



Cultural Impact Assessment

Residential Development at “The Hill,” Ellerslie Racecourse, Ellerslie

Prepared for the Auckland Thoroughbred Racing Club

11 May 2022

Prepared by Gabriel Kirkwood
Ngāi Tai ki Tāmaki Trust
Version Final Draft

Disclaimer

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In addition, no part of this document should be regarded as speaking for or otherwise representing the cultural values and associations of other iwi groups, and should not be regarded as an attempt to understate their cultural heritage or values associated with this area. In proper custom and tradition, cultural significance can only be considered of, and by those who can evidence and successfully debate among iwi, hapū their respective whakapapa, genealogy and ahikā or occupation to sites of each iwi, hapū respective interest.

Please feel very welcome to contact us if you have any queries relating to this Cultural Impact Assessment.

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1 Executive Summary

Ngāi Tai ki Tamaki have been engaged by the Auckland Thoroughbred Racing Club (**the ARTC**) to prepare a Cultural Impact Assessment (**CIA**) relating to their proposal to create a residential development on a c.6.2ha area of the eastern portion of the Ellerslie Racecourse, Ellerslie, referred to as “The Hill.” The project is located at 100 Ascot Avenue, Greenlane. It will be consented under the COVID-19 Recovery (Fast Track Consenting) Act 2020.

The proposal includes:

- Constructing approximately 370 residential dwellings with associated:
 - Open space areas;
 - Pedestrian and cycle connections (including connections to public transport)
 - Cycle parks;
 - Footpath adjoining the Ellerslie Racecourse which is expected to be controlled on race days;
 - Vehicle connections to the adjacent road network;
 - 505 carparks (approximately) that are contained mostly in garages or enclosed in basement parking areas.
- Undertaking bulk earthworks;
- Vegetation clearance;
- Works to fill in the artificial racetrack irrigation pond;
- Providing temporary activities (eg site offices) during the construction phase;
- Site landscaping;
- Retaining selected pohutukawa trees along Ladies Mile where safe and appropriate;
- Providing network utility connections;
- Discharging stormwater either into the existing 18m deep public stormwater pipe (that discharges into the Waiatarua Reserve) or onto land.

The ARTC requires several resource consents and has an approved authority from Heritage New Zealand Pouhere Taonga relating to the bulk earthworks.

This Cultural Impact Assessment describes Ngāi Tai ki Tamaki cultural values. Significant cultural values in close proximity to the project site include those associated with Mahinga Kai, Mauri o te Wai, and Maunga. Cultural values associated within the immediate project site include Mahinga Kai, Te Whenua, Te Wai Māori, and Te Wao Nui a Tāne.

Cultural effects during the construction phase include potential degradation to water quality; vegetation clearance; and archaeology. Once operational, we anticipate potential cultural effects could potentially be related to (if not adequately managed) the degradation to water quality; waste management; flooding and Mahinga Kai.

We have provided robust recommendations to help guide the decision-making process. Key to our recommendations is a strong desire to have a long-term working relationship with the project team – from project inception to successful completion.

To this end, we would appreciate frequent updates and to be advised of opportunities for us to be involved. Amongst others, for example, we would appreciate being involved in cultural monitoring of site works; translocating eel from the Ellerslie Racecourse irrigation pond, and revegetating native plants across the site.

Mihi

Ka tau ai te Kokoea
Ka whaiwhai ake te Mātuku Moana
Kakai te Kererū
Ka tiaki tūtei te Ruru
Ka korihi, ka tangi
Ka tangi, ka korihi
Ka korokī ko Ngāti Tai
Ko Ngāi Tai ka korokī.

Tihei mauri ora!

Ka rere ngā mihi ki te wheiao ki te ao mārama
Ka rere ngā manu i ngā hau āwhio
Ki te iringa pātaka kōrero
Te reo o tua whakarere ka tau.

