

RIVERHEAD FOREST CULTURAL IMPACT ASSESSMENT

Tikanga (Cultural) | Taiao (Environmental) | Tangata (Social)

TKITT000481 March 2025

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EXECUTIVE SUMMARY

The proposal, at this time, is to develop approximately 200 residential units within Lot 1 and 300 retirement units within Lot 2 of our Treaty Settlement land at Riverhead Forest. The wider landholding is 3,275ha and is commercial redress land currently under a commercial pine forestry. The land is of extremely high significance given it is land returned to the iwi as redress for the Crown's historic breaches of Te Tiriti o Waitangi. It is equally important because its core purpose is to generate and economic baseline for our people. The cultural context of the site includes the Rangitoopuni Stream catchment to the east, and the Kumeuu River catchment to the west, linked by pathways such as Te Ara Rimu and Te Tooangaroa (The Kaipara Portage). The land is surrounded by sites of significance to Te Kawerau a Maki including important 18th century peace-making sites such as Rangitoopuni itself, historic kaainga sites such as Taurangatira, and landmarks such as Te Pane o Poataniwha. Within the Site itself are places associated with resources such as Onewherowhero, or with stories such as Poohuri. The elevated and clay lands of Riverhead Forest itself was not permanently occupied by our people because it was not suitable for cultivations. There are 39 sites or cultural resources within the Study Area and 14 of these sit within Riverhead Forest. Potential impacts to these features and associated values were assessed and 13 adverse impacts were identified at the primary (pre-mitigation) stage. Secondary stage (post-mitigation) impacts identified 13 beneficial impacts (improvements from the status quo). Only one adverse impact remained, though at a negligible level. The reason for beneficial impacts is primarily from the extensive native revegetation regime being proposed, combined with recreational access, cultural interpretation, and economic wellbeing for the iwi. It is vital that this development proceed as part of realising the core purpose of the land as commercial redress land in our Treaty settlement. The recommendations in this report help ensure that the manner in which this is achieved follows our tikanga and is embedded in our Te Kawerautangta - the point of difference here from any other developer.

Ko Hikurangi te maunga

Ko ngaa Rau Pou a Maki ngaa tohu whakahii

Ko te Wao Nui a Tiriwa te ngahere

Ko te Manukanuka a Hoturoa me te Waitemataa ngaa moana

Ko Waitaakere ki Te Wai o Pareira ngaa awa

Ko Tainui te waka

Ko Tawhiakiterangi te tupuna

Ko Te Kawerau a Maki te iwi

Hikurangi is the mountain

The Waitaakere Ranges are the markers

Te Wao nui a Tiriwa is the forest

Manukau and Waitemataa are the waters

Waitaakere and Henderson Creek are the rivers

Tainui is the canoe

Tawhiakiterangi is the person

Te Kawerau a Maki is the tribe

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INTRODUCTION

1.0 Project Background

Te Kawerau Iwi Tiaki Trust ('the Trust') have been commissioned by Avant Group and Te Kawerau Iwi Settlement Trust (Rangitoopuni Developments Limited Partnership - hereafter the Client) to prepare a Cultural Impact Assessment (CIA) for the development of land owned at Riverhead Forest, including the initial two stages of residential and retirement development in the southeast corner of the forest. The landholding includes Lot 1 DP 590677, Lot 2 DP 590677, Lot 3 DP 590677, Lot 5 DP 590677, Lot 6 DP 590677, and Lot 7 DP 590677.

The 3,275ha of Riverhead Forest owned by Te Kawerau a Maki was returned as commercial redress in our 2014 Treaty Settlement. Its return was for the sole purpose of creating a foundation for the future prosperity and economic wellbeing of our people. It is currently under a commercial pine forestry license and large parts of the land will likely continue to be forested for several more cycles. A long-term plan for the land is still under development but will likely have a 100-year lens.

This means the scope of this report, which is the landholding as a whole, will need to be updated as specific future activities are identified and planned.

In 2014/2015 approximately 395ha of the land on the southeast corner surrounding Riverhead township was upzoned by Te Kawerau a Maki during the Auckland Unitary Plan (AUP) hearings. The purpose of the upzoning was for housing development. During the hearings we requested deviation from the standard zone density calculations, on the basis this is a unique Treaty Settlement circumstance and that we had the land area and scale to provide alternative solutions to matters like infrastructure and ecological enhancement.

The current proposal is to unlock 'Stage 1' (Lot 1) and 'Stage 2' (Lot 2) of development of our Riverhead Forest lands through two precincts within the upzoned area. The first stage is the development of an approximately 208 single house 1ha (on average) lots on a block to the west. The second stage is the development of a 296 unit retirement village on a block to the east. This assessment is based on a review of the available documentation and a series of hui with the development partner.

This CIA report has been prepared by the Trust as a legal entity of Te Kawerau a Maki who are an iwi of wider Taamaki Makaurau (Auckland). The purpose of this CIA report is to provide the Client and relevant statutory agencies with documentation of Te Kawerau a 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 a Maki engagement in statutory processes including provision of technical advice for impact assessments is guided by our tikanga (customs and protocols) and maatauranga (tribal knowledge) and framed by Te Tiriti o Waitangi, our Te Kawerau a Maki Claims Settlement Act 2015, our Iwi Management Plan (IMP), and our organisational strategic values: Mana Motuhake (independence); Kaitiakitanga (guardianship and sustainable management); Whaanaungatanga (people focused); Auahatanga (innovation); Maatauranga Maaori (culture-driven).

2.0 Site Description

The project is located on 3,275ha of Treaty Settlement land consisting of approximately 86% of Riverhead Forest. The forest is currently commercial pine forest. The land is high country that drains to the west into the Kumeuu / Kaipara River, and to the east into the Rangitoopuni Stream and Upper Harbour. Riverhead township is located on the immediate southeastern boundary of the Site. The wider proposed project area (hereafter the Study Area) includes the 3,725ha plus a 2km setting buffer from its boundaries. For the purposes of this report, the proposed project site (hereafter the Site) includes

the 3,275ha, with a particular focus on the Stage 1 and Stage 2 developments proposed on the southeast corner of the forest.

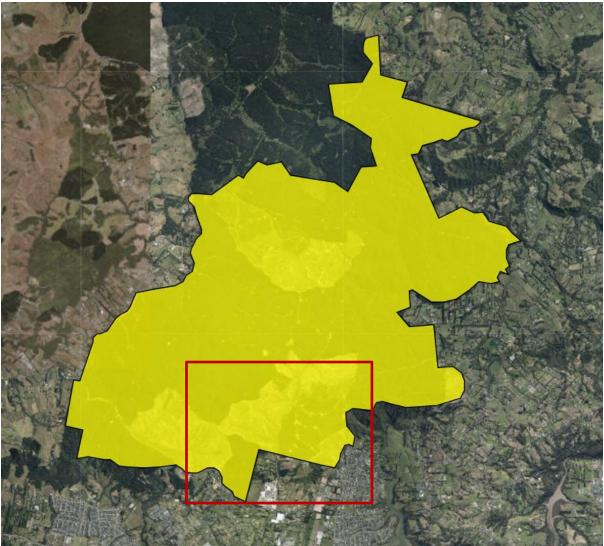


Figure 1: Map showing the 3,275ha of Te Kawerau land and the Stage 1 and 2 development areas

3.0 Aims and Objectives

The aim of this CIA report is to document Te Kawerau a 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 a 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 a 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 Maaori archaeology);
- identify the cultural constraints and risks associated with the Site and the potential significance of effects; and
- provide recommendations for further assessment where necessary and/or measures to avoid, remedy or mitigate adverse effects upon Te Kawerau a 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, waahi 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 Maaori rangatiratanga over their people, lands and taonga (things of value). Maaori 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 a Maki Claims Settlement Act 2015

Te Kawerau a Maki Claims Settlement Act (TKaMCSA) records the acknowledgements and apology given by the Crown to Te Kawerau a 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 a Maki. The Act binds the Crown to Te Kawerau a 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 a Maki. This includes binding protocols between Government Ministries and Te Kawerau a 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).

The Treaty Settlement included the return of 3,275ha of Riverhead Forest.

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 a Maki to cite the statutory acknowledgement as evidence of the association of Te Kawerau a Maki with a statutory area. The statutory acknowledgement supports Te Kawerau a 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 a Maki Statutory Acknowledgement Areas are:

- Taumaihi (part of Te Henga Recreation Reserve)
- Motutara Settlement Scenic Reserve and Goldie Bush Scenic Reserve

- Swanson Conservation Area
- Henderson Valley Scenic Reserve
- Coastal statutory acknowledgement
- Waitaakere River and tributaries
- Kumeuu River and tributaries
- Rangitoopuni Stream and tributaries
- Te Wai-o-Pareira / Henderson Creek and tributaries
- Motutara Domain (part of Muriwai Beach Domain Recreation Reserve)
- Whatipuu Scientific Reserve

Heritage New Zealand Pouhere Taonga Act 2014

Statutory protection of Maaori archaeology and waahi 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 Maaori origin, are controlled under the Protected Objects Act (1975). The HNZ Act S45(2)b stipulates that works on sites of interest to Maaori can only occur if (a) the practitioners can demonstrate they have the requisite competencies for recognising and respecting Maaori 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 a 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 a 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 Maaori 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 Maaori and their culture and traditions with their ancestral lands, water, sites, waahi 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/hapuu 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/hapuu authorities (Section 36B to 36E).
- Having regard to any relevant planning document recognised by an iwi/hapuu authority (sections 35A(b), 61.2A(a), 66.2A(a), 74.2A).
- The obligation to consult with iwi/hapuu 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 a 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 a Maki, thus being in direct breach of Article II of Te Tiriti o Waitangi.

It is noted that, as a Treaty Settlement matter, and under s8 and 6(e) the development of commercial redress land is a matter of national significance.

