



CULTURAL VALUES AND IMPACTS ASSESSMENT REPORT

Waka Kotahi New Zealand Transport Agency

Northern Corridor section 2B

April 2026



Looking north towards two maunga of Te Uri o Hau - Pukekaroro and Pukearenga, showing the area where the new motorway is proposed to pass through. (Credit: Huege de Serville, 2026)

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In October 1856, using Tokatoka Peak for a trig station, Te Kopuru stream as northern boundary, a 12,000-acre (4,500 hectare) block from the Tasman Sea to the Northern Wairoa was sold for £350. Eager as they were to surrender the land, Te Uri o Hau tūpuna and landowners Paikea Te Hekeua, Manukau Rewarewa, and 27 other signatories still lamented their action. This quote shows their poignant feelings and how the deed of sale of their land expresses their sorrow:

"We have entirely given up and wept over and bidden farewell to this land inherited from our forefathers with its river its lakes its streams its springs its timber its stones and its grass with its plains its forests its fertile spots and its barren places and all and everything above the surface of the said Land or beneath the surface of the said Land and all and everything connected with the said Land we have now forever delivered up to the Queen of England..."

(Smith, 1987)

Te Uri o Hau Whakapapa

Ko te tūpuna taketake o Te Uri o Hau, Ko Haumoewaarangi.

Ka moe a Haumoewaarangi i a Waihekeao,

Ka puta ki waho ko a raua tamariki tokowhitu: ko Makawe, ko Mauku, ko Whiti,

ko Weka, ko Riunga, ko Rongo me Hakiputatomuri.

Ka puta i a Hakiputatomuri ko ngā uri matinitini e mohiotia nei i tēnei wā,

Ko Te Uri o Hau.

According to the traditions of Te Uri o Hau, the eponymous ancestor of Te Uri o Hau is Haumoewaarangi.

From the marriage of Haumoewaarangi with Waihekeao came seven offspring:

Makawe, Mauku, Whiti, Weka, Riunga, Rongo and Hakiputatomuri.

From Hakiputatomuri came many descendants known to this day as

Te Uri o Hau

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CONTACT INFORMATION AND REPORT DETAILS

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This version of the Cultural Values Assessment has been redacted for public release.

Certain information has been withheld at the request of the cultural authors and mana whenua representatives to protect culturally sensitive information. The redacted information includes matters relating to mātauranga Māori, wāhi tapu, sites and places of cultural significance, and other information considered inappropriate for unrestricted public disclosure.

The redactions do not alter the overall conclusions or recommendations of the assessment.

INTRODUCTION

Waka Kotahi - New Zealand Transport Agency, its contractors and potential Public Private Partnership (PPP) (the 'Applicant') seeks to build a new alternative road to enable better connection to the north. Engagement with Environs Holdings Limited (Environs) on the Northern Corridor activity is being undertaken in staged sections. This cultural values and impact assessment report (CVIA) is for section 2B of the Northern Corridor activity.

This CVIA outlines the adverse effects of this activity on Te Uri o Hau rangatiratanga and their ability to exercise mana whakahaere, this activity contributes to the historical and ongoing contemporary land loss and the removal of customary practice for Te Uri o Hau. The Applicant has engaged with Environs to identify waterways, taonga species and sites of significance, and maintaining and enhancing mauri of these are central to Te Uri o Hau as kaitiaki.

Environs have assessed this activity as resulting in permanent, irreversible and irreplaceable loss. This activity will directly impact upon the mauri, whakapapa, and cultural identity of the landscape in the rohe of Te Uri o Hau. The Applicant must understand that the scale and severity of the effects of this activity cannot be fully avoided, remedied, or mitigated, and represents an enduring loss for generations of Te Uri o Hau. The recommendations in this CVIA set out the framework through which Environs seeks binding commitments from the Applicant to address and respond to this loss for Te Uri o Hau. Any support from Te Uri o Hau is strictly conditional and must not be interpreted as general or unconditional support for the activity. Any support in principle is dependent on the Applicant agreeing to and securing robust avoidance, mitigation, offsetting, redress, and enforceable commitments to address the adverse effects identified in this report. Without those matters being fully secured, Environs will not support the activity.

To assist the Applicant to meet their obligations through relevant legislative safeguards for Te Uri o Hau this report takes into consideration the following:

- Wāhi tapu and sites of significance;
- Cultural heritage sites and features (i.e. Archaeological sites);
- Protection of taonga species and their ecological habitats;
- The relationship and the protection of water, water quality and its tributaries;

- Connections to whenua; and
- The preservation of Te Uri o Hau hītori, pūrākau, customary practices and reo Māori

Considerations for this report

- This report has been prepared specifically for the Applicant. Environs have used the accuracy of the latest data, analyses, designs, plans and other information provided by or on behalf of the Applicant to complete this report. Except as otherwise stated, Environs has not independently verified the accuracy or completeness of the data information.
- This CVIA is intended to be a living document. As the project progresses, new cultural information, site discoveries, or changes in project scope may require updates or additions. The Applicant is required to work in ongoing partnership with Environs consistent with Te Tiriti o Waitangi, Te Uri o Hau deed of settlement and relevant statutory obligations to incorporate any further cultural values, effects or required mitigations into future revisions of this document. To recognise and provide for Te Uri o Hau rangatiratanga and exercising their mana whakahaere.
- Environs acknowledge other specialist reports that are still in the draft phase. Applicant information that is included at the time of completing this report but may require further updates and reviews of the CVIA as required.
- This report will support the Applicant's fast track application and resource consent process, however there will still be further engagement with Environs that is needed leading up to the fast-track application and through the resource consent process.

Proposed activity

The Northland Corridor Project is part of the Roads of National Significance (RoNS) programme, confirmed in the 2024 Government Policy Statement on Land Transport. It is a 100km stretch of four-lane, mainly grade-separated expressway, connecting Auckland and the North. The project is designed to improve transport connections, enhance regional economic growth, and increase resilience across Northland. It aims to provide safer, more efficient transport infrastructure that meets the needs of local communities, businesses, and visitors, including upgrades to existing highways, construction of new routes, and enhancements to key freight and transport links.

The activity will build a new alternative road through the Brynderwyns for the National Roads of Significance – Northern Corridor section 2B. The current State Highway 1 through the Brynderwyns has been repaired but is only a temporary fix. The Northern Corridor section 2B is from Baldrock Road/Pukekaroro in the south to Waipū in the north. Te Uri o Hau interest covers from Baldrock Road/Pukekaroro to the summit of the Brynderwyns where Artillery Road comes out.

TE URI O HAU

Mandate

Te Uri o Hau was formally acknowledged by the Crown in 2000 for the loss of their natural and cultural resources. This was legislated in 2002 and became known as Te Uri o Hau Claims Settlement Act 2002, legally establishing Te Uri o Hau Settlement Trust. The responsibility of Te Uri o Hau Settlement Trust is to provide for the spiritual, cultural, social and economic wellbeing of their descendants.

The purpose of this Act is to:

- (a) record the apology given by the Crown to Te Uri o Hau in the deed of settlement executed on 13 December 2000 by the Minister in Charge of Treaty of Waitangi Negotiations, the Honourable Margaret Wilson, for the Crown.
- (b) to give effect to certain provisions of that deed of settlement, being a deed that settles Te Uri o Hau historical claims.

Section 64: Distribution of applications to Te Uri o Hau governance entity

(1) The Governor-General may, by Order in Council made on the recommendation of the Minister for the Environment, make regulations, as contemplated by clause 5.2.8 of the deed of settlement, —

- (a) providing for consent authorities to forward to Te Uri o Hau governance entity a summary of any applications received for resource consents for activities within, adjacent to, or impacting directly on statutory areas; and
- (b) providing for Te Uri o Hau governance entity to waive its rights to be notified under those regulations.

(2) Nothing in regulations made under this section affects in any way the discretion of a consent authority as to—

- (a) whether to notify an application under sections 93 to 94C of the Resource Management Act 1991; and

(b) whether Te Uri o Hau governance entity may be adversely affected under those sections.

Environs is the subsidiary of Te Uri o Hau Settlement Trust which is responsible for the implementation of activities that advance the wellbeing of Te Uri o Hau people and their environment. Environs are mandated by Te Uri o Hau Settlement Trust to advocate, protect, maintain and preserve the kaitiakitanga status of Te Uri o Hau people. A summary of Te Uri o Hau Settlement Trust and Environs operations is included in Appendix 2.

Te Uri o Hau Kaitiakitanga o te Taiao

Te Uri o Hau Kaitiakitanga o Te Taiao (2011) is an environmental management plan to support Te Uri o Hau kaitiakitanga and rangatiratanga responsibilities in natural resource management within Te Uri o Hau Estates and Territory: Statutory Area of Interest.

Te Uri o Hau Kaitiakitanga o te Taiao plan provides the policies that the Crown and representative agencies, resource consent practitioners, applicants and research institutions consider and give effect to, when preparing or reviewing regional and national statements, plans, policies and strategies.

Hapū and marae

Te Uri o Hau is a hapū of Ngāti Whātua whose area of interest is in the northern Kaipara region and embraced by the Mangawhai and Kaipara Harbour and coastal marine areas. Te Uri o Hau descends from Haumoewārangi and Waihekeao through their youngest son Hakiputatōmuri. The various hapū, marae and whānau versed within Ngāti Whātua ki Te Uri o Hau traditional oratory ensure that whakapapa is sustained for the benefit of past and future generations. Te Uri o Hau tribal groups include Ngāi Tāhuhu, Ngāti Tāhinga, Ngāti Rangī, Ngāti Mauku, Ngāti Kauae, Ngāti Kaiwhare and Ngāti Kura. Te Uri o Hau includes people who affiliate to ngā marae tūtūru: Ōtamatea, Waikāretu, Ōruawharo, Waihaua and their relationship to their whānau marae, in total Te Uri o Hau have fourteen marae within their tribal boundaries.

History of the area

Initial migration and settlement of Te Uri o Hau

The following is a history that relates to the eastern side of Te Uri o Hau rohe and the significant tribal engagements during migration and settlement. As it relates to the project area, movement and portages of Te Uri o Hau is not explicitly represented in this history in term of direct mention of the Brynderwyns, however the reader must review this history in the context of how Te Uri o Hau moved and occupied its rohe in times of battles and raupatu. This provides for a historical back drop to the Brynderwyns.

The Kaipara hapū referred to collectively as Te Uri o Hau, have several lines of descent particularly to Ngāti Whātua and Tainui.

With the arrival of the Tainui waka at Ngunguru on Northland's east coast around 1250 AD, came Hotunui, a principal rangātira of the waka. After a failed attempt to build a wharenuī during the night, he named his three sons after this incident. The tuakana he named Tāhuhu after the ridge pole, the second eldest son Tahinga, after the rafters and the pōtiki, Kura, after the red sunrise in the morning. Fourteen generations later, the descendants of the three sons migrated south to the Kaipara as Ngāi Tāhuhu under the mana of Tahu Karangarua, Ngāti Tahinga under the mana of Tahinganui, and Ngāti Kura under the mana of Kura Mangotini.

Their migration came through Mangakahia to Marohemo near Ōtamatea, where Ngāti Kura decided to live on the Hukatere Peninsula. Ngāti Tahinga decided to live on the southern side of the Ōruawharo River around the Topuni /Wellsford area, and Ngāti Tāhuhu decided to live in the area from Te Arai to the Waipū inlet and across to the Arapaoa River.

Approximately at the same time the Tainui waka landed at Ngunguru, the Ngāti Whātua waka, Mahuhu ki te Rangi landed at Taporapora in the middle of the Kaipara. Ngāti Awa was living in the Kaipara when Ngāti Whātua arrived. With the death of Rongomai, the captain of the Mahuhu ki te Rangi waka, Te Po Hurihanga his son, took the waka north to Rangaunu Harbour after blaming the drowning of his father on the witchcraft of the Ngāti Awa people. Ngāti Whātua lived on the fertile Victoria Valley just south of Kaitia for three centuries before migrating south to the Hokianga.

1825 Battle known as Te Ika a Ranganui - Te Whawhai i te Waimako

In February 1825, Mangawhai and Te Hakoru (known today as Hakaru) became the site of one of New Zealand's great battles, known as the Battle of Te Ika a Ranganui. A combined hapū of about 500 Ngāpuhi, nearly all armed with muskets journeyed from their northern lands and landed their waka at Mangawhai. They travelled and met a confederation of Kaipara hapū consisting of Tainui, Te Uri o Hau, Ngāti Rongo, Ngāti Whātua and Te Roroa at Te Hakoru at the Te Waimako stream between Mangawhai and Kaiwaka.

The following account is based on extracts taken from the combined korero (stories) of the local chiefs who fought against Ngā Puhi at Te Waimako, as told to Percy Smith:

"As Ngāpuhi was expected; we met then at the head of Te Manga Kaiwaka. A hui was held to discuss the best method to meet our foes and Te Murupaenga proposed that we meet Ngāpuhi at Te Mangawhai and attack them when they attempted to land. Rewharewha of Te Uri o Hau overruled this saying; "Nawai I mea pena te matenga mō Hongi Hika": What an absurd idea to suppose that Hongi Hika could be caught like that." So, the plan was abandoned, and we decided to meet our foe at the place we later named Te Ika a Ranganui.

When the first division of Ngāpuhi arrived at the right bank of the Te Maunga Waimako they met our left flank barring passage over the stream extending towards Kaiwaka. We attacked Ngāpuhi by crossing Te Manga Waimako forcing Ngāpuhi to retreat. We caught the first fish:

“Kei au te mataika! anana! Mate rawa! Mate rawa!” Then Hongi’s main division arrived, and we were met with a storm of bullets, which drove us back cross the Te Waimako stream to our lines.

Again, we charged down to the stream, only to be driven back by the guns and losing a large number of our men, but we stood our ground fighting hand to hand against Ngāpuhi. We rallied, ‘Korahi, Korahi!’ but 120 of us fell in one heap before the guns of Ngāpuhi. Seeing that the battle was lost, we retreated to our waka and escaped.

We would have perished that day but for the foolishness of Ngāpuhi. That day the waters of Te Waimako ran red with our blood and its waters are tapu our people none of whom will drink its waters, however thirsty they may be. We later returned to the Kaipara with a “taua hiku toto” war party and surprised a taua of Te Parawhau and killed them. Hongi’s army was then at Ōtamatea.”