Ko Kohukohunui ko Ngā Pona Toru ā Peretū ko Moehau ngā maunga
Ko Wairoa te awa, pāwhakawairua a kui mā a koro mā
Ko Te Marae o Tai ko Te Waitematā ko Tikapa ko Te Manukanuka ngā moana
Ko Tāmaki Makaurau te whenua
Ko Ngāti Whatatau ko Ngāti Wharetuoi ko Ngāti Rangi ko Ngāti Kōhua ko Ngāti Taurua ko Te
Ngungukauri ko Ngāti Te Rau ko Te Uri o Te Ao-Tāwhirangi ko Te Patukirikiri ko Ngāti Tai
Manawaiti ko Ngāti Tai Horokōwhatu ko Ngāi Tāiki ko Ngāti Taihau ngā hapū.

Nō reira, whakatau ki te rangi, whakatau ki te papa
E rere ana te whakaaro ki a rātou ngā rārangi maunga o Tāmaki Makaurau tū te ao tū te pō
Ngā rārangi tangata kua nunumi ki te pō, haere, haere koutou okioki ai
Ki ngā kanohi ora, tēnā koutou tātou katoa.

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2 Background

2.1 Purpose

Auckland Thoroughbred Racing Club (**ATRC**) has commissioned Ngāi Tai ki Tāmaki Trust (Ngāi Tai) to undertake a Cultural Impact Assessment for the proposed residential development at “The Hill” located towards the eastern end of the Ellerslie racecourse at 100 Ascot Avenue, Ellerslie.

2.2 Whakapapa

**We of the sacred footprint in the earth
the footprints of the high-born – the footprints on our foreshores**

Tapuwae O Nuku - Ngāi Tai have a long unbroken genealogy and occupation of their lands, waters and seas extending from the aboriginal inhabitants, pre-dating Kupe, Toi-te-huatahi and the Great Migration. Although our whakapapa best describes our hononga to the whenua, a tino taonga of Ngāi Tai, a tohu (symbol) currently residing in the Auckland Museum, being a fossil human footprint dating from the founding eruption of Te Rangi-itotonga-ai-te-lhu-o-Tamatekapua (Rangitoto) over 600 years ago and discovered on Te Motutapu-o-Taikehu, a place long held sacred to Ngāi Tai for their many wāhi tapu and association with Tupua of the motu (islands).

Tapuwae Ariki - Smaller footprints remind us of the many descendants and mokopuna, who have crossed this region over that long period of time. Larger footprints remind us of our high-born chiefly lines (ariki) and ancestors. These remind us of how important those leaders were and their value as navigators through our history.



This human footprint was found in ash from Rangitoto, which erupted about 1400 AD. The footprint was covered in ash from later eruptions, and uncovered during archaeological excavations on Motutapu Island, adjacent to Rangitoto

Private collection
Photograph by Reg Nichol

<http://www.teara.govt.nz/en/photograph/6829/footprint-in-rangitoto-ash>

Tapuwae O Tai - Our tribal name, Ngāi Tai, resounds as the story of a maritime people unencumbered by any normal sense of boundaries. Where our vision was only limited by our

imagination, it was the same vision, honed by thousands of years of exploration, facing the challenge of navigating the world's greatest ocean for survival. These descendants of Māui today carry his DNA and values into the new world of Ngāi Tai, true inheritors and worthy recipients of a boundless legacy left by the ancients and their numerous descendants.

*Ko ngā whetū ki te rangi, ko ngā kirikiri ki te one taitapa, ko ngā mana whakaheke o Ngāi Tai.
As the stars in the sky and the grains of sand on our many foreshores, so are the myriad chiefs in the
Pantheon of Ngāi Tai forebears.*



Sunde Site, Te Motutapu ā Taikehu - Reconstruction of Ngāi Tai Tūpuna settlement on Te Motutapu Island based on archaeological evidence from the Sunde Site. Picture depicts social and economic activities including fish-drying, animal skinning, basket making as well as structures including living quarters, shelters and elevated food storage stand.
https://www.aucklandmuseum.com/collection/object/am_library-paintinganddrawings-1206



Reconstruction based on archaeological evidence from the Sunde Site excavations. Picture shows the effects of the volcanic eruption on the adjacent island of Motutapu with fire denuding the vegetation and the ash showers destroying the settlement.

https://www.aucklandmuseum.com/collection/object/am_library-

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2.3 Rohe

Ngāi Tai ki Tāmaki (**Ngāi Tai**) are the original inhabitants and Iwi of Tāmaki Makaurau. The Iwi is based in Maraetai, Te Waitematā and Tikapa Moana, and exercises mana whenua and mana moana interests across Auckland and the Hauraki Gulf (also see **Appendix 1**). The main marae is Umupuia at Maraetai, and Ngāi Tai have various marae connections across Mātaitai, Whataapaka and beyond. The Iwi has whakapapa and other relationships with Iwi in the Tāmaki Makaurau and Hauraki regions.