Fast-Track Approvals Act 2024

The legislation enables a streamlined resource consenting process for activities that formally meet either regional or national significance. Under Section 7 all persons performing functions under the Act must act consistently with obligations under existing Treaty Settlements and Customary Marine title. Under section 11 consultation must occur with relevant iwi and hapuu prior to an applicant lodging an application for processing. The Rangitoopuni development is listed as a project in Schedule 2 of the Act.

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 UNESCOs 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 Maaori heritage requires incorporation of maatauranga and therefore is conditional on decisions made in association with tangata whenua and should proceed only in this context.

National Policy Statement for Freshwater Management 2020

The NPS for freshwater management provides national policy settings that relevant statutory agencies including local authorities must comply with. Central to the NPS is the concept of Te Mana o Te Wai set out in s1.3. This is an aspirational concept that means that the integrity (physical and spiritual) of all water is upheld to its highest possible quality or state. The Crown's interpretation of the concept is that the fundamental importance of water is recognised and that by protecting the health of freshwater we protect the health and well-being of the wider environment, including by protecting wai mauri, and the restoration of the balance between water, the environment, and communities. It provides six principles for the management of water (s1.3(4)). Relevant to tangata whenua are: (a) Mana whakahaere: the power, authority, and obligations of tangata whenua to make decisions that maintain, protect, and sustain the health and well-being of, and their relationship with, freshwater; (b) Kaitiakitanga: the obligation of tangata whenua to preserve, restore, enhance, and sustainably use freshwater for the benefit of present and future generations; (c) Manaakitanga: 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 Maaori 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 wholeof-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 maatauranga Maaori 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 Maaori 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 hapuu 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 Maaori 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 Maaori, and the development of methods such as alert layers and predictive methodologies for identifying areas of high potential for undiscovered Maaori 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.

Issue B6.1.(1) notes as a matter of regional significance the need to enable the outcomes that Treaty Settlement redress is intended to achieve, including (3) enabling mana whenua economic, social and cultural development on Treaty Settlement Land. Objective B6.2.1(3) responds to this by stating:

The relationship of Mana Whenua with Treaty Settlement Land is provided for, recognising all of the following (3):

- (a) Treaty settlements provide redress for the grievances arising from the breaches of the principles of Te Tiriti o Waitangi by the Crown;
- (b) the historical circumstances associated with the loss of land by Mana Whenua and resulting inability to provide for Mana Whenua wellbeing;
- (c) the importance of cultural redress lands and interests to Mana Whenua identity, integrity, and rangatiratanga; and
- (d) the limited extent of commercial redress land available to provide for the economic wellbeing of Mana Whenua.

And B6.2.1(4) that the development and use of Treaty Settlement Land is enabled in ways that give effect to the outcomes of Treaty settlements recognising that:

- (a) cultural redress is intended to meet the cultural interests of Mana Whenua; and
- (b) commercial redress is intended to contribute to the social and economic development of Mana Whenua.

Policy B6.2.2(3) provides for where Mana Whenua propose an activity on Treaty Settlement Land, the benefits for the wider community and environment provided by any property specific protection mechanism, such as a covenant, shall be taken into account when considering the effects of the proposal. Policy B6.2.2(4) provides for <u>enabling the subdivision</u>, use and development of land acquired as commercial redress for social and economic development.

Policy B6.2.2 provides for the recognition of Treaty of Waitangi/Te Tiriti o Waitangi partnerships and participation. This includes Policy B6.2.2(1) that provides for Mana Whenua to actively participate in the sustainable management of natural and physical resources including ancestral lands, water, sites, waahi 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, maatauranga 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; waahi tapu; koorero tuuturu; rawa tuuturu; hiahiatanga tuuturu; and whakaaronui o te waa. Clause (4) requires the protection of places and areas listed in Schedule 12 Sites and Places of Signifiance to Mana Whenua from adverse effects. Clause (7) provides for the inclusion of a Maaori 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 a 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 a Maki as kaitiaki (guardians) and provides policies to guide statutory authorities and applicants. Policy 2.2(2) promotes the integration of Te Kawerau a 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 a Maki are fully recognised and provided for. Policy 4.2.2 concerns Te Kawerau a Maki cultural heritage and requires the protection of all heritage sites including access requirements (s4.2.2(1)); the involvement of Te Kawerau a Maki in all instances where potential effects may arise (s4.2.2(2)); and the recognition of Te Kawerau a Maki cultural and spiritual values (s4.2.2(3 and 4)). Policy 4.3.2 concerns the management of koiwi, while s4.4.2 regards the management of water. Activities in the Coastal Marine Area are covered by \$4.5.2. Waste management policies are described in \$4.6.2 and land and landscape policies are set out in \$4.7.2. Indigenous flora and fauna policy settings are described in s.4.8.2 including opposition to all destruction of native flora and fauna without Te Kawerau a Maki written consent. Policy 4.9.2 concerns Te Kawerau a Maki participation in design of the built environment and interpretation of heritage. The IMP also details formal support and adoption of the 1993 Mataatua Declaration on cultural and intellectual property rights of indigenous peoples.

6.0 Te Ao Maaori

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 Maaori 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 Maaori places emphasis on the holistic link between people and the environment. Maatauranga is the knowledge or wisdom about the world developed over generations and passed down from tuupuna, while tikanga is the evolving set of principles and customary practices by which Maaori give effect to this knowledge to navigate the world safely. *Papatuuaanuku*

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 Maaori tangata whenua belong to the whenua and not the other way around. Papatuuaanuku 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 Papatuuaanuku by their children, his tears became the rain which is considered tapu until it reaches the ground (wai Maaori).

Tuumatauenga

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

Taawhirimaatea

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

Taane

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 Taane reflected in creatures such as reptiles and whales and in the dynamic between the sea and the coastline.

Parewhenuamaea

The goddess of fresh water streams and a intermediary between Taane and Tangaroa.

Rongo

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

Haumia-tiketike

The god of uncultivated plants and wild foraging.

Mataaoho

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

Whakapapa

The sacred genealogy linking all things. Humans whakapapa not only to human tuupuna (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, whanaungatanga, 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 hapuu or iwi.

Maatauranga

The body of knowledge or customary wisdom and skill embedded within the tohunga, whaanau, hapu and iwi. Maatauranga is passed down the generations from tupuna 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 Maaori and the environment.

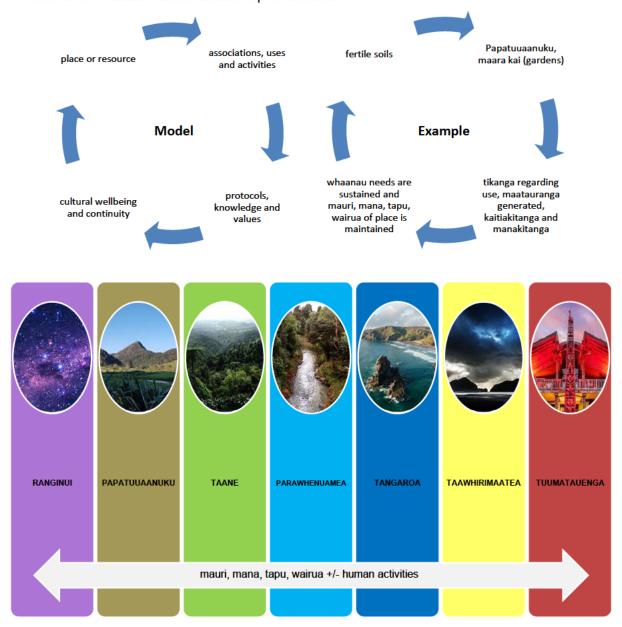
Tikanga

The lore, customs, practices, protocols, rules and methods that give effect to the application of maatauranga 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), whaanaungatanga (kinship and reciprocal connection through shared whakapapa), wairuatanga (spirituality), manaakitanga (hospitality and showing care), and kaitiakitangata (guardianship or stewardship).

A model of how cultural values function is provided below.



7.0 Scoping and Consultation

The Study Area comprises a 2000m radius from boundaries of the Site. This radius is considered appropriate given the large and elevated scale of the Riverhead Forest landholding. Within this area all appropriate and known cultural sites, areas, landscapes and resources have been identified. Te Kawerau a Maki however reserve the right to withhold certain information regarding waahi 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 a 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 kaainga, cultural landscapes, historic or cultural sites, Maaori archaeological sites, pou whenua and significant cultural public art.

Maatauranga/cultural knowledge of the Site and Study Area has been obtained, where appropriate, from Te Kawerau a 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 the February 2025 CFG archaeological assessment, and the working draft cultural masterplan being prepared by Boffa Miskell. 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. The author has visited the land multiple times in the past.

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 2000m from the edge 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.
- Provide comment on the cultural value of the identified cultural sites, areas and resources. b. Maaori 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. Maaori 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. Maaori 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 (maatauranga), practices, and spiritual and physical wellbeing. All cultural sites, areas and resources are of value to Te Kawerau a 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 Maaori 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 koorero or maatauranga, 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 maatauranga, are considered a waahi 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 maatauranga, 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 maatauranga, 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. Waahi Tapu: the place or resource is a waahi tapu of special, cultural, historic, metaphysical and or spiritual importance to Mana Whenua;
- iii. Koorero Tuuturu: The place has special historical and cultural significance to Mana Whenua:
- iv. Rawa Tuuturu: the place provides important customary resources for Mana Whenua
- v. Hiahiatanga Tuuturu: 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:

- 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 a Maki are the experts of our own culture and tikanga. This expertise and the equal weighting of maatauranga Maaori 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 Maaori 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 a Maki directly for clarification.

Due to the sensitive nature of certain cultural knowledge, areas and sites (e.g. burial grounds), Te Kawerau a 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 underlying geology of Riverhead Forest consists of Waitemataa Series East Coast Bays Formation residual silty clays (shown in tan colour). There are minor pockets of Hukerenui Mudstone (Mangakahia Complex) Northland Allochthon materials (commonly known as 'Onerahi Chaos' soils) in the northernmost section (this material shown in green) of the site, as well as alluvial soils (shown in pale yellow) in some of the valleys. The clay soils of the Forest are relatively infertile or not suitable for the growing of Māori food crops.