(Te Puriri, ratou Paikea Te Hekeua, Te Toko, Tieke, Hauraki Paore me etahi atu 1860).

According to transcripts, the confederation of Kaipara hapū possessed a small number of muskets. Many of the Kaipara people were killed during that period and the area was declared tapu. For the next decade, Tāmaki, Mangawhai and most of the Kaipara remained largely unoccupied because of the battle. Ngā Puhi were victorious in this conflict, where Tainui survivors fled to the Waikato, Te Uri o Hau to the Tangihua ranges southwest of now known town of Whangārei, Mareretu, and Waikeikei forests, Ngāti Whātua fled to the Waitakere ranges, Ngāti Rongo to their Parawhau relatives whilst other survivors sought refuge with their Te Roroa and Ngāti Hine relatives. By the 1830’s, Ngāti Whātua began moving back to the Kaipara and surrounding areas. The tapu was eventually lifted in 1991.

“The naming of the battle Te Ika a Ranganui - In 1825 under the Kaiwaka cloud Ngā Puhi and the various hapū of Ngāti Whātua meet under the foot of Pukekaroro along the banks of Waimako Stream. It was estimated that there were 500 of Ngā Puhi and over 1000 Ngāti Whātua. Unfortunately, Ngāti Whātua were not as advanced as their enemy when it came to trade. Ngā Puhi had over 500 guns, Ngāti Whātua held only two. Waimako ran red with blood. The bodies were piled up as if they were fish. This is where the name Te Ika-a-Ranganui gains its name. The battle didn’t finish there. For over 6 months people were hunted down and killed.”

(Herby Skipper, personal communication, 2010)

Contemporary use of the area

On the 15th of March 2025, Ngāti Whātua alongside neighbouring iwi and hapū gathered to celebrate the 200th anniversary of Te Ika a Ranganui, one of the most significant battles in Ngāti Whātua and Te Uri o Hau history. The commemoration was not just a moment to reflect on the past, but an opportunity to honour our legacy, reaffirm our responsibilities to future

generations, and move forward with purpose.



(Te Rūnanga o Ngāti Whātua, 2025)

Te Uri o Hau whakapapa and identity to place: The rohe of Te Uri o Hau defines their ancestral lands, and their whakapapa to specific places. Every maunga, awa, and moana within the rohe carries ancestral stories, names, and connections for Te Uri o Hau identity.

Te Uri o Hau sacred sites, wāhi tapu: The rohe of Te Uri o Hau includes sites of historic battles, settlements, and migrations. There are certain locations within the rohe that are wāhi tapu, such as burial grounds, ancient pā sites, and places associated with atua. These are treated with reverence and protected through tikanga.

Te Uri o Hau kaitiakitanga: Te Uri o Hau have responsibilities as kaitiaki of their rohe which is rooted in tikanga and mātauranga Māori. This includes protecting natural resources, sacred sites, and ecosystems. Te Uri o Hau Environs kaimahi have been involved in pest trapping, water monitoring, weed eradication, cultural monitoring, and leading karakia to open new areas.

Political and treaty relationships: Te Uri o Hau as mana whenua has worked tirelessly for years to shape relationships and work with the Crown and local governments. Te Uri o Hau treaty settlement includes a conservation protocol that sets out the obligations of both the Department of Conservation and Te Uri o Hau to exercise their respective responsibilities and cooperate to achieve over time conservation policies, actions and outcomes sought by both parties.

Te Uri o Hau Environs office

It is a significant milestone for Environs that our office is situated in the heart of Te Uri o Hau, north of Kaiwaka on State Highway 1. It gives Environs as a mandated authority for Te Uri o Hau the right to participate and exercise mana whakahaere on behalf of Te Uri o Hau across

the rohe. Environs kaimahi have re-established connections by working in the heart of Te Uri o Hau, nestled in the remnant forest and surrounded by our three maunga (Pukekaroro, Pukearenga and Pukepōhatu).

The Environs signage on State Highway 1 give us a presence in the area so we can meet and collaborate with our partners, community and other organisations. Environs now have an in-house civil defence operation, an education space for kaitiaki learning (where Environs hosted a manu huruhuru workshop with the support of Department of Conservation to pelt birds for Te Uri o Hau weavers), and a whare wānanga for tohorā where we learnt karakia and waiata, and last year Environs established an enrolment voting hub called Kaipara ki a eke for voting in local elections. The area where the office is based is an eco-village and has supplied cultural materials for Te Uri o Hau marae and whānau. In 2024, the repatriation of koiwi needed 300 kōnae made, the harakeke for these kōnae were harvested from the remnant forest in the office area. A master weaver from Te Uri o Hau (Tracey Walker) collected tānekaha from the area for Ōrākei marae to use to dye korowai. Last year Environs also caught tuna from the awa down by the office to supply Ōruawharo marae with kai for their Matariki celebrations.

ENGAGEMENT PROCESS

A kaupapa Māori approach was used to undertake this report, supporting the assessment of how this activity recognises and provides for Te Uri o Hau rangatiratanga, including their ability to exercise mana whakahaere and identify potential adverse effects. This approach enables us to formulate meaningful recommendations and introduce Te Uri o Hau concepts that will further enhance the outcomes of the proposed activity.

Environs have had regular hui throughout this process with the Applicant and WSP and reviewed relevant documents (ecological, engineering, archaeology) that have been provided by both organisations. Environs have had these relevant documents and this report peer reviewed by their experts to ensure accuracy of the information in all these documents. Engagement with key whānau and marae have been undertaken to ensure Te Uri o Hau can exercise their mana whakahaere and that this report recognises and provides for Te Uri o Hau rangatiratanga. Environs have undertaken research – ethnographic, historical and anthropological information that is also included and supports this report.

Information obtained as part of preparing this CVIA was sourced from:

- Specialist kaitiaki reports (Ngā Maunga Tapu and Kaipara Moana Remediation)
- Natural areas of Rodney Ecological District (Northland Conservancy) Reconnaissance survey report for the Protected Natural Areas Programme Nick Goldwater, Pete Graham, Wendy Holland, Sarah Beadel, Tim Martin and Shona Myers 2012
- Piroa-Brynderwyns Landcare, 5-year Plan – 2018-2023 – August 2018
- Maranui Conservation Limited – Brynderwyns - Bream Tail opportunities for ecological restoration
- Archaeological reports
- Waka Kotahi technical reports – draft
- Review of designs and plans
- Internal works consultations - WSP, Waka Kotahi
- Regular meetings with Waka Kotahi to update on activity
- Site visits and site inspections
- Ongoing kaitiaki monitoring reports
- Independent ecological report
- eDNA data – Mountains to Sea
- 2023 Final Environs CVA – Brynderwyns
- Peer review of Waka Kotahi technical reports – draft

The Settlement Trust engagement process will be through the Terms of Reference and procurement opportunities that are currently being discussed with the Applicant. Further work around a socio-economic impact assessment has been discussed with the Applicant and will highlight the importance of the current GDP for Kaipara and the potential

economic growth the Road of National Significance (RoNS) will bring to the rohe of Te Uri o Hau.

Appendix 3 outlines a personal statement provided by an Environs kaimahi and landowner that illustrates engagement and relationships to the area and strengthens the values assessment within this CVIA.

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LEGAL FRAMEWORK AND OTHER PLANNING MATTERS

Legislation is the political and legal expression of how those who govern a society conceptualise an issue. Such conceptualisations are subject to change based on historical, social and cultural context, meaning that legislation can provide a temporal snapshot into how issues are understood in current contexts.

Te Tiriti o Waitangi 1840

Te Uri o Hau is aware of the coalition government's approach to Te Tiriti o Waitangi and want to ensure that there is an enduring working relationship with the Applicant throughout the project and any future projects within Te Uri o Hau area of interest.

The principles of the Te Tiriti o Waitangi - partnership, participation and protection underpin the relationship between the Government and Māori. These principles are fundamental to developing relationships with government agencies such as Waka Kotahi, including providing the right to participate and exercise their authority in statutory processes within the project.

Resource Management Act 1991 (RMA)

With consideration of the section 5 of the RMA, in terms of sustainable management; the applicant must have regard for indigenous planning concepts which will give effect to sections 7(a) and s8. This is supported by Jolly (2020) who states:

"...CIA reflects the aspirations of the tāngata whenua side of a treaty partnership. In this sense, CIA has the potential to contribute to a treaty-compliant resource management regime: defined by the Waitangi Tribunal (2011) as one that enables iwi/hapū to express tino rangātiratanga in their traditional territories and can deliver effective influence and appropriate priority to kaitiaki interests".

The relationship for Te Uri o Hau as the area of activity for this project needs to be recognised as having legal standing within sections of the RMA; that being the relationships with our culture and traditions associated with sites and wāhi tapu, tributaries systems and other taonga of that vicinity; coupled with our status as kaitiaki.

As a 'matter of national importance', the Applicant must recognise and provide for the relationship of Te Uri o Hau and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga.

Te Uri o Hau has a range of relationships within the area of activity including as kaitiaki, ahi kā, and with foresters, trappers, Kauri ora teams, educators, employees/employers and members of the wider community.

Fast Track Approvals Act 2024

The purpose of this Act is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits. Te Uri o Hau Deed of Settlement and rights as a mandated hapū, and Māori in relation to this Act include:

7. Obligation relating to Treaty settlements and recognised customary rights

(1) All persons performing and exercising functions, powers, and duties under this Act must act in a manner that is consistent with—

- (a) the obligations arising under existing Treaty settlements; and
- (b) customary rights recognised under—

- (i) the [Marine and Coastal Area \(Takutai Moana\) Act 2011](#);

- (ii) the [Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019](#).

(2) To avoid doubt, subsection (1) does not apply to a court or a person exercising a judicial power or performing a judicial function or duty.

(3) In this section, existing Treaty settlements means Treaty settlements that exist at the time the relevant function, power, or duty is performed or exercised (rather than only those that exist at the commencement of this Act).

Referral application

(4) The information to be included in the referral application is as follows:

Persons affected

(j) a list of the persons and groups the applicant considers are likely to be affected by the project, including—

- (iii) other relevant iwi authorities:

- (iv) relevant Treaty settlement entities:

- (v) relevant protected customary rights groups and customary marine title groups:

- (vii) relevant applicant groups under the [Marine and Coastal Area \(Takutai Moana\) Act 2011](#):

(k) a summary of—

- (l) a list of any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements:

- (o) information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area:

Information relating to activity that may be subject of determination under section 23 or 24

- (p) a statement of whether the applicant is seeking a determination under [section 23](#) and, if so, an assessment of the effects of the activity on the relevant land and on the rights and interests of Māori in that land:

Process after Minister receives referral application

16. Effect of Treaty settlements and other obligations on decision making

(1) This section applies if a Treaty settlement, the [Marine and Coastal Area \(Takutai Moana\) Act 2011](#), the [Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019](#), a Mana Whakahono ā Rohe, or a joint management agreement provides for—

- (a) the consideration of any document:
- (b) procedural requirements.

(2) The Minister must, where relevant, —

- (a) give the document referred to in subsection (1)(a) the same or equivalent effect through the Minister's process and decision making as it would have under any relevant specified Act; and
- (b) comply with any applicable procedural requirements referred to in subsection (1)(b); and
- (c) in any notice under [section 28](#), direct any panel that considers a substantive application for the project to comply with any applicable requirements.

(3) In this section, document—

- (a) means any document, arrangement, or other matter; and
- (b) includes any statutory planning document amended as a result of the settlement, Act, arrangement, or agreement referred to in subsection (1).

17. Minister invites comments

(1) The Minister must copy the application to, and invite written comments from, —

- (d) the Māori groups identified in the list provided to the Minister under subsection (2); and
- (e) the owners of Māori land in the project area.

(2) Before the Minister invites comments under subsection (1), the responsible agency must provide the Minister with a list of the Māori groups referred to in [section 18\(2\)](#).

18. Report on Treaty settlements and other obligations

(1) The Minister must, for a referral application, obtain and consider a report that is prepared by the responsible agency in accordance with this section.

(2) The report must include the following matters:

- (a) any relevant iwi authorities and relevant Treaty settlement entities:
- (b) any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area:
- (c) the relevant principles and provisions in those Treaty settlements, including those that relate to the composition of a decision-making body for the purposes of the [Resource Management Act 1991](#):
- (d) any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area:
- (e) any court orders or agreements that recognise protected customary rights or customary marine title within the project area:
- (f) any applicant groups under the [Marine and Coastal Area \(Takutai Moana\) Act 2011](#) that seek recognition of customary marine title or protected customary rights within the project area:
- (g) whether the project area would be within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou (and, if so, the relevant provisions of the [Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019](#)):
- (h) whether the project area includes any taiāpure-local fisheries, mātaihai reserves, or areas that are subject to bylaws or regulations made under [Part 9](#) of the Fisheries Act 1996 (and, if so, who the tāngata whenua are):
 - (i) whether the project involves an activity that could be the subject of a determination under [section 23](#) (and, if so, who the owners of the land are):
- (j) if the proposed approvals include an approval described in any of [section 42\(4\)\(a\) to \(d\)](#) (resource consent, change or cancellation of resource consent condition, certificate of compliance, or designation),—
 - (i) iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements; and
 - (ii) the relevant principles and provisions in those Mana Whakahono ā Rohe and joint management agreements:
- (k) any other Māori groups with relevant interests:
- (l) a summary of—
 - (i) comments received by the Minister after inviting comments from Māori groups under [section 17\(1\)\(d\) and \(e\)](#); and

(ii) any further information received by the Minister from those groups:

(m) the responsible agency's advice on whether, due to any of the matters identified in this section, it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.

(3) In preparing the report required by this section, the responsible agency must—

(a) consult relevant departments; and

(b) provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti.

(4) Those Ministers must respond to the responsible agency within 10 working days after receiving the draft report.

Decision on referral application

22. Criteria for assessing referral application

(7) A project is considered to meet the criterion in subsection (1)(a) if the project is an aquaculture activity—

(a) that is within an aquaculture settlement area declared under [section 12](#) of the Māori Commercial Aquaculture Claims Settlement Act 2004 or an area reserved under another Treaty settlement for the aquaculture activities of a particular group; and

Minister may determine that certain activities are not ineligible when making referral decision

23. Minister may determine that linear infrastructure on certain identified Māori land is not ineligible activity

(1) In making a decision under [section 21](#), the Minister may determine that, for the purposes of the project, an activity described in [section 5\(1\)\(a\)](#) is not an ineligible activity if it—

(b) would occur on identified Māori land that is Māori freehold land or General land owned by Māori that was previously Māori freehold land.