2.4 Ngāi Tai ki Tāmaki Trust

The Ngāi Tai nation will do things By Ngāi Tai, For Ngāi Tai. Our organisation's core overarching drivers are Mana Moana, Mana Whenua, Manawa. We are looking to increase the wellbeing of the nation through leveraging our talents, endowments and partnerships.

Our iwi entities have governance responsibilities for approximately \$20 million of assets including the Maraetai Beach School and Clevedon Primary School, and various property developments. The Iwi entities are undertaking a number of environmental, cultural, social and commercial projects to revitalise the manawa of Ngāi Tai and increase the net monetary worth of tribal members – by Ngāi Tai, for Ngāi Tai.

2.5 Approach to Cultural Impact Assessments

A number of regulatory pathways anticipate a Cultural Impacts Assessment to be undertaken as part of the overall proposal or application process. Ngāi Tai has numerous histories/herstories around locations – water and land based – that no other party knows about and will generally not be found on web-based searches or literature reviews.

A Ngāi Tai CIA will focus on relevant cultural, environmental, and social observations that can often provoke more holistic consideration for the proposal/application. It can articulate their presence within the rohe that gives potential to reinforce tribal connections with:

- Te Whenua – Land and wāhi tapu
- Ngā Maunga – Mountains
- Te Wai Māori – Freshwater and waterways
- Ngā Kukuwai – Wetlands
- Mahingā Kai – Traditional areas we collect kai
- Mahinga Ika – Traditional fishing grounds
- Te Ara Rangi – Air space
- Te Takutai Moana – The Coastline
- Te Waitai / Te Moana – Sea water / The Ocean
- Ngā Kararehe / Manu – Animals and Birdlife

- Te Wao nui ā Tāne – Forests and Bush

A more detailed account of our background is available in our the Ngāi Tai ki Tāmaki Taiaomaaurikura (Environmental Management Plan) 2022 and website:

<https://www.ngaitaitamaki.iwi.nz/>

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3 Kupu Whakataki – Introduction & Project Overview

3.1 Summary of Proposed Work

The Auckland Thoroughbred Racecourse Club are proposing to create a residential development on a c.6.2ha area of the eastern portion of the Ellerslie Racecourse referred to as “The Hill.” The project is located at 100 Ascot Avenue, Greenlane. It is being progressed under the COVID-19 Recovery (Fast Track Consenting) Act 2020.

3.2 Reasons for Consent

Ngāi Tai understand that the Auckland Thoroughbred Racing Club will require a number of resource consents to undertake proposed works (above). These are provided in detail in the Development Summary dated 17 March 2022. As a precaution, the ATRC have also gained a Heritage New Zealand Pouhere Taonga Authority to help mitigate the effects of damaging any archaeological site(s) that will be lost due to bulk earthworks.

3.3 Report Purpose

The purpose of this Cultural Impact Assessment (CIA) is to help ensure Ngāi Tai values are understood; and appropriate management strategies are used to manage potential cultural effects. The specific objectives include:

1. To provide a description of Ngāi Tai history, cultural values relating to the Project;
2. To evaluate how the Project may affect cultural values;
3. To provide recommendations as to how to avoid and/or mitigate identified cultural effects.