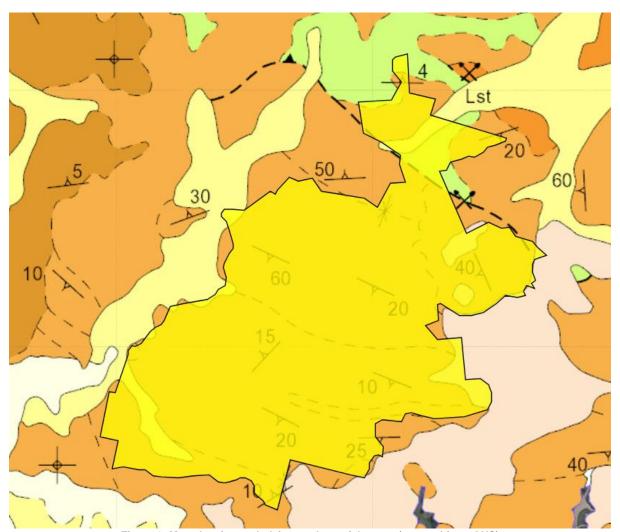


Figure 2: Map showing underlying geology of the area (sourced from GNS)

The topography of Riverhead Forest is high country typified by elevated and moderate to steeply sloping hills and ridge systems with incised gullies and valleys. This high country drains into the lowland alluvial plain of the Kumeuu-Kaipara Valley to the west, and to the Rangitoopuni plain and ultimately Upper Harbour to the east. The surrounding lowlands are subjected to periodic flooding. The ground cover is almost entirely in pine forest (*pinus radiata*) though there are pockets of native vegetation.

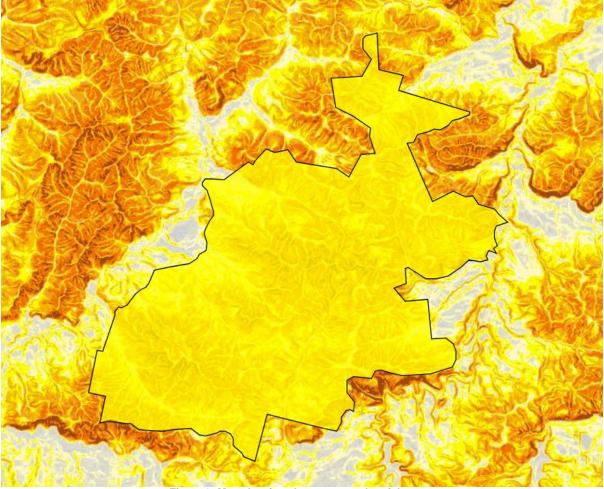


Figure 3: Map showing slope topography of the area

11.0 Natural Resources and Ecology

Freshwater

Riverhead Forest contains a large number of seasonal and permanent freshwater streams and tributaries. These drain into the Ararimu / Kumeuu / Kaipara to the west, and the Rangitoopuni / Wairoa o Kahu to the east. These freshwater streams collect into wetlands in several locations, and, when under forest cover, are generally of clean quality (the quality of the streams does temporarily decline in conjunction with the forestry-harvesting cycle). The waterways and waterbodies generally contain some regenerating native vegetation cover which provides habitat for freshwater and terrestrial riparian wildlife.

Native Freshwater Species

Freshwater species present or likely to be present include: inanga, tuna, potentially kookopu, bully, potentially koorua, along with invertebrates such as mayflies, caddisflies, stoneflies, dragonflies and snails. Freshwater plants are not known at this time.

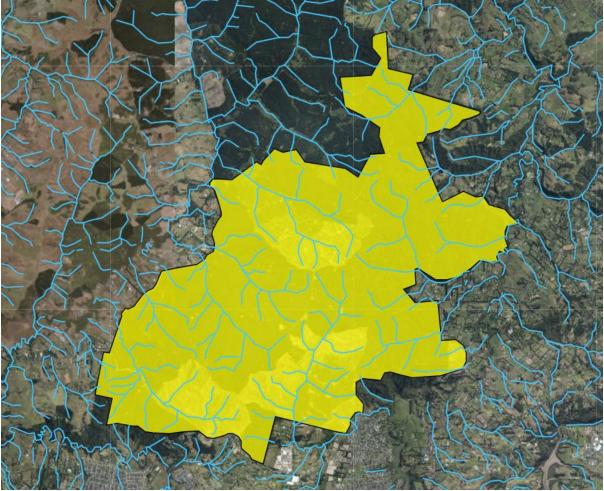


Figure 4: Map showing freshwater streams and tributaries of the area

Native Vegetation

The landholding is mostly under pine forest but contains isolated areas of native vegetation, in particular along the valley floors. There are 5 Significant Ecological Areas (SEAs) within the Forest (predominately the edges): SEA_T_6298; SEA_T_6301; SEA_T_6303; SEA_T_6540; and SEA_T_7036. Plant species present or likely to be present include: tii,koouka, ferns, harakeke, nikau, and possibly some podocarp species. The rare herb *Veronica jovellanoides* is only found in Riverhead Forest and grows on shaded, seasonally damp ground amongst sparse ferns, liverworts and mosses alongside a small stream. Its purple and white flowers bloom during October-December.

Native Terrestrial Fauna

While the Riverhead Forest is largely in exotic monoculture (pine) and thus not high value habitat for most native animal species, the areas of native vegetation particularly along stream corridors likely support a number of native fauna. Species present or likely to be present include: herpetofauna like copper skink, ornate skink, and possibly Hochstetter's frog; birds including kereru, tui, kaahu, puukeko, piiwakawaka, kootare, and possibly ruru; and invertebrates such as weetaa and grasshopper. Pekapeka are known to visit and roost in the pine forest in reasonably large numbers and tend to follow streams which contain their insect food source. It is not fully understood where their roost sites area.

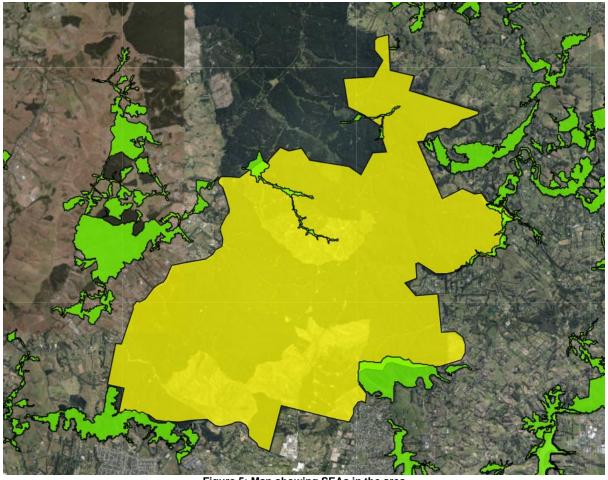
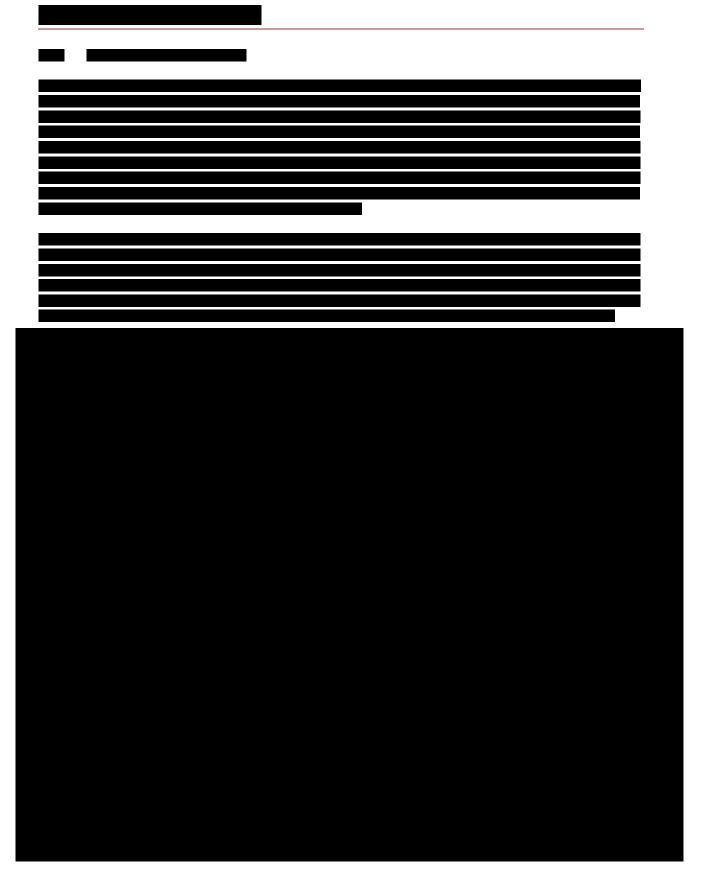