(2) Before making a determination, the Minister must take into account the effects of the activity on the land and on the rights and interests of Māori in that land.

(3) The Minister may decline to make a determination—

(a) if the Minister considers that the activity would have adverse effects on that land or those rights or interests; or

(b) for any other reason.

(4) In this section, land transport infrastructure means structures for transport on land by cycleways, rail, roads, walkways, or any other means.

Hearing of panel

58. Other provisions about conduct of hearing

(1) If a hearing is held, a panel must—

(b) recognise tikanga Māori where appropriate; and

(c) receive evidence, written or spoken, in te reo Māori (and [Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016](#) applies accordingly);

Panel decisions

82. Effect of Treaty settlements and other obligations on decision making

(1) This section applies if a Treaty settlement, the [Marine and Coastal Area \(Takutai Moana\) Act 2011](#), or the [Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019](#) is relevant to an approval.

(2) If the settlement or Act provides for the consideration of any document, the panel must give the document the same or equivalent effect through the panel's decision making as it would have under any relevant specified Act.

(3) The panel must also consider whether granting the approval would comply with [section 7](#).

(4) In this section, document—

(a) means any document, arrangement, or other matter; and

(b) includes any statutory planning document amended as a result of the settlement or Act referred to in subsection (1).

84. Conditions relating to Treaty settlements and recognised customary rights

(1) For the purposes of [section 7](#), the panel may set conditions to recognise or protect a relevant Treaty settlement and any obligations arising under the [Marine and Coastal Area \(Takutai Moana\) Act 2011](#) or the [Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019](#).

(2) This section applies in addition to, and does not limit, any other powers to set conditions under this Act.

EPA powers and duties relating to substantive application

91. Information held by relevant administering agencies and local authorities that is sensitive to iwi or hapū

Despite [section 90](#), if information sensitive to an iwi or a hapū is held by a relevant administering agency or local authority under an agreement of confidentiality, the agency or local authority must—

- (a) maintain that confidentiality; and
- (b) before the information is disclosed under [section 90](#), discuss with the iwi or hapū whether that information or any part of it may be disclosed and, if so, how it may be disclosed and to whom.

Service of documents

114. Notices in relation to Māori land

[Part 10](#) of Te Ture Whenua Māori Act 1993 applies to the service of notices under this Act on the owners of Māori land, except that if the notice is an invitation to comment, the period fixed for the owners to provide comments may not be extended by more than 40 working days under [section 181\(4\)](#) of that Act, unless otherwise provided by the Minister or panel, as the case may be.

Schedule 3 Expert panel - Appointment, etc, of panel convenor and panel members

7. Skills and experience of members of panel

(1) The members of a panel—

- (b) must include at least 1 member who has an understanding of te ao Māori and Māori development.

Schedule 5 Approvals relating to the RMA - Applicant requirements, etc, for substantive applications

5. Information required in consent application

(6) If the applicant is not able to supply the name and address of the owner and each occupier of the site and of land adjacent to the site because the land is Māori land in multiple ownership, the applicant must include a statement to that effect.

Panel decision

17. Criteria and other matters for assessment of consent application

(2) For the purpose of applying any provisions in subclause (1), —

- (a) a reference in the [Resource Management Act 1991](#) to [Part 2](#) of that Act must be read as a reference to [sections 5, 6, and 7](#) of that Act; and
- (b) if the consent application relates to an activity that is the subject of a determination under [section 23](#) of this Act, the panel must treat the effects of the activity on the

relevant land and on the rights or interests of Māori as a relevant matter under [section 6\(e\)](#) of the Resource Management Act 1991;

24. Criteria and other matters for assessment of notice of requirement

(2) For the purpose of applying any provisions in subclause (1), —

(a) a reference in the [Resource Management Act 1991](#) to [Part 2](#) of that Act must be read as a reference to [sections 5, 6, and 7](#) of that Act; and

(b) if the notice of requirement relates to an activity that is the subject of a determination under [section 23](#) of this Act, the panel must treat the effects of the activity on the relevant land and on the rights or interests of Māori as a relevant matter under [section 6\(e\)](#) of the Resource Management Act 1991.

Schedule 8 Approvals relating to Heritage New Zealand Pouhere Taonga Act 2014

2. Information required in application for archaeological authority

(1) For the purposes of [section 43\(3\)\(i\)](#), an application for an archaeological authority must include the following information:

(h) except in the case of an approval described in [section 44\(b\)](#) of the HNZPT Act, an assessment of—

(i) the archaeological, Māori, and other relevant values of the archaeological site in the detail that is appropriate to the scale and significance of the proposed activity and the proposed modification or destruction of the archaeological site; and

(ii) the effect of the proposed activity on those values; and

(i) a statement as to whether consultation with tāngata whenua, the owner of the relevant land (if the applicant is not the owner), or any other person likely to be affected—

(i) has taken place, with details of the consultation, including the names of the parties and the tenor of the views expressed; or

(ii) has not taken place or been completed, with the reasons why consultation has not occurred or been completed (as applicable).

7. Application for approval of person to carry out activity

(5) Heritage New Zealand Pouhere Taonga must not recommend that the panel approve a person to carry out an activity under an authority unless satisfied that the person—

(a) has sufficient skill and competency, is fully capable of ensuring that the proposed activity is carried out to the satisfaction of Heritage New Zealand Pouhere Taonga, and has access to appropriate institutional and professional support and resources; and

(b) in the case of a site of interest to Māori, —

(i) has the requisite competencies for recognising and respecting Māori values; and

(ii) has access to appropriate cultural support.

Land Transport Management Act 2008 (LTMA)

The LTMA aims to enhance New Zealand's transport planning and funding system established under the Land Transport Management Act 2003. Its primary purpose is to improve the integration of national and regional transport planning, streamline the National Land Transport Programme, and provide a more efficient and effective land transport system in the public interest. The Act also merges Transit New Zealand and Land Transport New Zealand to form the NZ Transport Agency, which is responsible for the delivery of the State Highway system and development and administration of the National Land Transport Programme.

Clause 18G - Separate consultation with Māori on particular activities states that:

(1) An approved organisation or the Agency (as the case may require) must do everything reasonably practicable to separately consult Māori affected by any activity proposed by the approved organisation or the Agency that affects or is likely to affect— (a) Māori land; or (b) land subject to any Māori claims settlement Act; or (c) Māori historical, cultural, or spiritual interests.

Clause 18H - Māori contribution to decision making states that:

(1) The Agency and approved public organisations must, with respect to funding from the national land transport fund,

(a) establish and maintain processes to provide opportunities for Māori to contribute to the organisation's land transport decision-making processes; and

(b) consider ways in which the organisation may foster the development of Māori capacity to contribute to the organisation's land transport decision-making processes; and

(c) provide relevant information to Māori for the purposes of paragraphs (a) and (b).

Te Ara Kotahi – Māori Strategy (2020)

Te Ara Kotahi provides strategic direction on how Waka Kotahi work with and respond to Māori as the Crown's Treaty partner, and what this means for how we do business. The objective of Te Ara Kotahi is to provide an overarching strategic framework that:

- Connects Māori to what we do

- Fulfils our statutory obligations to Māori and affirms our commitment to the principles of the Te Tiriti o Waitangi
- Embraces Te Reo Māori and Māori values
- Contributes to the 'whole of government' approach to provide for Māori aspirations and improve Māori economic, social, cultural and environmental outcomes
- Empowers us to respond to Māori aspirations and partner in the work we do for mutually beneficial outcomes
- Builds our capability and capacity to confidently and effectively engage with Māori
- Supports and adds value to the Crown Māori relationship
- Provides guidance on how to respond to Māori aspirations
- Supports the delivery of the overarching Waka Kotahi strategy

The legal and policy framework set out below provides the statutory and planning context for this assessment. It identifies the legislative obligations, policy direction, and decision-making requirements relevant to the protection of Te Uri o Hau cultural values, rangatiratanga, and kaitiakitanga in relation to the activity. It also provides the basis for understanding how Te Uri o Hau interests, values, and expectations should be recognised and provided for through the assessment, design, approval, and implementation of the project.

Conservation Act 1987 (2021)

This Act shall so be interpreted and administered as to give effect to the principles of the Treaty of Waitangi. The New Zealand Conservation Authority has a statutory obligation to fulfil Section 4 of the Conservation Act 1987 <https://www.doc.govt.nz/about-us/statutory-and-advisory-bodies/nz-conservation-authority/policies/section-4-of-the-conservation-act/>.

Wildlife Act 1953 - Obligations to Te Uri o Hau

The Wildlife Act 1953 establishes how wildlife is managed, protected, and controlled across Aotearoa. Several provisions create clear obligations on the Crown, its agencies, and anyone undertaking activities under the Act to recognise Māori interests, values, and rights, including those of Te Uri o Hau as mana whenua and kaitiaki within the project area.

Statutory requirement to consult Te Uri o Hau on wildlife management plans

Clause	14I	—	Population	Management	Plans
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Under this clause, the Director-General must consult with Conservation Boards and with persons or organisations representing Māori, environmental, commercial, and recreational interests when preparing population management plans for wildlife.

What this means for Te Uri o Hau:

- Te Uri o Hau must be recognised as a representative Māori authority in the region.
- Te Uri o Hau must be consulted early and meaningfully in any wildlife-related planning that affects the cultural landscape, taonga species, or habitat in the Brynderwyns and Piroa catchments.

Consultation must occur before decisions are made, not after.

Mana whenua interests and rights in Te Uri o Hau rohe

Clause 59 — Entry on Land (including Māori land)
The Act allows the Minister to authorise DOC officials to enter Māori land for purposes including:

- Investigating wildlife populations,
- Conducting management, relocation, or removal of wildlife,
- Erecting structures or signage for wildlife work.
- However, because Māori land is included, the exercise of these powers must come with respect for Māori land rights, wāhi tapu, tikanga, and mana whenua authority.

What this means for Te Uri o Hau:

- Any access to Māori land within Te Uri o Hau rohe must respect Te Uri o Hau authority and tikanga.
- The Crown must engage with Te Uri o Hau before exercising these powers.
- Activities such as wildlife relocation, pest control, habitat protection, frog or bat monitoring, or field investigations must occur in partnership with Te Uri o Hau, not unilaterally.

Recognition of Te Uri o Hau as kaitiaki of taonga species

Although not stated in a single clause, the structure of the Act, together with constitutional obligations under Te Tiriti o Waitangi, means that:

- Taonga species (including pekapeka, pepeketua, tuna, manu, and forest ecosystems) require protection consistent with Māori values and mātauranga.
- Te Uri o Hau must be given the right to participate and exercise their authority to influence decision-making regarding habitat, relocation, monitoring, protection, and risk management.
- Wildlife management must not cause cultural harm, diminish mauri, or disrupt customary relationships with taonga species.
- The Wildlife Act therefore sits alongside Treaty obligations and the Te Uri o Hau Settlement Act in requiring protection of Māori cultural relationships with native species.

Alignment with Te Uri o Hau kaitiakitanga responsibilities

For TUOH, obligations under the Wildlife Act connect directly to:

- Kaitiakitanga over Pukearenga, Pukekaroro, Pukepōhatū, and Brynderwyn ecosystems
- Protection of taonga species including:
- Pekapeka

- Pepeketua (Hochstetter's frog)
- Tuna
- Manu species
- Invertebrates
- Native forests
- Maintaining the mauri of waterways such as Piroa Stream, Lightburn Stream, Pukekaroro awa.

These obligations reinforce that wildlife, and their habitats cannot be relocated, disturbed, or impacted without Te Uri o Hau authority, participation, and leadership.

Implications for the Northern Corridor 2B project within the CVIA context, the Wildlife Act requires that:

Te Uri o Hau must lead on:

- Any wildlife management, including relocation or disturbance
- Population management plans
- Monitoring of taonga species
- Frog, bat, bird, and invertebrate surveys
- Habitat protection measures
- Any access to Māori land for wildlife purposes

The Applicant must:

- Commission Te Uri o Hau to design wildlife surveys, relocation protocols, ADP, CMP, and AMP
- Ensure culturally safe handling of taonga species
- Integrate mātauranga Māori into wildlife management
- Acknowledge Te Uri o Hau kaitiaki authority over ecosystems and species
- Fund responsive monitoring, mitigation, and redress for wildlife impacts

Heritage New Zealand Pouhere Taonga Act 2014

This Act makes it unlawful for any person to modify, or destroy or cause to be modified or destroyed, the whole or any part of an archaeological site without the prior authority from Heritage New Zealand.

Relevant sections included, but not limited to are:

- (a) Section 3: the purpose of the Act is to promote the identification, protection, preservation, and conservation of historical cultural heritage of New Zealand.
- (b) Section 4: Key principles of the Act include:
 - (i) the principle that historic places have lasting value and provide evidence of the origins of New Zealand's distinct society; and

(ii) the principle that the identification, protection, preservation, and conservation of New Zealand's historical and cultural heritage should:

- a. take account of all relevant cultural values, knowledge, and disciplines; and
- b. take account of material of cultural heritage value and involve the least possible alteration or loss of it; and
- c. safeguard the options of present and future generations; and
- d. be fully researched, documented, and recorded, where culturally appropriate.

Section 4 of the Heritage New Zealand Pouhere Taonga Act 2004 recognises the relationship of Māori with and cultural traditions to, their ancestral lands, water, Wāhi Tapu, and Wāhi Taonga.

Section 10-20 of the Act ensures that any person undertaking work that may damage, modify or destroy an archaeological site (both known and unknown) must obtain an archaeological authority to undertake such work and prior to any work commencing.

Regional Policy Statement for Northland (RPS)

The RPS's role is to promote sustainable management of Northland's natural and physical resources.

It does this by:

- Providing an overview of the region's resource management issues; and
- Setting out policies and methods to achieve integrated management of Northland's natural and physical resources.

The RPS is the vehicle for identifying and dealing with the significant resource management issues in Northland. It tackles the use, development and protection of natural and physical resources, particularly air, land, water and the coastal marine area where Northland's councils have specific functional responsibilities.

The Northland Regional Council must have a RPS in place at all times – this will be Northland's second one. The Resource Management Act 1991 prescribes what the RPS must cover (section 62) and the responsibilities of respective councils (sections 30 and 31).

