLUTION

Any issue arising under this MOU will initially be addressed through direct discussions between authorised representatives of the parties.

Where a matter cannot be resolved through discussion, the parties may agree to engage an independent mediator.

14. TERM

This MOU will commence on the date of signing and remain in force until completion of the development unless varied or terminated by agreement of the parties.

15. STATUS OF MOU

This MOU records the intentions and commitments of the parties and does not create statutory approval rights, contractual obligations or fetter the legal rights, responsibilities or decision-making functions of either party.

16. SIGNATORIES

Signed for Ngaa Uri o Maahanga Trust Board (on behalf of Ngaati Maahanga)

Jo Kukutai

Chair 

Date: 4 June 2026

Signed for Brymer Farms Limited

Name: Sanjil Mistry

Position: 

Date: 5 June 2026

Thursday, June 4, 2026

Teena koe e Fraser,

Thank you for your letter dated 20 May 2026 and for the detailed review of the Ngaati Maahanga Cultural Impact Assessment (CIA) prepared for the proposed Brymer Farms Development.

Ngaati Maahanga appreciate the constructive approach taken by Brymer Farms Ltd and Barker & Associates throughout the preparation of the CIA and the consideration given to the recommendations and mitigation measures identified within the assessment.

Ngaati Maahanga have reviewed the matters raised in your response and have considered the proposed refinements in the context of the cultural outcomes sought through the CIA.

Following that review, Ngaati Maahanga have prepared an updated CIA (Version 2) which is attached for your records and use within the Fast Track application process.

The amendments incorporated into CIA Version 2 include:

- Refinements to a number of recommendations within Section 6 to provide greater clarity regarding implementation through consent conditions, management plans, monitoring frameworks and adaptive management processes.
- The inclusion of additional historical and cultural landscape information identified during final review of the CIA. This information has been incorporated through a new Section 4.2 Historical and Cultural Landscape Context and includes references to Te Ara o Kāroaro, Te Uhi Pā, Ngāti Hourua occupation and the wider Ngaati Maahanga cultural landscape associated with the Rotokauri area.
- The inclusion of the supporting reference *He Korongā Mātua Nā Pūhaanga: Ngāti Māhanga and the Lands of Hamilton West* (Hayward & Samuels, 2015) within Section 2.5 (Documents Reviewed) and Section 9 (References).

For transparency, a Schedule of Amendments and Responses is also attached. The schedule records amendments incorporated into CIA Version 2, together with those recommendations that Ngaati Maahanga reviewed and determined should remain unchanged.

Ngaati Maahanga note and appreciate the applicant's constructive consideration of the recommendation contained within the CIA, including those recommendations that have been accepted, refined or otherwise responded to through the Barker and Associates review.

The amendments incorporated into CIA Version 2 do not alter the cultural effects identified within the CIA, the mitigation outcomes sought by Ngaati Maahanga, or Ngaati Maahanga's

overall position on the proposal. Rather, they provide additional clarity regarding implementation and strengthen the historical and cultural context of the site and wider landscape.

Accordingly, Ngaati Maahanga's position remains unchanged.

Ngaati Maahanga remain neutral to the proposal, contingent upon the mitigation measures, cultural requirements, monitoring commitments and ongoing engagement mechanisms identified within the CIA being appropriately incorporated into the project and secured through enforceable consent conditions and associated management plans.

Thank you again for the collaborative and constructive manner in which Barker & Associates and Brymer Farms Ltd have engaged throughout this process. Ngaati Maahanga look forward to continuing to work with the project team as the proposal progresses through the Fast Track process, detailed design and implementation phases.

Naaku iti noa, naa,

A handwritten signature in black ink, appearing to read 'Jo Kukutai'.

Jo Kukutai

Chair Ngaa Uri o Maahanga Trust Board

On behalf of Ngaati Maahanga