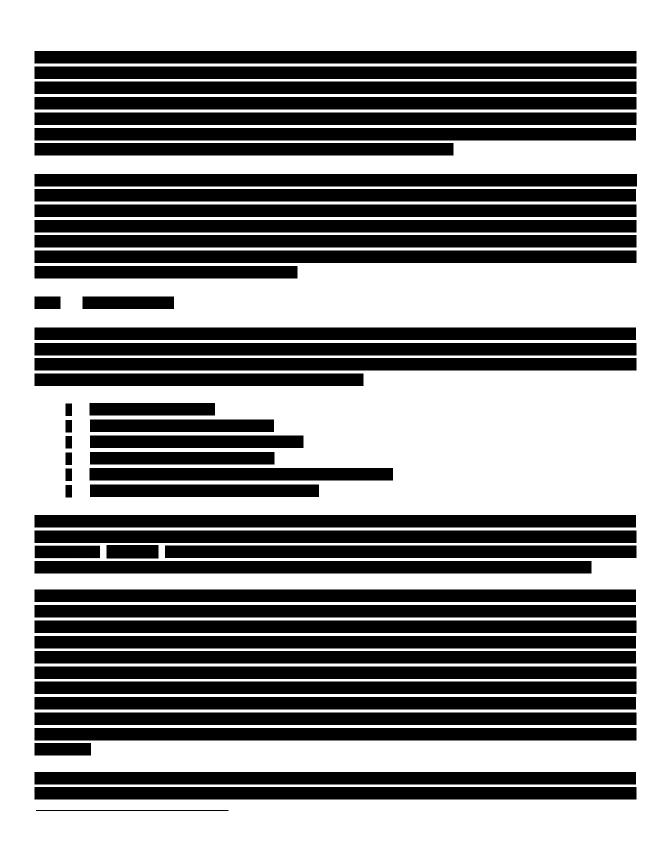
Figure 5: Map showing SEAs in the area

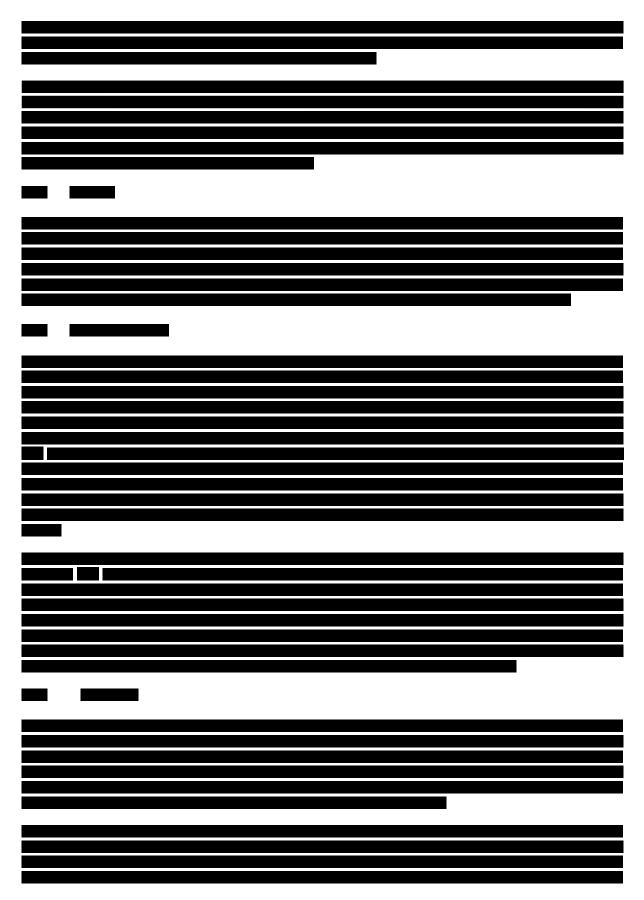


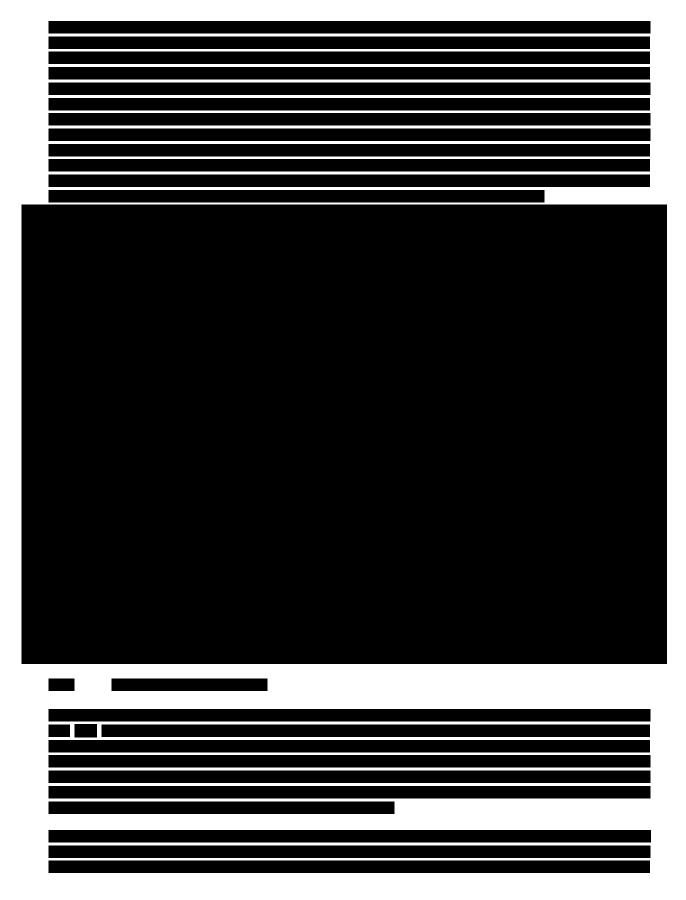
Figure 6: Veronica jovellanoides in flower