Policy 8 of the RPS states the council's obligations to tāngata whenua. The below clauses are outlined to support Te Uri o Hau's role as kaitiaki in the RMA process for this project, however, is not limited to other clauses that relate to tāngata whenua participation and decision making as outlined in the RPS.

Clause 8.1.1 states that "The regional and district councils shall provide opportunities for tāngata whenua to participate in the review, development, implementation, and monitoring of plans and resource consent processes under the Resource Management Act 1991."

This policy supports the relationship of tāngata whenua with the natural and physical environment by exercising mana whakahaere into resource management processes.

Clause 8.1.2 states that “The regional and district councils shall when developing plans and processing resource consents under the Resource Management Act 1991 (RMA): (a) Recognise and provide for the relationship of tāngata whenua and their culture and traditions with their ancestral land, water, sites wāhi tapu, and other taonga; (b) Have particular regard to kaitiakitanga; and (c) Take into account the principles of the Treaty of Waitangi including partnership.

Under the RMA, the regional and district councils have responsibilities to provide for tāngata whenua the right to participate and exercise their authority in resource management, particularly where it affects their taonga.

Clause 8.1.3 states that “The regional and district councils shall provide opportunities for the use and incorporation of Mātauranga Māori into decision-making, management, implementation, and monitoring of natural and physical resources under the Resource Management Act 1991.”

This policy recognises that Mātauranga Māori has a role to play in resource management, and therefore councils should make an active effort to provide opportunities for its inclusion in resource management processes.

National Policy Statement for Indigenous Biodiversity 2023 (NPSIB)

The objective of the NPSIB is to maintain indigenous biodiversity. Policy 2 of the NPSIB states that tāngata whenua exercise kaitiakitanga for indigenous biodiversity in their rohe, including through:

- a. Managing indigenous biodiversity on their land and
- b. Identifying and protecting indigenous species, populations and ecosystems that are taonga and
- c. Actively participating in other decision making about indigenous biodiversity.

WAI 262

The WAI 262 claim is about mātauranga Māori, which is the way we view the world, our traditional knowledge and culture. One part of the claim is around flora and fauna and our kaitiaki relationship.

Kaitiaki have the obligation to care and nurture our taonga species. Our reasons for caring for these taonga species are set out in our mātauranga Māori, which is our traditional knowledge. Our mātauranga is unique to our hapū and includes whakapapa lineage from te atua to our taonga species.

The WAI 262 claim found that kaitiaki relationships with taonga species are entitled to a reasonable degree of protection. And kaitiaki have valid rights in respect of their mātauranga Māori associated with their taonga species.

National Policy Statement for Freshwater Management 2020 (NPSFW)

The National Policy Statement for Freshwater Management is New Zealand's central framework for protecting and improving freshwater resources.

Te Mana o te Wai

Te Mana o te Wai is a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai.

Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.

Te Mana o te Wai is relevant to all freshwater management and not just to the specific aspects of freshwater management referred to in this National Policy Statement. Framework.

Te Mana o te Wai encompasses 6 principles relating to the roles of tāngata whenua and other New Zealanders in the management of freshwater, and these principles inform this National Policy Statement and its implementation.

The 6 principles are:

Mana whakahaere: the power, authority, and obligations of tāngata whenua to make decisions that maintain, protect, and sustain the health and well-being of, and their relationship with, freshwater.

Kaitiakitanga: the obligations of tāngata whenua to preserve, restore, enhance, and sustainably use freshwater for the benefit of present and future generations.

Manaakitanga: the process by which tāngata whenua show respect, generosity, and care for freshwater and for others.

Governance: the responsibility of those with authority for making decisions about freshwater to do so in a way that prioritises the health and well-being of freshwater now and into the future.

Stewardship: the obligations of all New Zealanders to manage freshwater in a way that ensures it sustains present and future generations.

Care and respect: the responsibility of all New Zealanders to care for freshwater in providing for the health of the nation.

There is a hierarchy of obligations in Te Mana o te Wai that prioritises: first, the health and well-being of water bodies and freshwater ecosystems second, the health needs of people

(such as drinking water) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

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TE URI O HAU CULTURAL VALUES

Wāhi tapu – Sites of significance

Environs advocates and promotes for:

- The protection and preservation of all urupā, wāhi tapu and wāhi taonga and archaeological sites
- Respect for Te Uri o Hau association with urupā, wāhi tapu and wāhi taonga, and archaeological sites
- acknowledgement of the relationship and association with Te Uri o Hau and their wāhi tapu, wāhi taonga, and archaeological sites as being recognised and provided for through various Government legislation and Te Uri o Hau Claims Settlement Act 2002.

Te Uri o Hau have many wāhi tapu sites and wāhi taonga in the rohe between the coastlines of the Kaipara and Mangawhai Harbour. Evidence of wāhi tapu and wāhi taonga gives substance to the stories, precise locations of specific activities and the details of daily activities recorded among the stories of tūpuna, wars and other events. The wāhi tapu – sites of significance that will be discussed in this report are treasured places that hold spiritual and cultural significance. They connect Te Uri o Hau to our whakapapa and reaffirm our identity as kaitiaki. Any disturbance of these sites risks severing these connections and diminishing the integrity of our heritage.

Archaeological sites

Pā were usually built on defensive or strategic places of significance either temporarily or permanent near sheltered waters, the rivers or the coast, with access to resources such as freshwater, kai and the gathering of kaimoana.

A small pit/terrace **REDACTED - CULTURAL INFORMATION** (Q08/57) and a pā with pits (Q08/39) **REDACTED - CULTURAL INFORMATION**, are of important significance to Te Uri o Hau. These sites are not merely remnants of the past; they represent the living connection between our people and the whenua.

REDACTED – CULTURAL INFORMATION

(Archsite, n.d)

Pā with pits (Q08/39) and a pā with pits and terraces (Q08/360) were once fortified villages, central to the survival and identity of our tūpuna. They embody ancestral knowledge and the stories of Te Uri o Hau tūpuna who lived and defended these lands.

REDACTED – CULTURAL INFORMATION

(Archsite, n.d)

Pit complexes like Q08/57 and Q08/56 **REDACTED – CULTURAL INFORMATION** reflect traditional food storage practices, demonstrating the deep relationship our people maintained with the environment.

REDACTED – CULTURAL INFORMATION

(Archsite, n.d)

Another pā site dating pre 1769 (Q08/559) **REDACTED – CULTURAL INFORMATION**. It is not only an archaeological feature but also a place of remembrance for the owners of the property.

Outstanding natural landscapes

The Brynderwyns, Pukepōhatu (Baldrock), Pukearenga and Pukekaroro are noted as Outstanding Natural Landscapes (ONL's) and a high values area in Northland Regional Council and Kaipara District Council's respective plans.

HURIHANGA TE KAWHARAU, MANO A HIWA ARIKI – THE BRYNDERWYNS

The Brynderwyns bus crash is still the biggest fatality road crash in Aotearoa history. This was a significant event that happened on the 7th of February 1963, onboard the bus was kaumatua who were chosen to meet the Queen at Waitangi, a kapa haka rūpū from Reweti marae and other kai tautoko and whānau. The people went to Waitangi and were travelling back the next day, as they descended the Brynderwyns the brakes failed and the bus left the road at the last bend of the Brynderwyns, 15 people died and 21 were injured, one whānau lost four generations of a female line that day. There were impacts after the crash as well, whānau were in debt from the hospital bills and medical bills, and there was no counselling so a lot of the survivors and whānau carried trauma for many years which has passed on through generations. A memorial to the victims was unveiled on 7 February 2003 by descendants of those who had passed away. Below the crash site, a memorial area was created with a kōhatu and plaque.

The plaque reads:

He whakamaharatanga tēnei mō te matenga hinepōuri o ngā tūpuna i te 7 o Pepuere 1963.

This is a memorial to the tragic deaths of our loved ones on 7 February 1963.

He pahi aituā i taka i konei i te hokinga mai i te rā whakahirahira o te Tirīti o Waitangi. In an accident a bus fell here on the return from attending Waitangi Day.

Kei raro iho ngā rārangi ingoa. The names of those who died are listed below.

Huraina tēnei kōhatu i te 7 o Pepuere 2003 Nā ngā uri whakatapu. This stone was unveiled on 7 February 2003 by the descendants of those who died.

I ngā ringaringa o Ihoa koutou e moe. You now slumber in the arms of the Lord.

Although the RMA does not provide a definition of wāhi tapu, section 6 of the Heritage New Zealand Pouhere Taonga Act 2014 defines it as “a place sacred to Māori in the traditional, spiritual, religious, ritual, or mythological sense.” This interpretation is reinforced by the decision in *Winstone Aggregates Ltd v Franklin District Council* [EnvC Auckland A80/02, 17 April 2002], where the Environment Court stated that “burial sites would qualify as wāhi tapu, as would other sites, such as the birthplace of a founding ancestor, or where there had been some significant historical event.” The Brynderwyns bus crash constitutes such a significant historical event. For Te Uri o Hau, this site holds deep cultural and spiritual significance as it is the place where our whānau tragically lost their lives, and their memory continues to endure there.

PUKEARENGA, PUKEKARORO AND PUKEPŌHATU

REDACTED – CULTURAL INFORMATION

Wairua and tikanga - Relationship to wai (water and tributaries)

Spiritual values are deeply embedded within the landscape and waterways of the catchment of the activity. These values reflect the part of us that remains connected to our tūpuna through whakapapa, and the mauri in our people that continues beyond physical death and is carried through people and places. These landscapes retain the presence of those who have lived, travelled, and fought there, and they carry the stories, histories, and spiritual imprint of generations. Water is a fundamental element of life. The human body is largely composed of water, and all species depend upon it for survival. This shared reliance on water provides common ground for understanding its sacredness and the need for its protection.

The Ahuroa River flows through areas of native forest and steep terrain before branching in two directions: one towards Waipū and the other towards Piroa Falls. The stream originates at Piroa Falls, where the Piroa Stream begins its journey. Downstream, the Piroa Stream disappears beneath the Atlas Quarries, an area located close to both the Pukekaroro and Wairau Rivers. These waterways form part of the wider Ōtamatea catchment. The Pukekaroro River joins the Kaiwaka River, which then flows into the Ōtamatea River. The Wairau River flows around Pukearenga before meeting the Kaiwaka River, and together they form the Ōtamatea River — a broad estuarial arm of the Kaipara Harbour. This catchment contains significant wetlands and is of high cultural importance to Te Uri o Hau. The Ōtamatea River ultimately flows into the Kaipara Harbour, one of the largest harbours in the Southern Hemisphere. This represents the culmination of the stream’s journey — ki tai, where freshwater meets saltwater and the mauri of the awa is returned to Tangaroa. Lightburn Stream is a lesser-known tributary that flows beneath State Highway 1, several kilometres north of Kaiwaka Township. Despite its obscurity, it holds an important place in local history.

REDACTED – CULTURAL INFORMATION

The waterways within this system have traditionally supported a wide range of cultural practices, including:

- Fish passage and mahinga kai, providing sustenance and supporting customary food gathering.
- Waka travel, enabling transport and connection between communities. Awa and tributaries served as ancestral highways, facilitating waka travel between marae, pā sites, mahinga kai, and trading centres. These routes followed seasonal rhythms, tidal movements, and established portage pathways. The Piroa linked inland communities to estuaries and coastal networks. Waka pathways shaped settlement patterns and riparian ecology, which held important cultural value over waterways.
- Domestic use of water, including drinking, cooking, watering kai crops, and preserving food.

Tikanga was important for all these cultural practices, that things were done in the right way according to Māori worldview, whakapapa and relationships.

Whakapapa, mana, rangatiratanga - Connections to whenua

The description of Te Uri o Hau o te Wahapū o Kaipara land transfers is often concluded with the phrase “ki tētahi tuku”. This phrase does not signify an absolute sale or relinquishment of authority, but rather conveys concepts of gifting, exchange, and the establishment of an ongoing relationship. Such transfers were understood within a Māori worldview as opening reciprocal obligations, including mutual benefit, protection, and continued recognition of mana whenua. These transactions were therefore relational in nature and intended to create enduring responsibilities between Te Uri o Hau and the Crown.

Traditional Māori boundary concepts were relational and grounded in the natural environment. Rohe and takiwā boundaries were commonly defined by awa, maunga, wetlands, and forests, and reinforced through whakapapa, kōrero tuku iho, and the maintenance of ahi kā. These boundaries were fluid, reflecting patterns of use, occupation, and relationships rather than surveyed lines. The Piroa Awa functioned as a significant boundary marker between hapū and iwi in the Waipū–Kaiwaka region. Such awa-based boundaries were integral to mana whenua and kaitiakitanga.

Boundary evidence was discussed in Kaipara Minute Book No. 9 (pages 50–54) by Wi Wiapo Whakaotinga on 7 October 1901. Ōtamatea Marae maintains strong historical associations with Ngāi Tahu. The boundaries described were established in the late 1500s, approximately four generations prior to the resettlement of the Kaipara by Ngāti Whātua and continued to be referenced in Native Land Court proceedings in 1900.

Key boundary descriptions include:

- A westerly boundary extending to Piroa Maunga, located between Waipū and Maungaturoto, crossing the Piroa River and extending to Wairau, a stream and land area now generally known as Maungaturoto
- From Wairau, the boundary runs to the head of the Tokatapu Stream, then south-west to Pitorehu Pā, forming the boundary between the Te Ōpū and Pukehina blocks
- A boundary extending from Piroa Maunga to the Aropawa River, with land on the northern side of the boundary

These enduring references affirm the long-standing occupation, authority, and spatial knowledge of Te Uri o Hau within the activities area.

Kaitiakitanga and mauri - Taonga species

Te Uri o Hau through various whakapapa linkages occupied the eastern coastline, its tributaries and inland catchments. Living in strategic locations either seasonally or permanent kainga, periods of occupation was relevant to the gathering of key resources for various purposes.

Within the cultural landscape for Te Uri o Hau, the Brynderwyns, Pukearenga, Pukekaroro and Pukepōhatu, shape the physical environment which includes rivers, streams and bush it those associated ecosystems which our taonga species should thrive in. Te Uri o Hau values as it relates to the mauri of taonga species within the activities area contains a diverse range of environments and ecosystems that are of significance.

In addition, live fungal cultures, dried fungi collections, plant collections and insect collections sites have a high density of presence around the activities site. These collections provide values information for our taonga species as this is the kai that resources them.