3.4 Report Structure

This Cultural Impact Assessment is comprised of ten sections including:

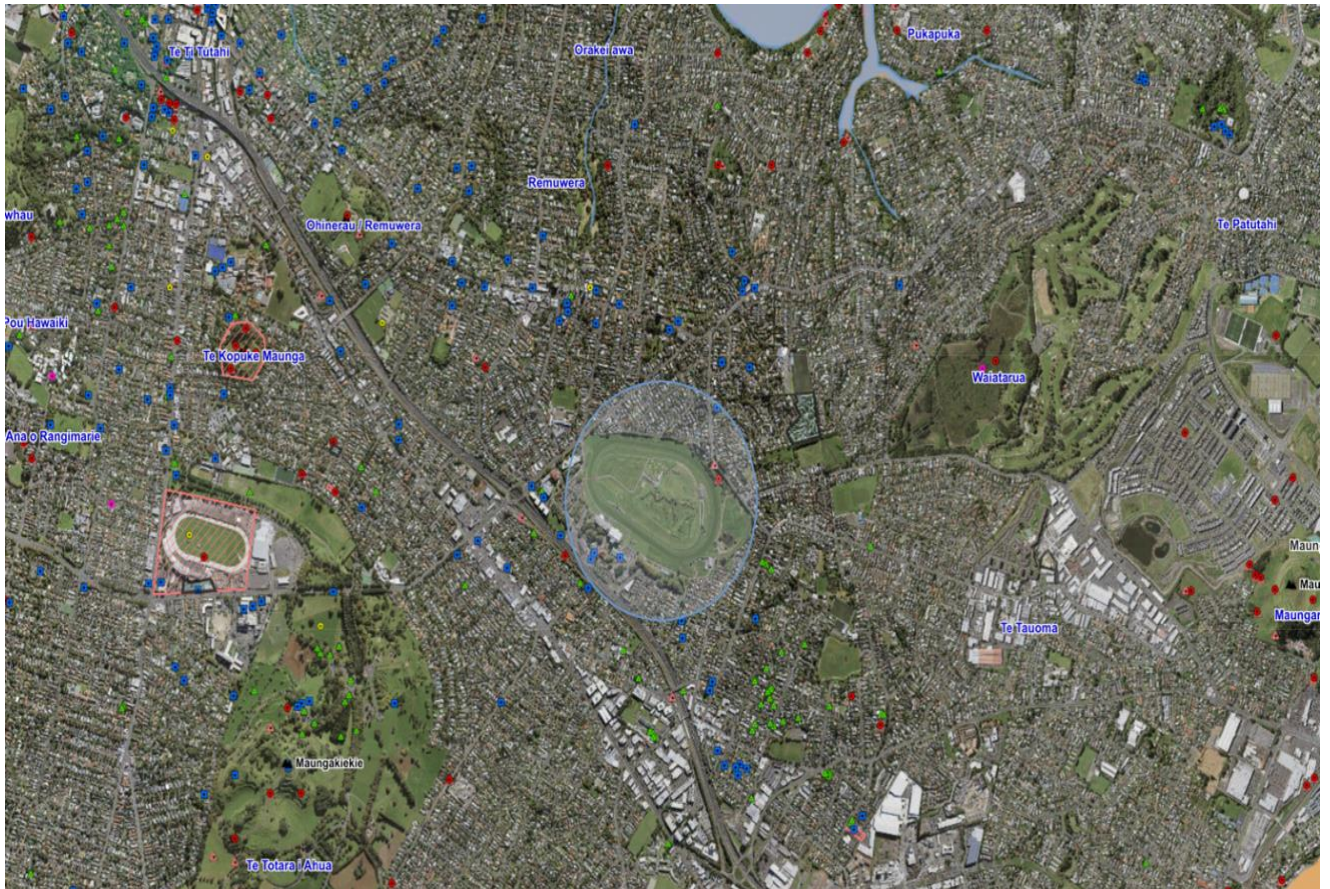
1. Executive Summary
2. Background
3. Kupu Whakataki – Introduction & Project Overview
4. Description of Proposed Works
5. Methods
6. Statutory Context
7. Existing Environment & Potential Effects of the Proposal
8. Summary and Conclusions
9. Recommendations
10. Further References

4 Description of Proposed Works

4.1 Location

The project site is located on the eastern part of the Ellerslie Racecourse, 100 Ascot Avenue, Greenlane. **Figure 1** describes the wider area' **Figure 2** describes the exact project site. The entire site and subject site are subject to several Zones, Overlays, Controls and a Designation. The later are described in detail in the Project Summary Document dated 17 March 2022.