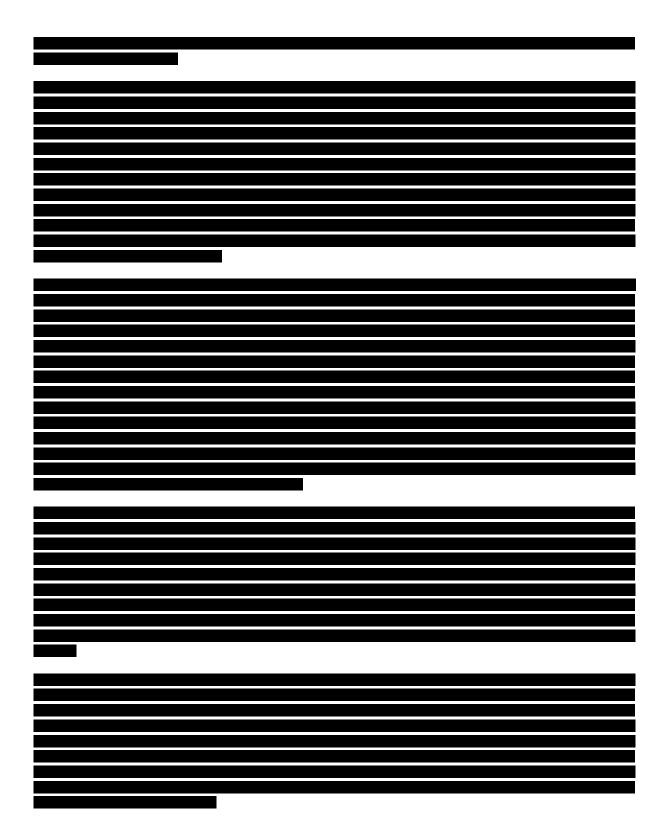




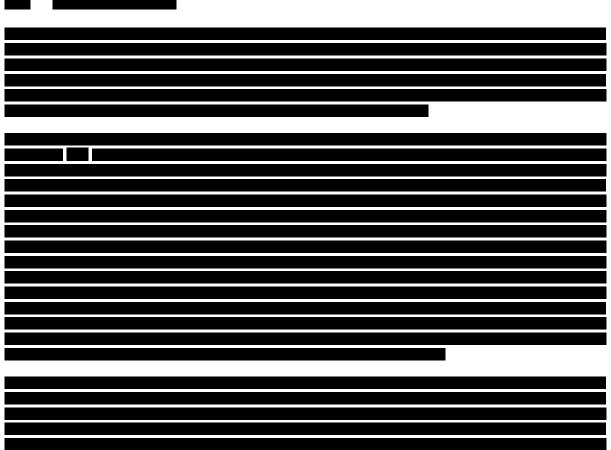


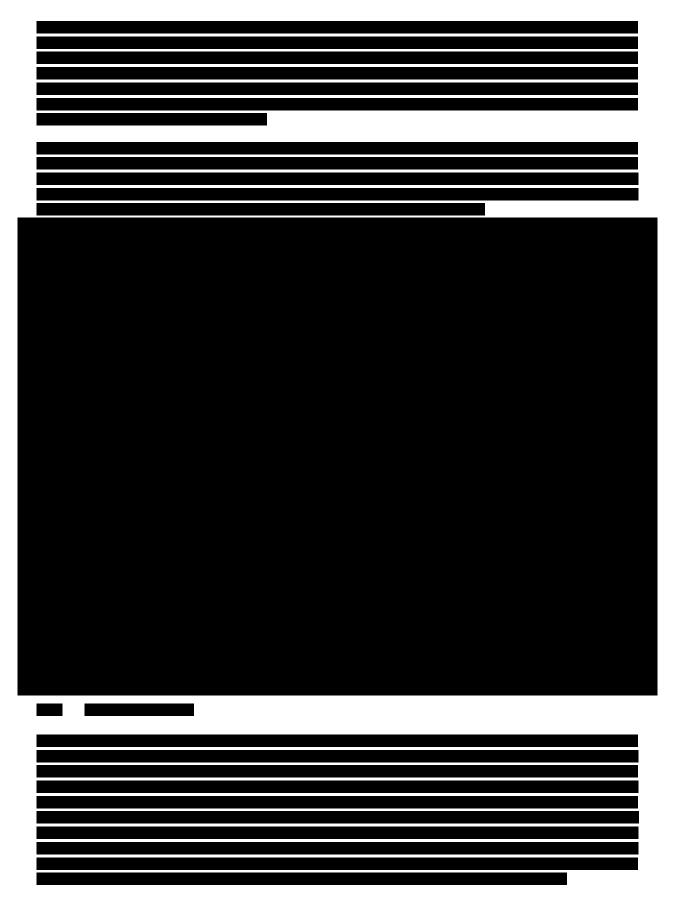


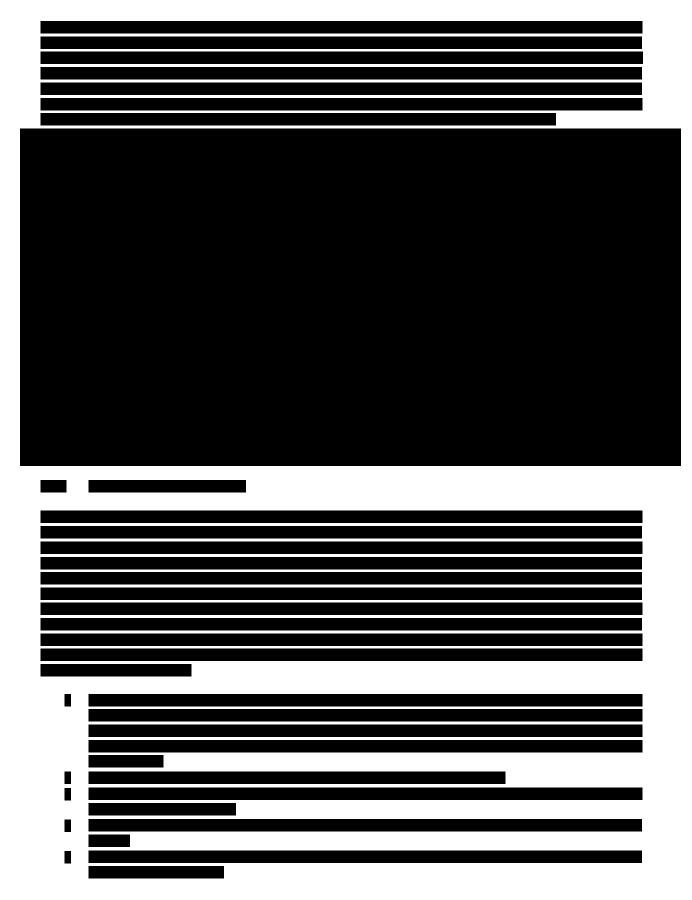


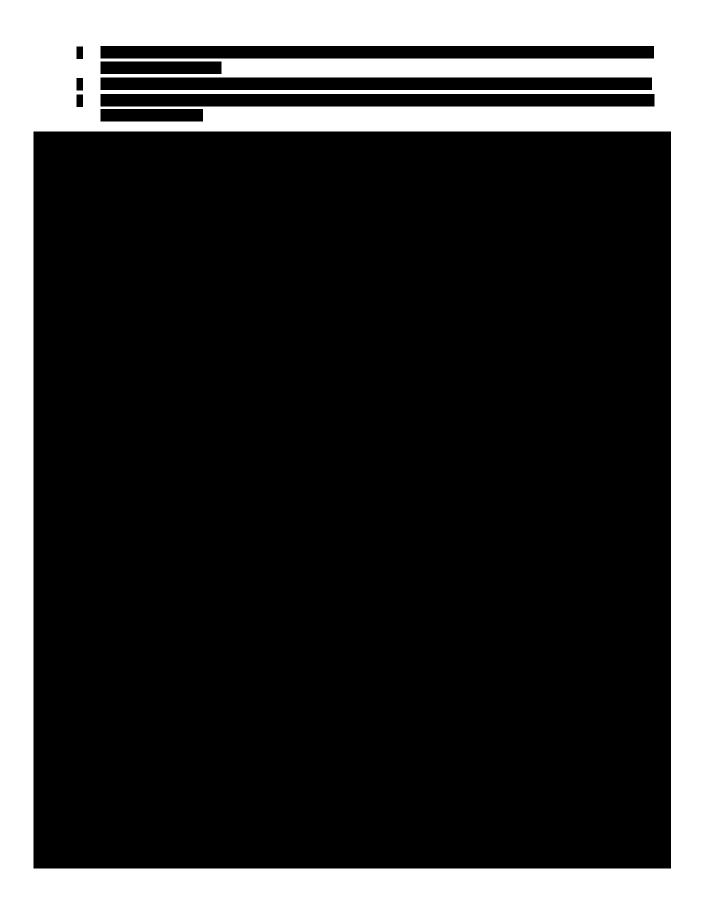


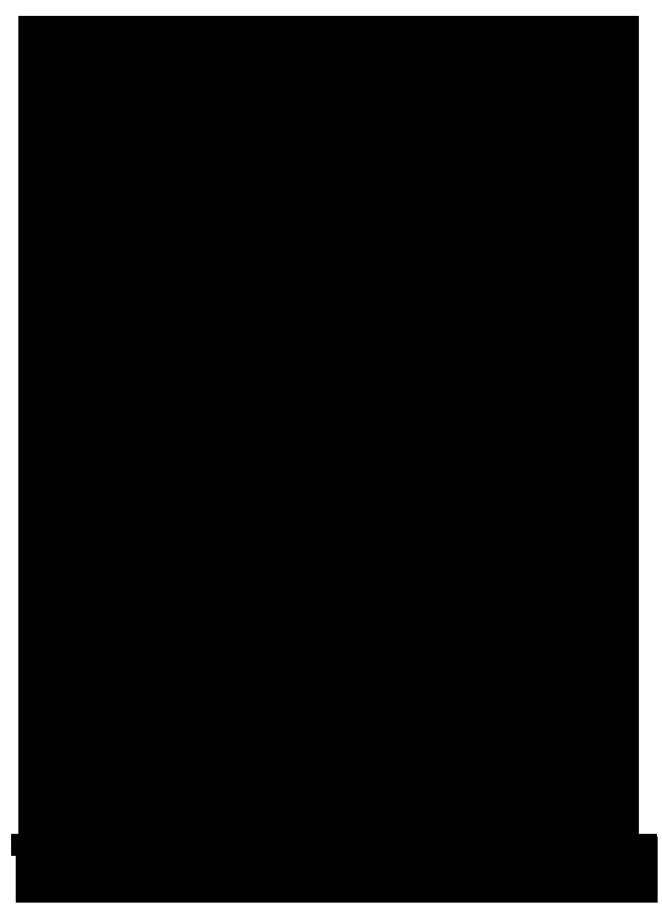




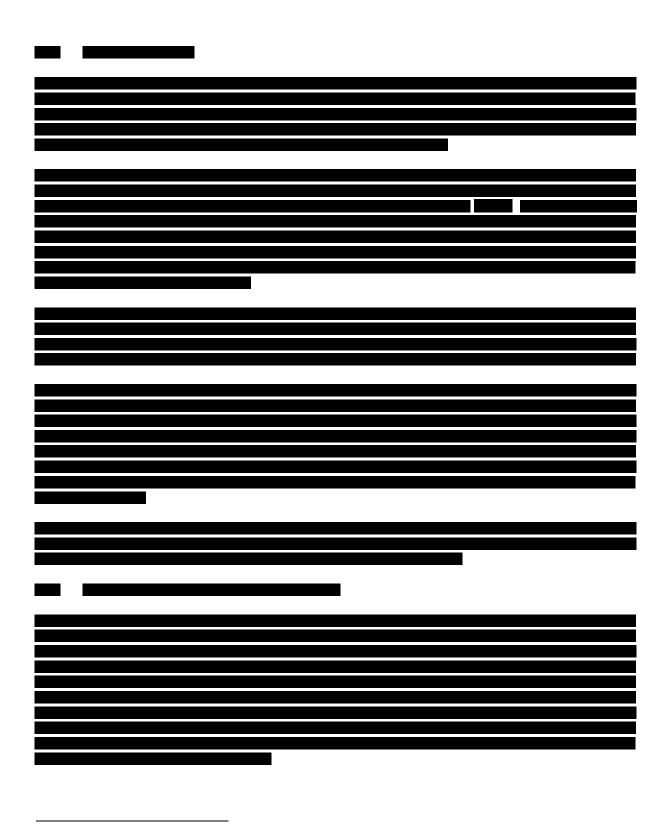


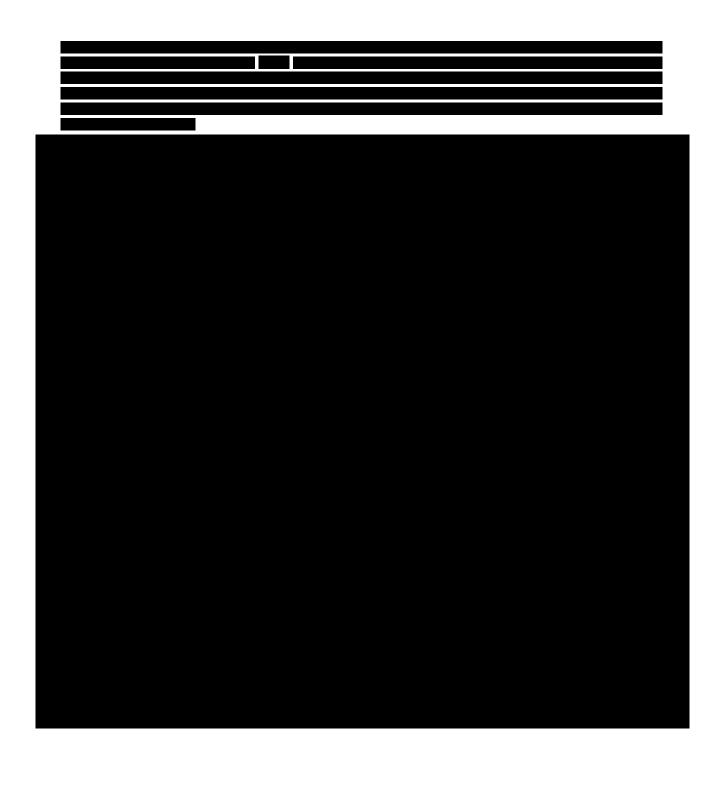




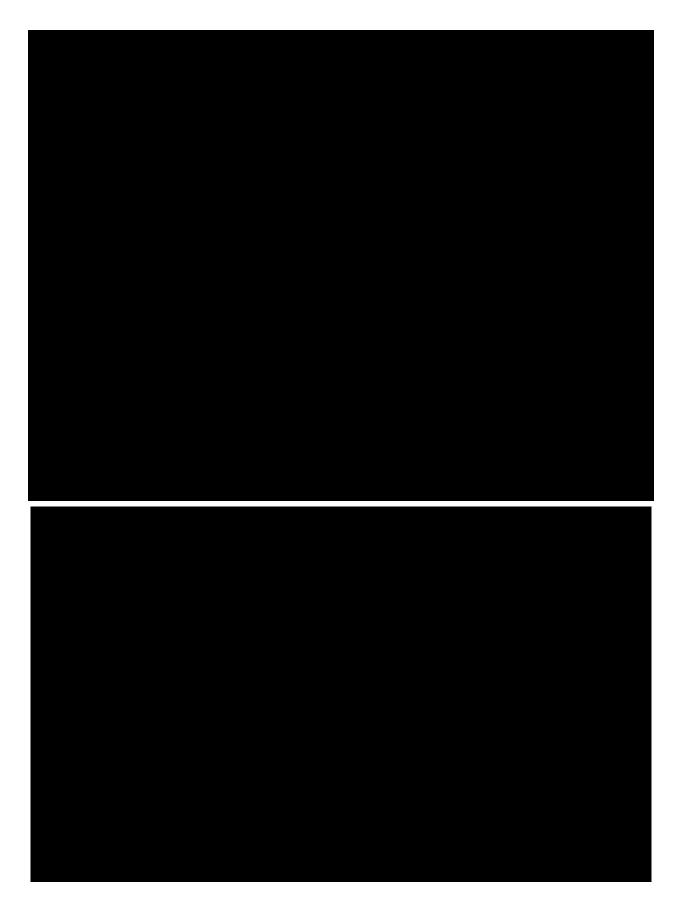


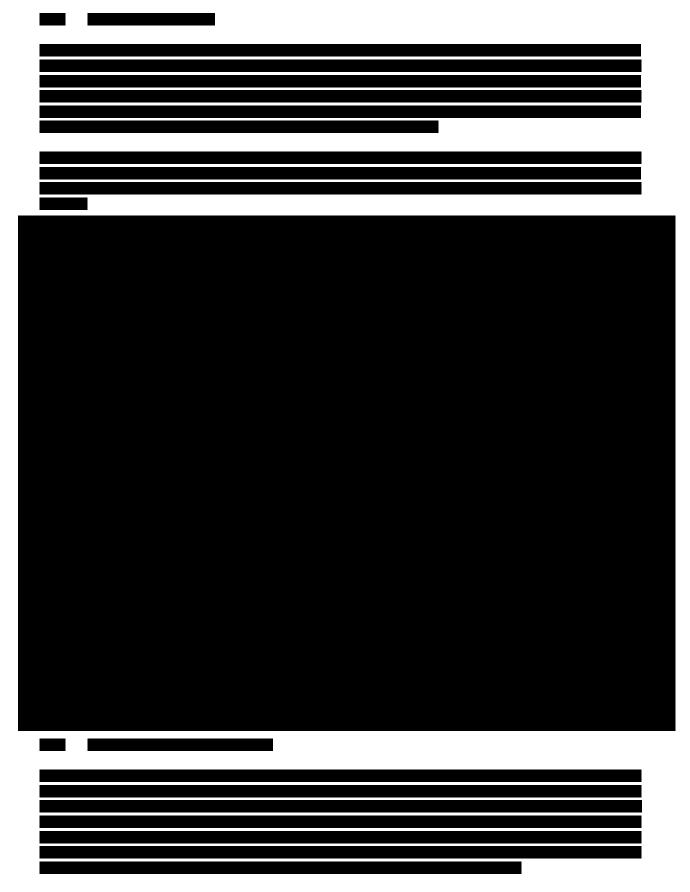






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IMPACT ASSESSMENT

25.0 Description of Proposed Activities

The 3,275ha of Riverhead Forest owned by Te Kawerau a Maki was returned as commercial redress in our 2014 Treaty Settlement. Its return was for the sole purpose of creating a foundation for the future prosperity and economic wellbeing of our people. It is currently under a commercial pine forestry license and large parts of the land will likely continue to be forested for several more cycles. A long-term plan for the land is still under development but will likely have a 100-year lens.

This means the scope of this report, which is the land holding as a whole, will need to be updated as specific future activities are identified and planned.

In 2014/2015 approximately 300ha of the land on the southeast corner surrounding Riverhead township was upzoned by Te Kawerau a Maki during the Auckland Unitary Plan (AUP) hearings. The purpose of the upzoning was for housing development. During the hearings we requested deviation from the standard zone density calculations, on the basis this is a unique Treaty Settlement circumstance and that we had the land area and scale to provide alternative solutions to matters like infrastructure and ecological enhancement.

The current proposal is to unlock 'Stage 1' and 'Stage 2' of development of our Riverhead Forest lands through two precincts within the upzoned area. The first stage is the development of an approximately 208 single house 1ha (on average) lots on a block to the west. The second stage is the development of a 296 lot retirement village on a block to the east. The author has not at this time been provided with any documentation or detailed plans of the proposed development, including technical reports (other than archaeology), earthworks volumes, or infrastructure solutions. This assessment is subsequently necessarily based on a high-level understanding of the proposal based on a series of hui with the development partner, and a copy of the draft scheme plans reproduced below.

The high-level activities include:

- Development of 208 1ha single house lots with on-site wastewater and potable water solutions
- Development of 296 retirement village units as well as a large retirement care facility and associated commercial buildings
- Creation of collective on-site wastewater infrastructure
- Creation of access roads
- Creation of recreation paths and trails
- Bulk earthworks to establish building platforms in Stage 1 and 2
- The layout of the proposed subdivision and retirement has been determined by the sites topography and required setbacks from wetlands, permanent and intermittent watercourses
- Revegetation of the non-urban landscape into native forest

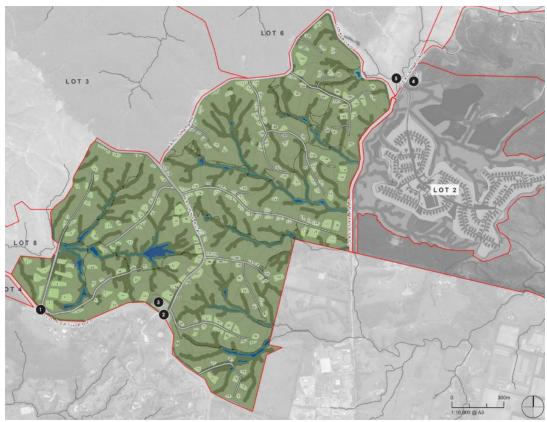


Figure 19: Plan of Stage 1 showing the 1ha residential lots and revegetation areas



Figure 20: Plan of Stage 2 showing the retirement village lots and revegetation areas



Figure 21: Plan of Stage 2 showing the retirement village lots and revegetation areas

26.0 Potential Direct Impacts

Direct temporary and permanent **adverse** impacts are likely to arise from bulk earthworks unless earthwork neutrality across the Site (Riverhead Forest) can be achieved. There could also be potential for temporary adverse impacts arising from sedimentation to waterways during this phase of work. Temporary adverse noise impacts may also arise. However, temporary direct adverse impacts arising from the development would be within the existing impact baseline that occurs when the current activity of pine forestry undergoes harvest cycles. While there may remain permanent adverse impact from earthworks (depending on cut-fill neutrality), temporary impacts of development would be one-off which would be an improvement to the current pine forestry impact cycle. These impacts can be categorised as negative impacts to the mauri of the whenua and areas of native habitat.