There is an abundance of taonga species on the Brynderwyns that are classified as nationally critical and threatened species. Te Uri o Hau has a responsibility as kaitiaki to protect and conserve for future generations.

The Brynderwyns are part of a wider ecological habitat that includes two of our significant cultural redress properties to the south of the Brynderwyns, Pukekaroro and Pukearenga.

REDACTED – CULTURAL INFORMATION

Te Uri o Hau holds a strong value for Kauri within its rohe and on the east coast. A Waitangi Tribunal report (2006) covers fourteen individual claims stretching from Dargaville down the West Coast to Muriwai, and from Mangawhai on the East Coast to Riverhead on the Waitemata harbour. It extensively records the vast extent of the Kauri forests across the Te Uri o Hau rohe.

The map below is from a geodatabase for the Kauri Mapping Project commissioned by MPI in July 2020, it shows the density of Kauri around the Brynderwyns.

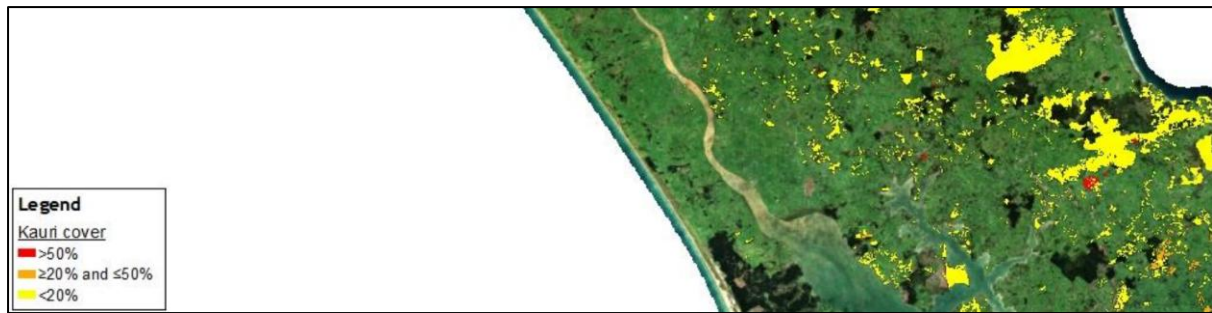


Figure 1: Distribution of kauri at varying densities in Northland¹

Kauri gum was a perfect fire starter. Due to the gum burning easily, it was used as torches to hunt fish i.e flounder. Kauri gum was also mixed with Puha milk and chewed like chewing gum. Māori pūrakau talks about the connection between the Kauri and the Tohorā (Sperm Whale) being brothers. Kauri is only found in the Northern parts of Aotearoa and is under threat from the pathogen *Phytophthora agathidicida*.

Trees and plants are integral to the cultural landscape of Te Uri o Hau, embodying whakapapa connections between people, whenua, and atua. They are regarded not only as natural resources but as living taonga that carry knowledge, identity, and responsibility. Through their presence on the land, plants reflect patterns of occupation, boundaries, and the continuation of mātauranga Māori across generations.

Tī kōuka (cabbage tree) holds cultural significance as a symbol of independence and resilience. It is often found growing alone and was traditionally used as a marker of boundaries and travel routes, signalling human presence and land use. Tī kōuka provided sustenance and materials, including food, fibre, and rongoā, and supported both manu and Māori.

Harakeke (flax) is a highly significant taonga species. The structure of the plant reflects the Māori concept of family, where the outer leaves represent the parents and the inner rito symbolises the child, reinforcing principles of care, protection, and intergenerational responsibility. Harakeke has been cultivated and maintained by Te Uri o Hau over generations and holds numerous kōrero tuku iho. It provided essential materials for clothing, baskets, whāriki, and other everyday items, as well as uses in kai and rongoā. The careful harvesting and protection of harakeke reflects tikanga associated with sustainability and respect for living resources.

Together, these species illustrate the deep relationship Te Uri o Hau maintains with the natural environment. Te Uri o Hau rangatiratanga and exercising mana whakahaere extends beyond practical use, representing identity, boundary-making, resilience, and the transmission of knowledge. The protection and restoration of such taonga species is therefore fundamental to upholding mana whenua and maintaining the cultural values of the landscape.

Tuaiwi kore – Invertebrates

Invertebrates are an indicator of mauri, and invertebrates are an indicator of water quality, other plants depend on water quality such as watercress, an important mahinga kai for Te Uri o Hau.



Figure 2: Te Uri o Hau Kaitiaki
Jan 2022

Kauri snails were part of Te Uri o Hau traditional diet. However, they were also respected as a taonga, or treasure, and our tūpuna did not overexploit them. Kauri snails were cooked in a hāngi, or earth oven, and their shells were used as ornaments or tools for mixing herbs and rongoa. The slime was used on wounds to help them heal faster. In January 2022, Te Uri o Hau was a part of the translocation of Kauri snails at the southern base of the Brynderwyns.

In the area of the activity, Environs kaitiaki have monitored waterways and collated data that shows the presence of freshwater invertebrates including mayflies, caddis flies, freshwater snails, bullies, īnanga and kōura.

Ngā Manu - Birds

Manu is highly significant within te ao Māori and are regarded as integral to the wellbeing and balance of the natural environment. For Te Uri o Hau, birds are not only ecological indicators, but also spiritual beings connected through whakapapa to Tāne Mahuta, atua of the ngahere. Their presence, behaviour, and abundance reflect the health and mauri of the forested landscapes and waterways associated with the Piroa and Ahuroa catchments.

The whakataukī “E koekoe te tūī, e ketekete te kākā, e kūkū te kererū” acknowledges that each bird has its own unique voice and role. Within a cultural context, this whakataukī affirms diversity, interdependence, and collective wellbeing. Each manu contributes in its own way to sustaining the balance of the ngahere, and the decline or loss of any one species diminishes the integrity of the whole ecosystem.

The kererū holds cultural and ecological importance. It is traditionally associated with abundance, seasonal cycles, and forest health. Kererū are also critical to forest regeneration, as they are among the few native birds capable of dispersing the large seeds of species such as tawa, miro, karaka, and nīkau. Through this role, kererū actively sustain the mauri and whakapapa of Te Wao Nui a Tāne.

The kākā is another culturally significant taonga species, traditionally recognised for its distinctive voice and close association with mature native forest. The presence of kākā indicates healthy forest structure and connectivity. During a five-minute bird count undertaken in 2025, a kākā was observed flying overhead within the wider activities area. This

observation affirms the continued ecological and cultural value of the surrounding ngahere and highlights the importance of protecting and enhancing forest habitats that support manu.

The protection of manu habitat, particularly for taonga species such as kererū and kākā, is an important expression of kaitiakitanga for Te Uri o Hau. Maintaining healthy bird populations supports ecological resilience while also upholding cultural identity, spiritual wellbeing, and the enduring relationship between Te Uri o Hau and the natural environment.

Pepeketua - Hochstetter Frogs

Pepeketua (native frogs), including Hochstetter's frog, are taonga species with deep cultural and spiritual significance to Te Uri o Hau. They are closely connected to whenua and wai and are understood to carry ancestral presence within wetland, ngahere, and freshwater environments. Their presence reflects the enduring relationship between Te Uri o Hau, their tūpuna, and the natural world.

Pepeketua are highly valued within te ao Māori as indicators of environmental and spiritual wellbeing. Due to their sensitivity to changes in water quality, habitat condition, and disturbance, frogs are recognised as signals of the health and vitality of freshwater systems and surrounding ngahere. Their decline or absence may indicate ecological imbalance or degradation, while their presence affirms the strength of mauri within the landscape.

Within Māori knowledge systems, pepeketua descend from Tūtewehiwehi, the atua ancestor of all freshwater creatures. This atua whakapapa reinforces their role as kaitiaki indicators of wai Māori and elevates their cultural status beyond that of a biological species. Pepeketua are also associated with healing and protection. Traditional kōrero record that a frog emerged from its raupō house in the middle of a wetland and proclaimed its ability to cure all diseases (Popi, 1887), highlighting the spiritual mana attributed to frogs and their connection to restoration and balance.

For Te Uri o Hau, the protection of pepeketua and their habitats is an important expression of kaitiakitanga. Maintaining healthy wetlands, riparian margins, and clean freshwater environments supports the survival of these taonga species and upholds cultural values, spiritual wellbeing, and the mauri of the wider ecosystem upon which all living things depend.

Pekapeka - Bats

Pekapeka (native bats) are taonga species with strong cultural and spiritual significance to Te Uri o Hau. As nocturnal and elusive creatures, pekapeka are closely associated with the unseen dimensions of the ngahere and are understood to hold connections to ancestral presence within the landscape. Their behaviour and habitat associations reinforce Māori understandings of balance between the physical and spiritual worlds.

Within Māori tradition, pekapeka are often spoken of with darker undertones and are sometimes associated with the mythical bird Hokioi, a powerful and tapu being said to emerge at night and foretell death or impending disaster. This association does not diminish the value

of pekapeka; rather, it reflects their role as messengers or warning indicators, highlighting their spiritual potency and the respect with which they are regarded. Such associations reinforce the concept that certain species act as tohu, signalling shifts or disturbances within the natural or spiritual realm.

Ecologically, pekapeka are important indicators of forest health and integrity. They rely on intact native forest, mature trees, and connected habitats for roosting and foraging. Their presence reflects healthy ngahere structure and biodiversity, while their absence may signal habitat fragmentation or ecological decline. As such, pekapeka function as both cultural and environmental indicators of the mauri of the landscape.

For Te Uri o Hau, the protection of pekapeka and their habitats is an expression of kaitiakitanga and respect for taonga species that embody both ecological function and spiritual meaning. Maintaining healthy forest environments supports not only the survival of pekapeka but also the cultural values, ancestral connections, and spiritual wellbeing associated with these unique taonga species.

Tuna - Eels

Tuna (longfin and shortfin eels) are taonga species of significant cultural, spiritual, and practical importance to Te Uri o Hau. Historically, tuna was a staple food source for Te Uri o Hau and were abundant throughout freshwater rivers, lakes, and wetlands. They were harvested using a range of customary methods, including hīnaki, spears, nets, and hooks, reflecting extensive mātauranga Māori relating to seasonal cycles, habitat knowledge, and sustainable use.

Beyond their value as kai, tuna hold deep spiritual significance. They are associated with Tangaroa, atua of the sea, and Tūtewehiwehi, the ancestor of all freshwater creatures, reinforcing their whakapapa connection between freshwater and marine environments. Tuna was commonly preserved through smoking or drying and were used in trade and gifting, further emphasising their role in maintaining social relationships, reciprocity, and mana.

The Ōtamatea River functions as a vital cultural and ecological artery within this system. The mauri of the river is reflected in its capacity to sustain tuna populations and support their complex life cycle, which depends on unimpeded migration between freshwater and the sea. Tuna embodies the interconnectedness of ki uta ki tai, carrying whakapapa between inland waterways and Tangaroa's realm.

Maintaining effective fish passage is critical to upholding the mauri of the awa. Structures such as culverts, weirs, and other instream barriers disrupt migratory pathways, severing the natural and spiritual connections essential to tuna survival. The restoration and protection of fish passage, alongside the enhancement of riparian margins and water quality, are therefore key expressions of kaitiakitanga for Te Uri o Hau. Such measures support the resilience of tuna populations while safeguarding cultural values, food security, and the ongoing relationship between Te Uri o Hau and their freshwater taonga.

IMPACTS OF THE ACTIVITY ON TE URI O HAU CULTURAL VALUES

This assessment focuses on the direct and cumulative effects of Northern Corridor section 2B on Te Uri o Hau cultural values. It identifies the impacts of the activity on named sites, waterways, landforms, taonga species, wāhi tapu, and the customary relationships Te Uri o Hau maintain with the activity area. Through this approach, the assessment recognises that the effects of the activity are not limited to individual features but extend across the wider cultural landscape and the interconnected values that sustain Te Uri o Hau rangatiratanga and kaitiakitanga.

This section will address the impact of this activity and the loss of Te Uri o Hau rangatiratanga and the ability to exercise mana whakahaere which has resulted in the removal of our customary practices.

Te Uri o Hau loss of land through colonisation has resulted in our own resource depletion including associated ancestral connection, traditional pathways, food and water, medicine and housing, the biggest loss is of our identity and mana to the place which we still maintain in this time. The proposed route of this activity will create significant loss to the ancestral landscape of the rohe of Te Uri O Hau. From Pukearenga, the ridgeline travels east to meet Pukepōhatu and through to the Brynderwyns.

Before colonisation, Māori land tenure operated under customary law, where land was held collectively and could be *tuku whenua*—gifted or loaned to others to cement relationships or acknowledge mana. These arrangements were conditional and reciprocal, not permanent alienations. However, colonial authorities often misinterpreted *tuku* as outright sale, contributing to widespread dispossession and loss of ancestral lands.

The removal of customary practice refers to the systematic erosion or suppression of Māori tikanga (customs) and traditional ways of life, often through colonial laws and policies. Here's what that meant historically and culturally:

- *Colonial legislation:* Laws like the Native Land Acts, Native Schools Act 1867, Tohunga Suppression Act 1907, and to a certain extent the Public Works Act 1981, and later policies discouraged or outright banned Māori practices, alongside a change of land-use zoning through County, District and Regional plans.
- *Land tenure changes:* The introduction of individual land titles through the Native Land Court dismantled collective ownership and *ahi kā*.
- *Language suppression:* Te Reo Māori was banned in schools, weakening oral transmission of tikanga.
- *Customary rights ignored:* Practices like *tuku whenua*, *rāhui*, and communal resource management were replaced by Western property law. The harvesting of Kauri on the maunga and surrounding *whenua* contributed to removal of customary practice of

harvesting the great trees for waka, after European land law arrived, Māori started to be confined to specific locations, curtailing seasonal movement and access to resources.