Direct permanent **beneficial** impacts include the retirement of pine crop rotations and hence the restoration of native forest cover over much of the land, the enhancement of natural waterways and wetlands, the provision of housing for Te Kawerau ā Maki members and manuhiri (public) and unlocking the economic engine of our recovery as a tribe. These impacts can be categorised as positive impacts to the mauri and wairua of the whenua, awa, habitat, and economic wellbeing and mana of the iwi.

27.0 Potential Indirect Impacts

Indirect temporary **adverse** impacts are likely to arise when undertaking enabling works through the disturbance of native animals, particularly birds, bats, and lizards. Birds and bats as mobile fauna can relocate but their behaviour, in particular nesting, would be temporarily altered. There may also be temporary adverse impacts from discharge to waterways that ultimately reach the main waterbodies of the catchments. Erosion could also be accelerated during bulk earthworks if not staged correctly. However, these adverse impacts arising from the development would be within the existing impact baseline that occurs when the current activity of pine forestry undergoes harvest cycles. A potential permanent indirect adverse impact is the slight increase in light pollution from the development that would alter the nighttime ecology and mauri of the area which is known for its darkness. These impacts can be categorised as negative impacts to the mauri and wairua of the whenua. We strongly reject that there are any setting impacts to existing properties within viewshafts to our land – we are tangata whenua and the only 'reverse sensitivity' is to us from manuhiri developing our lands historically while we were being marginalised (as acknowledged by the Crown in our Settlement).

Indirect permanent **beneficial** impacts are likely to be increased ecological values in particular birdlife both on site and in surrounding properties, greater long-term protection of headwaters of Rangitoopuni and Kumeuu rivers, and elevating the profile of the iwi with the public and demonstrating positive manaaki for people including through provision of walking trails. These impacts can be categorised as positive impacts to the mauri, wairua, and mana of the land and iwi.

28.0 Potential Cumulative Impacts

Cumulative temporary **adverse** impacts are likely to arise from construction elements such as traffic movements, potential for accidental sedimentation, and noise within a context of other contemporaneous developments happening on the lowlands to the immediate west of Riverhead township. However, these adverse impacts arising from the development would be within the existing impact baseline that occurs when the current activity of pine forestry undergoes harvest cycles. There is a potential permanent adverse impact from increased light pollution, particularly given some of the puurakau such as related to the site Poohuri.

Cumulative permanent **beneficial** impacts are likely to be strengthening a key section of the Northwest Wildink⁴, increasing native habitat and ecology in the area, helping protect or even grow threatened or endangered flora and fauna (i.e. kauri), increasing provision of more formalised recreation for the public via pathways and trails, protecting the Kumeuu and Wai Roa o Kahu waters by retiring forestry from this part of the land, providing more housing and aged care in a growing Auckland, raising the profile of our iwi, supporting the economic development of our iwi, and helping fund the construction of our marae and papakaainga which we have been without for the past 100 years. These impacts can be categorised as positive impacts to the mauri, wairua, and mana of the land, our iwi, and our manuhiri.