- *Spiritual disconnection:* Wāhi tapu were desecrated or ignored in development, and karakia or rituals were dismissed as superstition.
- *Loss of cultural connection:* Loss of mana whenua and tino rangatiratanga promised under Te Tiriti o Waitangi. Disconnection from whenua, wai, and maunga, which are central to identity. Fragmentation of cultural knowledge and practices, now requiring revitalisation efforts.
- *Colonial surveying and land alienation:* Colonial surveyors introduced linear boundaries using tools like chains, compasses, and later theodolites, often ignoring Māori spatial understandings. Land Court maps and Crown grants imposed rigid boundaries that fragmented traditional rohe. In areas like Kaiwaka and Waipū, this led to disputes over ownership, access to awa, and resource rights.
- *Conflicts and overlays:* Many Māori boundary claims were overwritten or misrepresented in early surveys. Survey pegs and plans often didn't align with oral histories or customary use. Some areas around Piroa awa may have been subject to Native Land Court hearings, where Māori had to prove occupation in terms foreign to their tikanga.
- *Colonial impact:* Damming, draining, and land conversion disrupted traditional waka routes and kai collection especially in the case of the tuna, weirs for storage were broken down to allow boat passage. Some rivers were reclassified or renamed, obscuring their waka history.

Wairua and tikanga – Relationship to wai (waterways and tributaries)

The combined adverse effects of roading activity, quarry operations, water abstraction, and aquifer impacts represent an ongoing pressure on Te Uri o Hau rangatiratanga that is associated with the Pukekaroro and Piroa waterways. These activities contribute to the degradation of mauri, disrupt ecological and spiritual connections, and place at risk the ability of the awa to fulfil its role as a life-supporting system.

The cultural effects of this activity on wai are not limited to water quality alone but extend to the wider hydrological behaviour of the catchment and the interconnected relationships between waterways, riparian margins, floodplains, and downstream receiving environments. Of particular concern are the potential effects of altered flood behaviour, including changes in flow velocity, erosion risk, riparian instability, sediment mobilisation, and downstream impacts on waterways and associated cultural values. These effects must be understood not only in relation to extreme flood scenarios, but also in relation to more frequent flood events, including 10% AEP events, as these may still result in significant and ongoing adverse effects on mauri, ecological integrity, and the ability of Te Uri o Hau to maintain customary relationships with the wai and wider cultural landscape.

Modification of Pukekaroro awa and connected waterways: The Pukekaroro awa and its associated waterways have been significantly modified by roading works and other land-use activities within the catchment. These physical alterations have changed natural water flow patterns, riparian conditions, and ecological function. For Te Uri o Hau, such modifications represent an interruption to the natural integrity of the awa and a weakening of its mauri, as waterways are understood as living entities that carry whakapapa, memory, and life force.

Water quality degradation and mauri impacts: A 1982 Waka Kotahi ecology compliance report identified that while many streams and tributaries in the wider area demonstrated “excellent” water quality, the Piroa Stream was a notable exception. The stream recorded lower overall ecological scores, which were attributed to the absence of a vegetated riparian margin and the impacts of upstream quarry operations.

These findings highlight the vulnerability of the Piroa Stream and its sensitivity to land-use change. From a cultural perspective, the degradation of water quality and loss of riparian protection diminishes the mauri of the awa. Reduced mauri affects not only ecological health but also the spiritual and cultural relationships Te Uri o Hau maintain with the waterway, including its ability to support mahinga kai, customary practices, and the wellbeing of future generations.

Relationship between water use and Te Uri o Hau wellbeing: Water from this system continues to be abstracted for irrigation and drinking water supply, directly linking the health of the awa to Te Uri o Hau and our people’s wellbeing. Within a Māori worldview, the condition of the water reflects the overall health of the catchment. Where mauri is strong, water is clean, abundant, and life-sustaining. Where mauri is diminished through pollution, over-extraction, physical interruption, or poor land management both ecological integrity and Te Uri o Hau rangatiratanga is adversely affected.

The ongoing use of water without sufficient protection or restoration measures increases cultural risk by further degrading water quality, reducing flow, and compromising the awa’s ability to sustain life.

Groundwater systems and aquifer connectivity: The presence of a shelf aquifer beneath land owned by Bill Valancy further illustrates the interconnected nature of surface water and groundwater systems in the area. It has been reported that this aquifer extends approximately 14 kilometres across the region, functioning as part of a wider “water factory” that feeds multiple waterways.

This aquifer contributes to flows within nearby rivers and streams, including Lightburn Stream, which passes through the area and flows into the Pukekaroro awa. Impacts to the aquifer, whether through extraction, land disturbance, or contamination, therefore, have cascading effects across the wider catchment. For Te Uri o Hau, such impacts threaten the mauri of interconnected waterways and undermine the principle of ki uta ki tai, which recognises the continuous flow of water and life from inland to the sea.

Whakapapa, mana and rangatiratanga – Connection to whenua

Evidence presented to the Te Uri o Hau o te Wahapū o Kaipara Hui-a-Iwi (1995) and the Waitangi Tribunal demonstrates that Crown land purchase and governance policies within the Te Uri o Hau rohe systematically undermined the ability of Te Uri o Hau to exercise tino rangatiratanga. Rather than honouring reciprocal obligations inherent in Māori land transactions, Crown frameworks promoted widespread alienation of Māori land and resources, resulting in long-term social, economic, and cultural harm.

Evidence presented by David A. Armstrong (WAI 271) showed that Crown legislation, particularly the Native Lands Act 1865, fractured collective land ownership by limiting memorials of ownership and facilitating individualisation of title. These mechanisms accelerated land loss and eroded hapū-based authority. By the late nineteenth century, diminishing landholdings and the entrenched impacts of the Native Land Court forced Te Uri o Hau communities into extractive industries such as gum-digging, timber harvesting, and flax milling. Contemporary evidence links this land loss to increased poverty and declining health outcomes, despite Crown narratives at the time attributing Māori hardship to cultural or personal failings.

The extent of dispossession is illustrated by the transition from Te Uri o Hau being significant contributors to the colonial economy in the 1850s to a position of extreme marginalisation by 1891, when Crown permission was sought on their behalf merely to collect driftwood from Crown land. Systemic failures included the lack of provision for pā kainga and wāhi tapu reserves, exclusion from customary food-gathering areas, and the prioritisation of settler land acquisition over the protection of Māori land tenure and resource access. These actions cumulatively undermined traditional land use, food security, and cultural practices central to the maintenance of mana whenua.

Māori land alienation within the Kaipara region occurred through both pre-Treaty and post-Treaty transactions. Pre-Treaty Old Land Claims were often informal, unclear, and based on fundamentally different understandings of land ownership, resulting in overlapping and disputed sales. Significant land blocks relevant to this assessment include Te Wairau (Ōtamatea), Piroa, Pukekaroro, and Ika a Ranginui, all of which were sold to the Crown at low prices under conditions of incomplete consent and increasing pressure. The loss of these land blocks directly affected areas such as Pukearenga and continues to shape Te Uri o Hau rangatiratanga including boundary recognition, and the relationship of Te Uri o Hau with the whenua and waterways of the activities area.

Property	Previous owners	Date of sale	Land sale information	Note
Te Wairau, Ōtamatea (OLC9)	Paikea whānau of Ōtamatea	1840	Approximately 40,000 acres were claimed as sold to William Wright and William Graham for £525 in cash and goods. However,	The area of Pukearenga is located

			payment was incomplete prior to 1840, and the claim was later reconsidered.	within this block.
		1858	In 1858, two new grants were issued: • 3,531 acres to Graham • 3,233 acres to Wright	
Piroa Block	Arama Karaka, Paikea, Paki, Hemara Tauhia, Eramiha Paikea, Wiremu Karaka Apo (by Eramiha), Henare Wharara, Te Hira, and Te Manihera	1862	9,200 acres sold to the Crown for £500	The previous owners are all of Te Uri o Hau descent
Pukekaroro Block	Arama Karaka, Hone Hihi, Wiremu Tipene, Matitikuha, Matenga, and Tamati Tupara	1859	8,400 acres sold for £422	A reserve of 50 acres at Koanga Tike (Kaiwaka) was set aside for Arama Karaka
Ika a Ranginui Block	Paikea, Arama karaka, Wiremu Tipene, Eramiha, and others	1858	8,128 acres sold (Turton Deed 152) for £500 Purchased by the Crown for allocation to immigrants under the 1864 land grant scheme Later granted to the Linell/Forde family, then the Coates family in 1869	Previous owners were from Te Uri o Hau and Ngāti Whatua

Kaitiakitanga and mauri - Taonga species

The kauri snail is an endemic species to Northland and northern Auckland and is closely associated with indigenous forest ecosystems. Its current fragmented distribution reflects extensive historical habitat loss resulting from forest clearance and land-use change. The species relies primarily on intact native forest but is also known to persist in adjacent plantation forests and modified grassland environments. Predation by introduced species and

ongoing habitat loss remain the primary threats. While no formal records exist for the Ōtamatea Ecological District, anecdotal evidence suggests the presence of kauri snails within kauri forest areas on the Puketotara Peninsula, indicating potential habitat values within the wider Te Uri o Hau rohe.

Kauri forests hold profound cultural, ecological, and historical significance for Te Uri o Hau. The Kaipara region was a focal point of kauri exploitation, particularly for gum and timber, with Māori often forming the primary labour force supporting this trade. The legacy of kauri extraction has resulted in significant and ongoing environmental impacts across the rohe, including increased sedimentation from forest loss, widespread loss of biodiversity and habitat, and the introduction and spread of kauri dieback disease.

These cumulative impacts have directly affected the mauri of kauri ecosystems and the taonga species they support, including the kauri snail. In response, Te Uri o Hau continues to actively exercise kaitiakitanga through the protection of remaining kauri stands, participation in kauri dieback prevention efforts, and the development of informed, adaptive protection initiatives. These efforts aim to restore ecosystem health, safeguard taonga species, and ensure the long-term survival of kauri and associated biodiversity for future generations.

Other impacts

Climate change is increasing the frequency and intensity of extreme weather events, including heavy rainfall, flooding, and land instability. Within the Te Uri o Hau rohe, these changes heighten the risk of slips, erosion, and flood events across waterways, wetlands, and forested landscapes. From a cultural perspective, such disturbances affect the mauri of the whenua and awa by destabilising natural systems that hold ancestral connections and sustain life.

Slips and flooding can damage wāhi tapu, burial sites, and culturally significant landscapes, as well as degrade water quality through increased sedimentation and contaminant runoff. Flooding disrupts freshwater ecosystems, impacts mahinga kai species, and alters natural flow regimes. As climate pressures intensify, the cumulative effect of repeated disturbance places long-term cultural, spiritual, and ecological values at risk, reducing the ability of Te Uri o Hau to exercise kaitiakitanga and maintain customary relationships with the environment.

Operational effects such as noise, vibration, air pollution, and artificial lighting also have cultural impacts on both the environment and Te Uri o Hau people. These disturbances can disrupt the natural rhythms of the landscape, affecting taonga species including manu, pepeketua, pekapeka, and aquatic life. Increased noise and vibration can displace species from breeding, feeding, and resting areas, while air pollution contributes to declining environmental quality and human wellbeing.

Light pollution alters natural day-night cycles and can interfere with nocturnal species and traditional understandings of time, seasonal indicators, and celestial navigation. The introduction of artificial light can diminish this balance, affecting the mauri of the ngahere and waterways.

Collectively, these disturbances represent an erosion of environmental and cultural integrity. While often considered temporary or technical effects, their cumulative impact can weaken spiritual connections, reduce the quality of culturally significant places, and limit the ability of Te Uri o Hau future generations to experience the environment in a state that reflects tikanga Māori and Te Uri o Hau rangatiratanga.

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A SUMMARY OF CULTURAL VALUES AND IMPACTS – THE CULTURAL LANDSCAPE OF TE URI O HAU

The mauri of the whenua as a living system

For Te Uri o Hau, the whenua is not a series of separate elements but a single interconnected living system. The maunga, awa, ngāhere, wetlands, valleys, and coastal edges are bound together through whakapapa, forming a cultural and ecological network that sustains life. The mauri of each of these places is interdependent:

- When the awa is disturbed, the mauri of the ngāhere and coastal areas are affected;
- When the maunga is cut, scarred, or fragmented, the flow of wairua through the wider cultural landscape is interrupted;
- When the whenua is excavated or stripped bare, the mauri of all connected systems weakens.

This relationship means that a single disruption creates multiple ripples across the cultural landscape. Cause and effect are not linear but cyclical and interwoven. The impact from this activity cannot be considered in isolation.

Fragmentation of the cultural landscape

The cultural landscape that once connected Te Uri o Hau to our maunga, awa, ngāhere, and our coastlines has been progressively fragmented through these activities:

- Roothing infrastructure and widening corridors,
- Forestry clearance and earthworks on steep slopes,
- Quarrying and industrial activity,
- Repeated land loss and changes to land tenure,
- Sedimentation and stormwater effects on downstream waterways.
- And other activities such as farming, horticulture and agriculture practices

Each activities impact has removed pieces of a once-continuous system, severing relationships between people and place. The cultural pathways that linked Te Ika a Ranganui, Pukearenga, Pukekaroro, Pukepōhatu, Piroa, the harbour edge, and kai gathering areas has been weakened or blocked entirely. With each loss, the ability of Te Uri o Hau to enact kaitiakitanga is further constrained.

Areas of highest value for Te Uri o Hau rangatiratanga

REDACTED – CULTURAL INFORMATION

Severance of cultural connections

Where roading, forestry, and quarrying have cut through ridgelines, diverted waterways, or removed native forests, the cultural connections between key sites have been severed.

For example:

- The relationship between Te Ika a Ranganui and surrounding lands is affected when the whenua is reshaped or carved into.
- The mauri that flows from the maunga to the awa is disrupted when watercourses are diverted or culverted without cultural consideration.
- The ability to access or travel traditional routes is compromised when slopes are destabilised, access points are closed, or landforms are altered.

These severances impact not just the physical environment but the spiritual, emotional, and cultural wellbeing of Te Uri o Hau.

Intergenerational wellbeing and hapū aspirations

The wellbeing of future generations is closely tied to the integrity of the cultural landscape. When the mauri of the whenua is compromised, so too is the wellbeing of our people.

Intergenerational healing requires:

- The restoration of damaged landscapes,
- Reconnection of fragmented cultural pathways,
- Continued access to mahinga kai and ancestral sites,
- Opportunities for rangatahi to learn whakapapa and tikanga in place.

Long-term aspirations for Te Uri o Hau include restoring mauri, replanting native ecosystems, re-establishing cultural connections, and ensuring that this activity does not permanently hinder the ability of future generations to live as kaitiaki.

Lasting effects of ongoing disruption

Years of infrastructure work, forestry operations, quarrying, land loss, and increased development pressures have cumulative effects on Te Uri o Hau and all communities living near these sites.