29.0 Summary of Effects by Site

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

⁴ https://www.forestandbird.org.nz/projects/north-west-wildlink

Table 3: Summary of potential cultural impacts by Site						
Name	Summary of impact	Level of Impact	Significance of effect	Proposed mitigation	Residual effect	Offsetting
Rangitoopuni Forest	Permanent direct beneficial impact from developing the land for its intended purpose as commercial redress for economic development of the iwi	Major Beneficial	Large Beneficial	-	Large Beneficial	1
Whatatii	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Kaipaakau	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Pukeharekeke	Temporary direct and indirect adverse impact from bulk earthworks and staging along the eastern section of the ridgeline altering its visual and spiritual context, however likely permanent direct beneficial impacts from vegetation regeneration and cultural interpretation	Minor Adverse	Minor Adverse	Native revegetation, street naming, walking paths, and cultural interpretation	Moderate Beneficial	
Onewherowhero	Temporary and permanent direct and cumulative adverse impact arising from earthworks within the catchment, potentially reducing the resource of the red clays where/if encountered	Minor Adverse	Moderate Adverse	Native revegetation, street naming, walking paths, and cultural interpretation	Negligible Adverse	-
Kaiakeake	Temporary direct adverse impact arising from earthworks within the area, noting however the site is a landform feature and not otherwise sensitive to minor earthworks	Negligible Adverse	Minor Adverse	Native revegetation, street naming, walking paths, and cultural interpretation	Moderate Beneficial	-

Name	Summary of impact	Level of Impact	Significance of effect	Proposed mitigation	Residual effect	Offsetting
Poohuri	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Moaruku	Temporary direct adverse impact arising from earthworks within the area and potential discharge to the stream	Negligible Adverse	Minor Adverse	Native revegetation, street naming, walking paths, stream set- backs, and cultural interpretation	Moderate Beneficial	-
Kauheka	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Te Ara Rimu	Direct interaction from development, however the nature of the feature will not be impacted provided the ridgeline is maintained	No change	Neutral	Native revegetation, street naming, walking paths, and cultural interpretation	Neutral	-
Midden Site R10_916	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Various Streams	Temporary direct and indirect adverse impact arising from earthworks within the area and potential discharge to streams	Moderate Adverse	Moderate Adverse	Native revegetation, stream set- backs	Large Beneficial	-
Native Vegetation	Temporary direct and indirect adverse impact from enabling works, however noting this is within the current impact baseline	Negligible Adverse	Negligible Adverse	Native revegetation	Large Beneficial	-
Native Animals	Temporary direct and indirect adverse impact from enabling works, however noting this is within the current impact baseline	Negligible Adverse	Negligible Adverse	Native revegetation	Large Beneficial	-
Rangitoopuni	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-

Name	Summary of impact	Level of Impact	Significance of effect	Proposed mitigation	Residual effect	Offsetting
Manga Rangitoopuni	Temporary indirect and cumulative adverse impact from risk of upstream discharges and sedimentation during enabling works, and permanent beneficial through native revegetation	Negligible	Minor	Native revegetation	Minor Beneficial	-
Te Wairoa o Kahu	Temporary indirect and cumulative adverse impact from risk of upstream discharges and sedimentation during enabling works, and permanent beneficial through native revegetation	Negligible	Minor	Native revegetation	Minor Beneficial	
Te Ahu	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Тирара	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Rakau Turua	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Manga Mahoenui	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Onehungahunga	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Te Pane o Poataniwha	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Te Waatira	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Kaa Taha	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-

Name	Summary of impact	Level of Impact	Significance of effect	Proposed mitigation	Residual effect	Offsetting
Orangikaanohi	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Taurangatira	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Papakooura	Temporary direct adverse impact arising from earthworks within the area and potential discharge to the stream	Negligible Adverse	Minor Adverse	Native revegetation, street naming, walking paths, stream set- backs, and cultural interpretation	Moderate Beneficial	-
Piitoitoi	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Te Tooangaroa	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Wai paki i rape o Ruarangi	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Parewhakahau	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Tuuraki awatea	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Te Awa Kumeuu	Temporary indirect and cumulative adverse impact from risk of upstream discharges and sedimentation during enabling works, and permanent beneficial through native revegetation	Negligible	Minor	Native revegetation	Minor Beneficial	-
Ihumatao	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Patumaahoe	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-

Name	Summary of impact	Level of Impact	Significance of effect	Proposed mitigation	Residual effect	Offsetting
Waikoukou Awa	Temporary indirect and cumulative adverse impact from risk of upstream discharges and sedimentation during enabling works, and permanent beneficial through native revegetation	Negligible	Minor	Native revegetation	Minor Beneficial	
Kahutoopuni	Outside of development footprint of Stage 1 and 2	No change	Neutral	-	Neutral	-
Manga Awarimu	Temporary indirect and cumulative adverse impact from risk of upstream discharges and sedimentation during enabling works, and permanent beneficial through native revegetation	Negligible	Minor	Native revegetation	Minor Beneficial	-

30.0 Summary of Effects by Domain

Potential effects generalised by domain are outlined below.

Table 4: Summary of potential cultural impacts by Domain

Cultural Domain	Present	Description of Impact
(Resource)	(Impacted)	(Mana, Mauri, Wairua, Tapu)
RANGINUI (dark skies, stars, rain, light)		The site is currently in a wilderness area and lighting is likely to cause impacts to the darkness (wairua) of the night, the cumulative ability to see stars, and the behaviour (mauri) of nighttime animals
PAPATUUAANUKU (productive soils, geologic features, minerals, landform)	\boxtimes	Bulk earthworks may remove the reddish soils of Onewherowhero if encountered (mauri)
TAANE (native terrestrial flora and fauna)		While some native trees and animals may be impacted the land is currently commercial pine forest so are not a major consideration with the exception of the riparian corridors and temporary disturbance of bird and bat roosts (mauri)
PARAWHENUAMEA (fresh waterways, waterbodies, native aquatic flora and fauna)		Earthworks may cause sediment discharge during construction and stormwater discharge from roads and driveways could cause minor impacts without mitigation via land of vegetated filters (wairua, mauri)
TANGAROA		N/A

(sea, coastline, native marine flora and fauna)	
TAAWHIRIMAATEA (air quality)	Dust during construction could temporarily impact air quality and odour, while conversion from pine to housing may have a temporary negative impact on carbon this will become a positive sequestration in the long-term via native revegetation (mauri)
TUUMATAUENGA (waahi tapu, waahi tupuna, marae, papakaainga, mahi toi, presence/visibility of Te Kawerau on the site)	Several sites associated with Te Kawerau ancestors or customary resources may have their settings or other elements impacted temporarily however design and interpretation should help improve their settings and values in the long-term (wairua, tapu)

CONCLUSION

The proposal, at this time, is to develop approximately 208 residential units within Lot 1 and 296 retirement units within Lot 2 of our Treaty Settlement land at Riverhead Forest. The wider landholding is 3,275ha and is commercial redress land currently under a commercial pine forestry. The land is of extremely high significance given it is land returned to the iwi as redress for the Crown's historic breaches of Te Tiriti o Waitangi. It is equally important because its core purpose is to generate and economic baseline for our people.

The cultural context of the site includes the Rangitoopuni Stream catchment to the east, and the Kumeuu River catchment to the west, linked by pathways such as Te Ara Rimu and Te Tooangaroa (The Kaipara Portage). The land is surrounded by sites of significance to Te Kawerau a Maki including important 18th century peace-making sites such as Rangitoopuni itself, historic kaainga sites such as Taurangatira, and landmarks such as Te Pane o Poataniwha. Within the Site itself are places associated with resources such as Onewherowhero, or with stories such as Poohuri. The elevated and clay lands of Riverhead Forest itself was not permanently occupied by our people because it was not suitable for cultivations.

There are 39 sites or cultural resources within the Study Area and 14 of these sit within the Site. Potential impacts to these features and associated values were assessed and 13 adverse impacts were identified at the primary (pre-mitigation) stage. Only two of these are considered 'more than minor' or 'significant'. This is partly because the existing impact baseline from forestry harvesting cycles is similar to the type of impact encountered during the construction phase of development (i.e. ground clearance). Secondary stage (post-mitigation) impacts identified 13 beneficial impacts (improvements from the status quo). Only one adverse impact remained, though at a negligible level. The reason for beneficial impacts is primarily from the extensive native revegetation regime being proposed, combined with recreational access, cultural interpretation, and economic wellbeing for the iwi.

As noted in this report the enablement of iwi development, in particular of Treaty Settlement land, is a matter of national significance under Te Tiriti and the legal resource management framework. The Rangitoopuni development is also listed in schedule 2 of the Fast-track Approvals Act 2024. At a local level there are specific provisions in the Auckland Unitary Plan directing the enabling of iwi to develop commercial redress land.

Riverhead's importance is not just a matter of ancient history but is also part of our contemporary history and is intimately tied to the iwi's future. The unlocking of the lands economic potential is a central to the purpose of the land and the Crown's redress for our economic wellbeing. This being said it is equally important to Te Kawerau a Maki that we follow our tikanga in particular our kaitiakitanga to be good stewards of te taiao and the land. We have been co-designing the project to ensure that ecological and cultural values are equally valued with economic uplift. As can be shown from the impact assessment, we believe this has been achieved for Stage 1 and 2 of the development.

It is vital that this development proceed as part of realising the core purpose of the land as commercial redress land in our Treaty settlement. The recommendations in this report help ensure that the manner in which this is achieved follows our tikanga and is embedded in our Te Kawerautangta – the point of difference here from any other developer.

RECOMMENDATIONS

Recommendations below are grouped under the broad domains noted earlier in this report. They are organised this way to try to articulate the unique whakapapa and tikanga of different types of 'resources'. It is vital that this development proceed as part of realising the core purpose of the land as commercial redress land in our Treaty settlement. The recommendations help ensure that the manner in which this is achieved follows our tikanga and is embedded in our Te Kawerautangta – the point of difference here from any other developer.

RANGINUI:

1. Lighting design that limits light pollution is encouraged to reduce cumulative effects on dark skies and night-time ecology. This may include use of low-temperature LEDs that emit softer light; downward directional lighting; timers/motion detectors to limit the amount of time lighting is used; or light shields to limit horizontal light spill.

PAPATUUAANUKU:

- 2. Significant modifications to the ridgelines and peaks of hills such that the interpretability of the landform is changed should be avoided and these landforms should be protected in perpetuity.
- 3. Earthworks should be kept to a minimum practicable and cut-fill neutrality on site or across the site as a whole achieved to the greatest extent possible.
- 4. Earthworks and landform modification should be reduced wherever possible by adopting foundation design that sits lightly on the land such as pile foundation rather than benched ongrade when on visually sensitive locations.
- 5. Where possible topsoil should be retained on site and reincorporated into landscaping.
- 6. Where cut material cannot be reincorporated within the site boundaries it should (in order of preference) be deposited within the local (catchment), takiwa (district), or rohe (northern half of the Auckland region).
- Robust sediment controls will be required to avoid any discharge of sediment to natural waterways.
- 8. Winter or wet season earthworks should be avoided.
- 9. Earthworks should be staged so that cumulative impacts to the catchment from risk of sedimentation (both within the site and in combination with other developments) is reduced and managed.
- 10. Clean-fill should be constructed to avoid waterways, wetlands, or overland flow-paths and outside of flood-prone areas. It will require remediation upon completion by way of the establishment of a korowai o Tāne or native planting.
- 11. Development on the tihi (peak) of puke or maunga should be avoided as these spaces are considered tapu, and ownership of the peaks should be retained by Te Kawerau a Maki to ensure we have control of our own wahi tohu.
- 12. Development on top of ridgelines should generally be avoided and where they cannot be avoided design should ensure that the urban form is subservient to the natural form (i.e. placement of houses so that rooflines do not dominate the ridgeline).
- 13. The following sightlines or viewshafts need to be retained to avoid severing the visual and spiritual connection to this part of the cultural landscape:
 - a. Whatatii to Kaiakeake
 - b. Whatatii to Kahutoopuni
 - c. Kaiakeake to Taurangatira
 - d. Kaiakeake to Rangitoopuni
 - e. Whatatii to Kaipaakau to Pukeharakeke

TAANE:

- 14. It is recognised the majority of the site is covered in commercial pine forest, and our values apply principally to the native vegetation running along the stream corridors at the bases of valleys, and to the native fauna (birds and bats) that may roost within the pines, rather than the pine forest itself.
- 15. Removal of native vegetation should be avoided, and where not possible, reduced and minimised. Mature trees or rare or threatened species should be avoided in all but exceptional circumstances and only with our agreement.
- 16. Where native vegetation, and particularly mature trees, are removed this will require a 1:2 minimum replacement with native eco-sourced species appropriate to the area.
- 17. Where available native plantings should be sourced from a Te Kawerau a Maki authorised nursery.
- 18. Any significant or large native timber that will be removed from the site should be first offered to Te Kawerau a Maki for cultural harvest.
- 19. Care should be taken to identify and manage any areas of Veronica jovellanoides.
- 20. Any vegetation removal or earthworks should be undertaken in strict accordance with kauri dieback hygiene protocols when in kauri areas (which are likely to only be in the northern section of the landholding).
- 21. Removal of vegetation and earthworks should be undertaken in such a way as to avoid or minimise injury or mortality to native birds, bats and reptiles including through survey, translocations, management plans and seasonality. There are a large population of pekapeka that frequent through the forest, and our kaitiaki officers have been monitoring for some time. It is important we are involved in this process.
- 22. A comprehensive weed and pest management plan for the development should be in place and designed by Te Kawerau a Maki, including a long-term (i.e. inter-generational) timeframe scope, primary and secondary planting plan, nursery protocols, and maintenance plan including procurement of Te Kawerau people in all stages of delivery.
- 23. Areas of existing native bush, and areas of future native forest regeneration, should be retained in title ownership of Te Kawerau a Maki. Where this is not possible, access easements or covenants should be in place to ensure we are not alienated from our taonga and lands again.

PARAWHENUAMEA:

- 24. Modifications to natural waterways including river or lake beds should be avoided and these waterways should be protected in perpetuity.
- 25. The underlying title of all permanent streams should remain in Te Kawerau a Maki title as we do not accept that any private individual owns our ancestral waters. Where this is not possible, access easements or covenants should be in place to ensure we are not alienated from our taonga and lands again.
- 26. A 50m averaged development setback from the puna/waterway/wetland should be maintained and an esplanade reserve / riparian yard established and covenanted.
- 27. Any set-back should be revegetated (or enhanced) to ensure maximum filtration and habitat protection/enhancement.
- 28. The direct mixing of different waters (i.e. artificially connecting two unrelated streams, or direct discharge of urban stormwater to a stream) should be avoided and mediated by first passing through or across the whenua.
- 29. A treatment-train or water-sensitive design approach should be taken such as a combination of retention/detention tanks, permeable surfaces, tree pits/vegetated swales, ponds or wetlands, and proprietary devices prior to discharge.
- 30. Any direct outfall to a waterway should be avoided or designed via wetland or riprap to avoid scouring.
- 31. The use of water tanks will be required for potable, grey water, and outdoor use as the development is not connected to the public reticulation system.
- 32. Water takes from the waterway/puna should be avoided, and where unavoidable, should only occur when the baseline levels, recharge rate, and long-term monitoring are in place.

- 33. An appropriate secondary or tertiary on-site wastewater disposal system to land with appropriate native plantings, and set back 100m or more from any waterway, should be designed as this is the most culturally appropriate way to treat human waste.
- 34. Wastewater discharge or infrastructure should completely avoid natural waterbodies.
- 35. Works within or adjacent to waterways or waterbodies should avoid or minimise injury or mortality to native aquatic species including through survey, translocations, management plans and seasonality.

TAAWHIRIMAATEA

- 36. Dust should be carefully managed to avoid impacts to human health and the environment (where it can become a large source of sediment). This may include 'wetting down' excavated surfaces and haul roads periodically or other methods including road surfacing design.
- 37. Particulate matter (including PM10 and PM2.5) generated from industrial processes such as disposal of waste associated with healthcare facilities should be managed (i.e. through industrial scrubbers, using cleaner-burning fuels) to avoid or minimise air pollution impacts to human and environmental health.
- 38. Gas emissions (mostly NO₂, SO₂, CO, CH₄ and O₃) from construction activities should be managed to avoid or minimise impacts to human and environmental health including odour and greenhouse effects.
- 39. Thermal and energy efficient design is strongly encouraged to lessen cumulative impacts on the energy sector.

TUUMATAUENGA

- 40. Development should avoid all significant peaks or ridgelines, in particular the tihi or high point of Kaiakeake, Poohuri, Pukeharakeke, Kaipaakau, and Whatatii.
- 41. Ownership of Kaiakeake, Poohuri, Pukeharakeke, Kaipaakau, and Whatatii, or at a minimum their peaks or high points, should remain in the title ownership of Te Kawerau a Makl to ensure we are not alienated from our taonga and lands again.
- 42. The above sites, or at a minimum their peaks, should be avoided or set aside from development, fenced off / have permitter planting with flax, and generally have cultural design applied to them.
- 43. Other than the above there are no known areas of waahi tapu such that development needs to be restricted, other than as noted in the other provisions set out in these recommendations.
- 44. For earthworks or ground disturbance the earthworks/foundation contractors and the project geologist/engineer need to be well versed with the Accidental Discovery Protocol of the Auckland Council Unitary Plan, and undergo an cultural induction by our team.
- 45. Te Kawerau a Maki kaitiaki officers should be provided the opportunity to carry out a resourced site visit at the time of topsoil stripping/preparation of the subgrade.
- 46. Any archaeological material encountered and archaeologically excavated should where possible be retained/reinterred on site via either landscaping or the creation of a set-aside taonga area with a covenant/gazette and owned by Te Kawerau a Maki. Such areas should be proactively identified (i.e. prior to any works).
- 47. Sightlines or viewshafts noted in recommendation 13 need to be retained to avoid severing the visual and spiritual connection to this part of the cultural landscape.
- 48. The development should incorporate ways to celebrate the history and importance of the land by providing Te Kawerau ā Maki opportunity for cultural design, mahi toi (art), and interpretive elements, including:
 - a. Road naming
 - b. Open space naming
 - c. Sculptural elements that have a tikanga or function such as pou whenua or waharoa
 - d. Wayfinding such as at key viewing platforms
 - e. Built design elements such as use of cultural patterns in bridges, rails, and buildings
 - f. Interpretation boards and a development booklet on our identify and history
 - g. Waananga or cultural interaction spaces

GENERAL

- 49. After 170 years of being alienated from the land it is imperative that Te Kawerau a Maki are not alienated from the sites of significance and key natural resources within the landholding, namely:
 - a. Kaiakeake, Poohuri, Pukeharakeke, Kaipaakau, and Whatatii
 - b. Permanent streams, lakes and wetlands
 - c. Areas of native bush or forest
- 50. Procurement opportunities should be a key part of the development including:
 - a. Procurement and long-term maintenance of native plants from a Te Kawerau a Maki nursery
 - b. Weed and pest control by Te Kawerau a Maki pest control teams
 - c. Cultural design opportunities
 - d. General contracting opportunities (i.e. building, infrastructure)
- 51. Cultural protocols should be undertaken on this site by way of cultural induction for any contractors working on the land, and appropriate tikanga followed such as karakia prior to works.
- 52. Cultural monitoring is required on this site to ensure the above values and impacts are managed in accordance with tikanga. Monitoring would consist of full time monitoring for the duration of site works.
- 53. Ongoing engagement at all levels of design, planning, works, and maintenance will be required.

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