Ongoing impacts include:

- Loss of access to culturally important places;
- Long detours, slower travel speeds, and navigation hazards;
- Increased dust and noise nuisance;
- Further fragmentation of habitats, landscapes, and cultural corridors;
- Health and wellbeing effects from environmental degradation;
- Reduced ability to practise tikanga, karakia, and customary activities in the affected area.

These effects are compounded over time. The cultural toll is not limited to the duration of this activity; it will extend for generations of Te Uri o Hau people.

TE URI O HAU RECOMMENDATIONS

This activity will result in permanent and irreversible adverse effects on our cultural landscape, including the loss and fragmentation of land, reduced integrity of wāhi tapu and wāhi taonga, ongoing disconnection to ancestral relationships with the whenua, and cumulative effects on the exercise of kaitiakitanga. While avoidance, remediation, and mitigation measures are required, those measures alone will not fully address the scale or nature of this activity and the loss that will be experienced by Te Uri o Hau. The recommendations set out in this section provide the framework for recognising and responding to the adverse effects of the activity on Te Uri o Hau. To ensure these measures are effective, they must be drafted and implemented in a way that is practical, specific, and enforceable through consent conditions, management plans, agreements, and contract documentation. In particular, the recommendations should clearly identify which measures are mandatory, who is responsible for implementing them, when actions must occur, how approvals are to be obtained, and what steps are required where monitoring identifies adverse effects, cultural risk, or non-compliance.

The position of Environs is that where land is taken, permanently occupied, severed, or otherwise adversely affected by any activity, and where any effects fragment the cultural landscape, access, customary relationships, or the exercise of kaitiakitanga, that the Applicant must provide compensation and redress that goes beyond this process and the reimbursement of engagement costs.

Procurement participation, direct commercial opportunities, capability investment, and financial redress are necessary components of an appropriate response to Te Uri o Hau exercising mana whakahaere to this activity. These are a practical and necessary for the Applicant to recognise and offset the adverse effects of the activity on Te Uri o Hau rangatiratanga and ability to exercise mana whakahaere.

Environs seek a binding commitment from the Applicant to provide a procurement and commercial redress package that responds to the permanent loss and degradation caused by the activity. This package should be developed in partnership with Te Uri o Hau Settlement Trust and secured through conditions, agreements, and contract documentation before construction commences.

The recommendations are outlined in four sections:

- The construction phases of the activity;
- Significant sites impacted during the construction phases;
- A map to illustrate the cultural landscape of Te Uri o Hau; and
- The procurement and commercial redress framework from the impact of this activity and beyond.

Te Uri o Hau cultural monitors shall be engaged throughout all stages of the activity where works have the potential to affect cultural values, wāhi tapu, wāhi taonga, waterways, taonga species, or other culturally sensitive areas. The role, scope, and authority of cultural monitors shall be clearly set out in the relevant management plans and consent conditions, including when cultural monitors are required to be present, the matters they are authorised to observe and report on, the process for raising concerns, the triggers for pausing works, the parties who must be notified, and the process for resolving disputes or non-compliance. Cultural monitoring shall be implemented as a genuine and enforceable cultural protection mechanism.

To appropriately recognise and provide for Te Uri o Hau rangatiratanga associated with the activity's construction phases, the following consent conditions are recommended:

1. PRE-CONSTRUCTION PHASE		
Title	Consent Condition	Advice Note
1.1 Early Engagement	1.1.1 No works shall commence until Te Uri o Hau have been provided the right to participate and exercise their authority to contribute to final activity design and cultural risk assessment.	
	1.1.2 The Applicant will cover the costs for Te Uri o Hau to design a Cultural Management Plan .	The Cultural Management Plan will include: • Partnership and engagement • Tikanga and cultural protocols • Cultural monitoring • Accidental Discovery Protocol (ADP) • Environmental protection controls • Information & reporting requirements • Dispute resolution pathway • Redress, offsetting, or enhancement measures
1.2 Baseline Cultural and Environmental Assessment	1.2.2 The Applicant shall provide a Pre-Works Baseline Report that will be reviewed and agreed by Te Uri o Hau prior to earthworks.	The Pre-Works Baseline Report will include: • Cultural Mapping • Existing ecological conditions • Identification of wāhi tapu and sensitive areas

1.3 Cultural Protocols and Accidental Discovery	1.3.2 The Applicant will cover the costs for Te Uri o Hau to design and deliver a Cultural and Accidental Discovery Protocol (ADP) prior to works commencing.	This will be implemented out of the CMP and added as an appendix to the CMP.
	1.3.3 The Applicant's personnel (including contractors and subcontractors) shall be inducted on tikanga, kawa, and ADP procedures.	Ongoing induction of new personnel shall occur prior to their commencement on site.
1.4 Survey Assessments	1.4.2 The Applicant will meet the costs and undertake a further targeted survey of freshwater fish species. 1.4.3 The Applicant will meet the costs and undertake a comprehensive survey of wetlands in the activity area. 1.4.4 The Applicant will meet the costs and undertake a more extensive flooding assessment which needs to include a velocity assessment in the Brynderwyns flood assessment, and potential for planting downstream to stabilise riparian margins where required, and including effects of higher peak flows on velocity and erosion potential during both 10% and 1% AEP event. 1.4.5 The Applicant will meet the costs and develop an Avifauna Management Plan (AMP) in agreement with Te Uri o Hau.	It was identified in the Applicant's technical reports that there is lack of information around wetlands, freshwater species and flooding impacts. The Applicant needs to undertake these surveys and assessments before pre-constructions starts. The AMP shall include: • Limiting vegetation clearance and earthworks during bird breeding seasons to protect nesting birds. • Protection of hatchlings, nestlings and fledglings during and immediately after nesting season. • Predator control management. • Habitat assessments recognise food resources when evaluating value. • Identifying locations for offset wetlands to support habitat connectivity. • Whether additional monitoring of birds is required to better understand bird presence and habitat use.

1.5 Stream Diversion, Culverts, and Stormwater Design	1.5.1 Prior to finalising detailed design for any stream diversion, culvert installation, or stormwater management infrastructure, the Applicant shall cover the costs for Te Uri o Hau to exercise mana whakahaere by leading mātauranga Māori values in the final design. 1.5.2 No construction of stream diversions, culverts, or stormwater infrastructure may commence until Te Uri o Hau have been provided the right to participate and exercise their authority to review and comment on the final design package.	
1.6 Planning and Management	1.6.1 A Sediment and Erosion Control Plan must be reviewed for cultural advice by Te Uri o Hau. 1.6.2 The Applicant must comply with Ministry for Primary Industries' kauri hygiene requirements and shall cover the costs for a Kauri Hygiene Management Plan with agreement by Te Uri o Hau to ensure cultural and ecological integrity is upheld. 1.6.3 Before commencement of works, the Applicant shall cover the costs and develop a Pest Management Plan, in agreement with Te Uri o Hau. 1.6.4 Planting and Maintenance schedule shall be developed and cost covered by the Applicant in agreement with Te Uri o Hau. 1.6.5 The Applicant shall cover the costs for Te Uri o Hau to design a Taonga Species Relocation Plan. 1.6.6 All taonga relocation must be done in partnership with Te Uri o Hau at the cost of the applicant.	These plans shall be reviewed annually by the Applicant and Te Uri o Hau, with agreed improvements implemented at the cost and by the Applicant. The Pest Management Plan shall reflect Te Uri o Hau mātauranga, tikanga, and cultural priorities; align with the existing Brynderwyns resilience project pest control plan; and address forested areas between Pukearenga and State Highway 1, including adjoining accessible land. • Measures to control pest species impacting waterway and ecological health, including pigs, goats, possums, rats, and invasive plants. • Incorporate biosecurity protocols to prevent the spread of kauri dieback and other pathogens. The Planting and Maintenance schedule should include a

		minimum five-year maintenance period. If mitigation cannot be achieved, offsets should apply to these areas in agreement with Te Uri o Hau. Preferred plant suppliers should be used, including but not limited to using the hapū nursery as a preferred plant supplier. The Taonga Species Relocation Plan will include: • Te Uri o Hau list of taonga species requiring relocation. • Relocation sites identified and confirmed by Te Uri o Hau. • Handling, transport, and planting methods that reflect tikanga, mātauranga, and Te Uri o Hau direction to minimise stress or harm. • Timing of relocation determined in partnership to avoid ecological, cultural, or seasonal impacts. • Requirements for ongoing monitoring, maintenance, and support to ensure establishment and survival. • Cultural protocols, including karakia, wānanga, or other practices as determined by Te Uri o Hau. • Sourcing construction materials locally, where practicable.
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		The use of local quarry sources, such as Atlas Quarry, reducing transport impacts and environmental disturbance.
1.7 Site recognition	1.7.1 The Applicant shall engage early with Te Uri o Hau to determine appropriate forms of interpretation and recognition relating to significant sites within the activity area. 1.7.2 The Applicant shall meet costs associated with research, verification, and approval of place names. 1.7.3 The Applicant shall incorporate all agreed place names into all relevant signage, mapping, spatial datasets, and communications.	
1.8 Access for cultural activities	1.8.1 The Applicant shall meet before works commence to agree with Te Uri o Hau on access arrangements, timing, safety provisions, and any temporary restrictions. 1.8.2 Te Uri o Hau shall always retain reasonable and safe access to the waterway for cultural practices, including but not limited to karakia, wai collection, whakanoa processes, and mahinga kai.	
2. CONSTRUCTION PHASE		
Title	Consent Condition	Advice Note
2.1 Cultural Monitoring	2.1.1 The Applicant shall cover the costs for all cultural monitoring works and engage Te Uri o Hau Cultural Monitors for: - Earthworks - Stream diversion or culvert installation - Vegetation clearance - Opening/closing karakia - Implementation of the ADP, including investigation, tikanga processes, and any required mitigation	
	2.1.2 The Applicant shall cease works immediately if a cultural monitor identifies cultural risk or potential	

	taonga/kōiwi, until the matter is resolved in writing with Te Uri o Hau.	
	2.1.3 The Applicant shall immediately notify Te Uri o Hau and shall also notify Heritage New Zealand Pouhere Taonga and the relevant regulatory authority as required.	
	2.1.4 A cultural monitor must be present during early works where spoil and borrow areas will be established, and prior to gully filling.	
2.2 Environmental and Cultural Protection Controls	2.2.1 No works shall occur within 100 metres of any culturally significant buffer zones unless agreed in writing by Te Uri o Hau.	
	2.2.2 All waterway works must protect mauri, fish passage, and ecological integrity identified by Te Uri o Hau.	
	2.2.3 Plantings must use eco-sourced native species and reflect cultural and ecological values.	
	2.2.4 All handling, movement, and planting of taonga species shall not commence until Te Uri o Hau have confirmed their guidance in accordance with tikanga and cultural protocols necessary to uphold the mana and mauri of taonga species.	
	2.2.5 If any accidental or unavoidable damage occurs, the Applicant shall notify Te Uri o Hau immediately and work with them to determine appropriate mitigation or replacement actions.	
2.3 Communication and Reporting	2.3.1 Weekly updates shall be provided to Te Uri o Hau by the Applicant during active works.	
	2.3.2 Any cultural or environmental incident shall be reported within 2 hours.	
3. POST-CONSTRUCTION PHASE		
Title	Consent Condition	Advice Note
3.1 Monitoring Long-Term	3.1.1 The Applicant shall cover the cost for a Post-Construction Monitoring Programme designed in partnership with Te Uri o Hau.	The Post-Construction Monitoring Programme will include: • Water quality • Ecological health • Cultural integrity indicators e.g tohu indicators

		• Pest management • Cultural monitor services
	3.1.2 The Applicant will submit monitoring reports monthly to Te Uri o Hau for the first two years, then annually.	
3.2 Review	3.2.1 The Applicant shall engage in an annual review hui with Te Uri o Hau.	The annual review hui will discuss but is not limited to: • Assessing monitoring results • Te Uri o Hau exercising their mana whakahaere by evaluating cultural impacts • Adjust mitigation measures

To appropriately recognise and provide for Te Uri o Hau rangatiratanga associated with the impact of the construction phases of the activity on sites of significance to Te Uri o Hau, the following consent conditions are recommended:

4. BRYNDERWYNS BUS CRASH MEMORIAL

4.1 Pre-Construction phase

- 4.1.1 The Applicant shall meet the costs of a Memorial Preservation plan that is designed by Te Uri o Hau, and the affected families of the bus crash victims.

4.2 Construction phase

- 4.2.1 The Applicant shall ensure that the memorial is not disturbed, damaged, or altered during any works on or near the site.
- 4.2.2 A Te Uri o Hau Cultural Monitor shall be present for any earthworks, vegetation clearance, or construction activity within 100 metres of the memorial.
- 4.2.3 A minimum setback of 100 metres shall be maintained around the memorial, within which no earthworks, vegetation clearance, machinery operation, or material storage may occur, unless otherwise agreed in writing by both Te Uri o Hau and the affected whānau.
- 4.2.4 For the duration of works near the site, the Applicant shall install protective fencing, barriers, or other culturally and physically appropriate protections approved by Te Uri o Hau and the families.
- 4.2.5 Any accidental disturbance or damage to the memorial shall be:
- 4.2.5.1 Reported immediately to Te Uri o Hau and the families;
 - 4.2.5.2 Followed by an immediate halt to works;
 - 4.2.5.3 Addressed only once Te Uri o Hau and the families have confirmed appropriate remediation and reinstatement measures.

4.3 Post-Construction phase

- 4.3.1 Te Uri o Hau and the families shall be consulted on all matters relating to the memorial, including:
- 4.3.1.1 Ongoing maintenance;
 - 4.3.1.2 Access requirements;
 - 4.3.1.3 Future enhancements or long-term protection needs.

5. PIROA STREAM

5.1 Pre-Construction Phase

- 5.1.1 Prior to the commencement of any works the Applicant shall meet the full cost for Te Uri o Hau to design a Piroa Stream Monitoring Programme.
- 5.1.2 No works shall commence until Te Uri o Hau has confirmed in writing that the Monitoring Programme allows the recognition and provides for Te Uri o Hau rangatiratanga.

ADVICE NOTE:

The Monitoring Programme must include at a minimum:

- *Water quality monitoring parameters and methods;*
- *Cultural health monitoring indicators determined by Te Uri o Hau;*
- *Ecological monitoring requirements, including habitat condition and taonga species presence;*
- *Monitoring locations, frequency, and reporting requirements;*
- *Identification of baseline data needs and pre-works sampling.*

5.2 Construction Phase

- 5.2.1 The Applicant and Te Uri o Hau shall implement the approved Piroa Stream Monitoring Programme for the duration of construction activities affecting the Stream.
- 5.2.2 All monitoring results shall be provided to Te Uri o Hau within 10 working days of sampling, or within 24 hours if results indicate any acute environmental or cultural risk.
- 5.2.3 The Applicant shall consult with Te Uri o Hau regarding the use of original Māori names for Piroa Stream in all construction-related documentation, activity plans, signage, public-facing materials, and communication outputs.
- 5.2.4 A Te Uri o Hau Cultural Monitor shall be present for any earthworks, vegetation clearance, or construction activity within 100 metres of the Piroa stream.

ADVICE NOTE:

Māori names identified or confirmed by Te Uri o Hau shall be incorporated into:

- *Site signage;*
- *Construction plans and mapping;*
- *Traffic and public communication materials;*
- *Interpretation or cultural information boards (if proposed as part of the activity).*

5.3 Post-Construction Phase

- 5.3.1 The Applicant shall continue the Piroa Stream Monitoring Programme for a minimum of two (2) years post-construction, or for a longer period if requested by Te Uri o Hau based on monitoring results.
- 5.3.2 Post-construction monitoring reports shall be provided to Te Uri o Hau quarterly during the monitoring period.

6. BRYNDERWYNS WATERFALL

6.1 Pre-Construction Phase

- 6.1.1 Prior to completion of detailed design for road upgrades near the Brynderwys waterfall, the Applicant shall **cover the cost and work with Te Uri o Hau to confirm the appropriate Māori name.**
- 6.1.2 As part of the detailed design process, the Applicant shall undertake a feasibility assessment for a layby or safe stopping area to facilitate cultural access.

6.2 Construction Phase

- 6.2.1 During construction activities in proximity to the Brynderwyns waterfall, the Applicant shall ensure that works do not impede cultural access, views, or visibility of the waterfall unless agreed in writing by Te Uri o Hau.
- 6.2.2 The Applicant shall consult with Te Uri o Hau on construction staging, traffic management, and any temporary restrictions affecting cultural access to the waterfall.
- 6.2.3 A Te Uri o Hau Cultural Monitor shall be present for any earthworks, vegetation clearance, or construction activity within 100 metres of the waterfall, including blasting or drilling if applicable.
- 6.2.4 The Applicant shall implement measures to avoid sediment discharge, vegetation damage, or inadvertent access restrictions that may affect the cultural integrity of the waterfall.

6.3 Post Construction Phase

- 6.3.1 The Māori name confirmed through pre-construction engagement shall be incorporated into all final activity signage, plans, mapping, and public communications where practicable.
- 6.3.2 Within 3 months of completing works near the waterfall, the Applicant will meet the cost and shall convene a post-construction review hui with Te Uri o Hau to assess:
 - 6.3.2.1 Cultural effects observed during construction,
 - 6.3.2.2 The functionality of cultural access,
 - 6.3.2.3 Any signage or naming outcomes,
 - 6.3.2.4 Any further enhancement opportunities.

To appropriately recognise and provide for the fragmentation of the cultural landscape of Te Uri o Hau, associated with the impact of the construction phases of the activity on sites of significance to Te Uri o Hau, the following consent conditions are recommended:

7. CULTURAL CONNECTIVITY AND PATHWAY MAPPING

7.1 Within 6 months of consent being granted, the Applicant shall fund and support Te Uri o Hau to prepare a Cultural Connectivity and Cultural Pathways Map that identifies and documents:

- 7.1.1 Ancestral trails;
- 7.1.2 Spiritual routes and connections between maunga, awa, and cultural landmarks;
- 7.1.3 Mahinga kai corridors and traditional food-gathering areas;
- 7.1.4 Historical movement patterns across the cultural landscape;
- 7.1.5 Areas of cultural, spiritual, or environmental vulnerability.

7.2 The Applicant will provide:

- 7.2.1 Full funding for Te Uri o Hau staff time, technical specialists, data support, and GIS/mapping resources;
- 7.2.2 Access to activity information, plans, and technical datasets necessary to complete the mapping;
- 7.2.3 Access to sites within the activities area for mapping or verification purposes.

7.3 The Map shall be submitted to the Consent Authority for information once it has been approved by Te Uri o Hau.

7.4 The Applicant shall work with Te Uri o Hau to integrate the findings of the mapping into any future project stages, offset programmes, restoration works, or adaptive management measures.

ADVICE NOTE:

The purpose of the Cultural Connectivity and Cultural Pathways Map is to inform:

- a. future stages of project design;*
- b. cultural mitigation, offsetting, and redress measures;*
- c. long-term cultural landscape restoration and mauri enhancement initiatives.*

To appropriately recognise the long-term impact of the activity for Te Uri o Hau and its people, the following consent conditions are recommended:

- 8.** Prior to the commencement of any works, the Applicant shall cover the cost for a partnership with Te Uri o Hau to lead and develop a *Cultural Redress and Offset Framework (CROF)* that sets out the adverse effects arising from the activity and how they will be addressed, redressed, and offset. The Framework must recognise and provide for Te Uri o Hau rangatiratanga.

ADVICE NOTE:

The purpose of the CROF is to recognise that this activity imposes ongoing impacts on Te Uri o Hau that cannot be fully offset through standard mitigation measures alone.

The CROF shall be a strategic framework to address cultural loss, restore mauri, and support intergenerational wellbeing.

	Outcome	Redress & Offset Measures
Cultural Reconnection & Intergenerational Wellbeing	Restore Te Uri o Hau's intergenerational connection to the whenua and cultural landscape	Support cultural access, wānanga, rangatahi programmes, and learning opportunities. Enable ongoing presence and participation of Te Uri o Hau throughout project development and beyond. Facilitate cultural practices such as wai collection, karakia, mahinga kai, and return to significant sites.
Cultural Healing & Landscape Restoration	Address historic and ongoing mamae by restoring cultural and ecological integrity.	Reconnect fragmented landscapes and restore mauri of maunga, awa, ngahere, and cultural pathways. Support projects that re-establish cultural relationships to landforms and ecosystems. Invest in environmental and cultural restoration led by Te Uri o Hau.
Cultural Presence, Wayfinding & Heritage Storytelling	Strengthen the visible and narrative presence of Te Uri o Hau across the landscape.	Install pou, signage, heritage trails, and interpretive features sharing kōrero tuku iho. Embed Māori names, cultural narratives, and ancestral connections throughout the project corridor.

		Develop digital or physical storytelling platforms.
Access, Pathways & Cultural Connectivity	Re-establish and protect access to culturally significant places and pathways.	Reinstate or provide new access routes to maunga, awa, wāhi tapu, and mahinga kai. Restore historical trails and movement networks disrupted by previous land uses. Support development of a Cultural Connectivity & Cultural Pathways Map as a strategic planning tool.
Long-Term Governance & Co-Management	Ensure Te Uri o Hau holds meaningful influence over long-term decisions affecting the rohe.	Establish enduring governance or co-management arrangements for culturally sensitive areas. Require compulsory engagement and shared authority in ongoing management decisions. Provide resources to support hapū-led kaitiakitanga roles.
Cultural Health Monitoring & Adaptive Management	Track cultural and environmental wellbeing over time and respond to emerging issues.	Fund Te Uri o Hau to lead cultural health monitoring for 5–10+ years post-construction. Implement adaptive management responses when declines in cultural or environmental health are identified. Maintain ongoing reporting channels between project teams and Te Uri o Hau.
Climate Resilience & Mātauranga-Based Adaptation	Strengthen hapū-led climate resilience and adaptation across the rohe	Integrate mātauranga Māori into resilience planning, sediment control, fire management, and ecological restoration. Develop tohu-based early warning systems informed by cultural indicators and baseline data. Co-design climate adaptation initiatives that protect mauri and sensitive cultural landscapes.
Capability, Education & Workforce Development	Build enduring cultural and technical capability among Te Uri o Hau whānau.	Establish marae-based learning pathways aligned to project needs (e.g., GIS, drones, monitoring).

		Support tohunga-led modules on history, whakapapa, taonga species, ngahere, and wai. Create school engagement, kaitiaki days, planting programmes, and hands-on learning with the whenua.
Cultural Connectivity Mapping & Long-Term Future Planning	Enable long-term spatial, cultural, and environmental planning for Te Uri o Hau.	Fund development of a Cultural Connectivity & Pathways Map showing ancestral routes, mahinga kai corridors, spiritual networks, and vulnerable areas. Support creation of a 50–100-year Māori-led vision for the rohe, informing planning, restoration, and cultural revitalisation.
Tangible Cultural Redress & Hapū Aspirations	Provide meaningful, enduring cultural benefits beyond one-off compensation	Support heritage trails, learning centres, restoration projects, and other hapū-led initiatives. Help bring to life Te Uri o Hau's aspirations for the maunga, awa, landscapes, and communities. Prioritise outcomes that strengthen cultural identity, capability, and mauri restoration.

- 8.1 All cultural information, mātauranga Māori, monitoring data, and cultural assessments generated through this project remain the intellectual property of Te Uri o Hau and may not be used, shared, or relied upon for other projects without written approval.
- 8.2 No works may commence until Te Uri o Hau has confirmed in writing that the CROF has recognised and provided for Te Uri o Hau rangatiranga and their ability to exercise mana whakahaere.
- 8.3 The Applicant shall implement the CROF in full for the duration of the consent, unless otherwise agreed in writing by Te Uri o Hau.
- 8.4 Annual reporting shall be provided to Te Uri o Hau outlining progress against the Framework, including delivery of redress actions, implementation of offsets, and cultural outcomes achieved.
- 8.5 The CROF shall include provisions that provide Te Uri o Hau with a Right of First Refusal (RFR) over any land, assets, surplus materials, procurement packages, or commercial opportunities arising from the activity.

- 8.6 The Applicant shall ensure all project partners, including Public–Private Partnership (PPP) entities, are legally bound to honour Te Uri o Hau’s RFR for the duration of the project lifecycle.
- 8.7 No disposal, transfer, or reallocation of relevant assets may occur without first offering the right for Te Uri o Hau to participate and exercise their authority.
- 8.8 Where the activity is delivered under a PPP model, the Applicant shall ensure all PPP parties are bound to implement the CROF, including RFR, cultural access requirements, environmental monitoring, naming provisions, and reporting obligations.
- 8.9 The Applicant shall provide Te Uri o Hau with a clear point of contact within the PPP governance structure and ensure ongoing consultation, monitoring, and cultural oversight responsibilities are maintained across all PPP phases (design, construction, operation, and maintenance).
- 8.10 Any change in PPP partners or project governance must include a transition process that secures continuity of all cultural redress and offset commitments to Te Uri o Hau.

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APPENDICES

Appendix 1: Reference list

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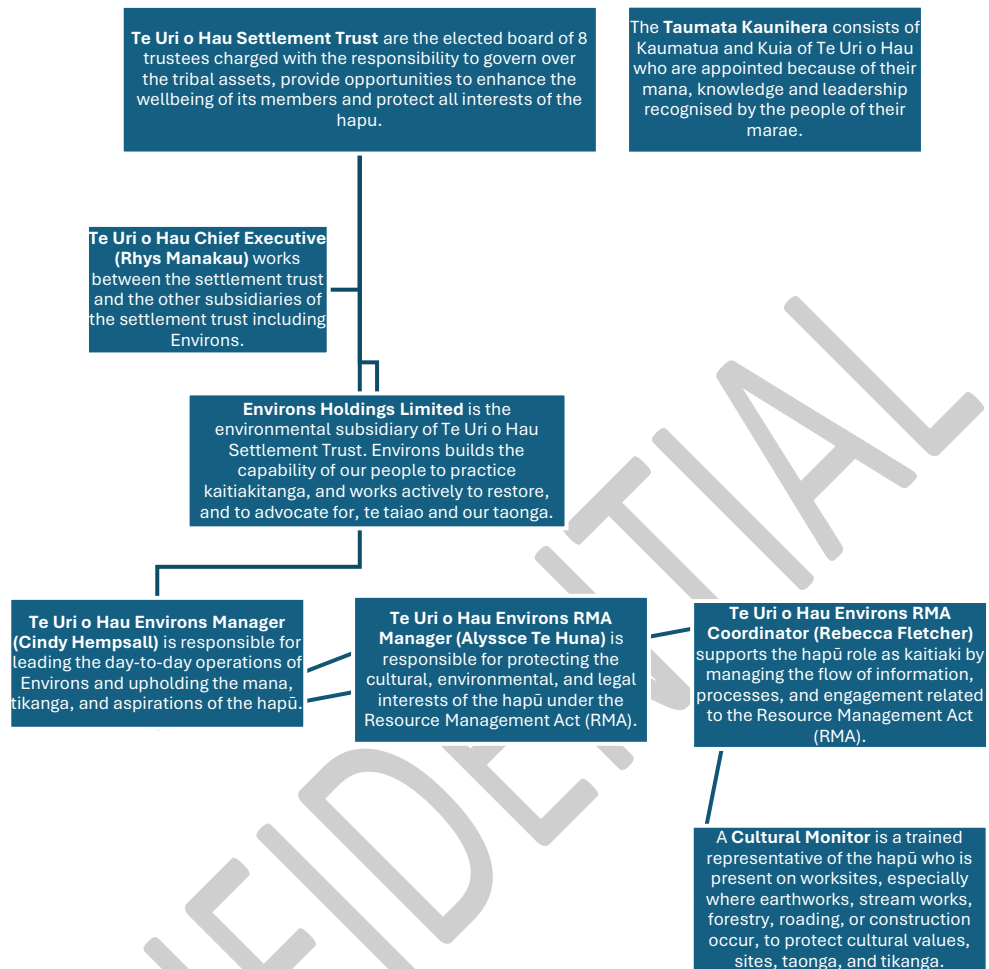
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Appendix 2: Overview of Te Uri o Hau Settlement Trust - Environs operations



Appendix 3: Personal statements

REDACTED – CULTURAL INFORMATION

A personal statement from a Te Uri o Hau uri and affected landowner was provided in support of the assessment. The statement describes the individual's whakapapa, relationship with the whenua, cultural landscape and anticipated effects of the proposal. The full statement has been withheld to protect personal privacy and culturally sensitive information.

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