Figure 1 Location Map



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4.2 Proposal

The proposal is to construct approximately 370 residential dwellings comprising a mix of detached, duplex, and terrace houses, market apartments, and an apartment building for the active retired (refer to **Figure 2 – Site Plan**).

Associated project activities include:

- Constructing approximately 370 residential dwellings with associated works including:
 - Creating open space areas;
 - Pedestrian and cycle connections (including connections to public transport);
 - Cycle parks;
 - Providing a footpath adjoining the Ellerslie Racecourse which is expected to be controlled on race days;
 - Vehicle connections to the adjacent road network;
 - Approximately 505 carparks that are contained mostly in garages or enclosed in basement parking areas.
- Undertaking bulk earthworks;
- Vegetation clearance;
- Works to fill in the artificial racetrack irrigation pond;
- Providing temporary activities (eg site offices) during the construction phase;
- Site landscaping;
- Retaining selected pohutukawa trees along Ladies Mile where safe and appropriate;
- Providing network utility connections;
- Discharge of stormwater either into the existing 18m deep public stormwater pipe (that discharges into the Waatarua Reserve or onto land).

Figure 2 – Site Plan



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5 Methods

During the initial scoping phase of this project, we undertook a desktop literature review, database searches, and visual site assessments. These identified constraints and potential opportunities within the Project Area. During the planning phase, we undertook field assessments of the Site from the periphery and from surrounding maunga.

Ngāi Tai engaged at an early stage with the ARTC project team to understand the proposal and help build close working relationships. Our underlying optimism was that our traditional and cultural knowledge could assist the planning processes including sharing cultural management strategies. Specific methods used to prepare this CIA are described in the sections below.

5.1 Oral History

- Reuben Kirkwood - Pukenga Matua and Kaiwhakairo (Senior Advisor and Carver).
- Zaelene Maxwell-Butler – Aukaha Pākaekae (Kaitiaki Representative).

5.2 Literature Review

In order to achieve required objectives, Ngāi Tai ki Tāmaki undertook a literature review of:

5.2.1 Relevant legislation and statutory planning documents

- Resource Management Act 1991
- Hauraki Gulf Marine Park Amendment Act 2001
- Hauraki Maori Trust Board Act 1988
- Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26): section 107
- Marine and Coastal Area (Takutai Moana) Act 2011 (2011 No 3): section 12
- Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014
- National Environmental Standard for Freshwater
- National Policy on Urban Development, 20 July 2020
- Te Tāruke ā Tāwhiri – Auckland Climate Plan
- Auckland Unitary Plan (Operative in Part) 2016
- Ngāi Tai ki Tāmaki Settlement Claims Overview
- Ngāi Tai ki Tāmaki Claims Settlement Act 2018

5.2.2 Supporting Technical Reports

Table 5.1 List of Supporting Technical Reports

No.	Title	Author	Prepared for	Date
1.	Development Summary	Vijay Lala, Tattico Limited	Auckland Racing Club	17 March 2022
2.	Archaeological Assessment	Rod Clough, Clough and Associates	Auckland Racing Club	July 2021
3.	Ecological Assessment	Nick Carter, Freshwater Solutions	Tattico Limited	26 August 2021
4.	Preliminary Infrastructure Assessment	Paresh Jesani, Harrison Grierson	Auckland Racing Club	9 July 2021

5.2.3 Publicly Available Databases including:

- Aerial photos
- Alexander Turnbull Tiaki online collection
- Auckland Council Cultural Heritage Inventory (CHI)
- Auckland Council GeoMaps GIS viewer
- Heritage New Zealand Heritage List / Rarangi Korero of historic places, historic areas and wahi tapu areas
- Heritage New Zealand online reports database
- LINZ database of historic maps and survey plans via Quickmaps
- New Zealand Historic Places Trust (NZHPT)
- NZ Archaeological Associations Site Recording Scheme
- Maori Land Court Minute Books Index

5.2.4 Field Surveys

A site visit was undertaken by Gabriel Kirkwood, Kaitiaki and CIA Author, Ngāi Tai ki Tāmaki, on 4 May 2022 (1200-1500hr). The site visit was required to assess certain aspects of importance to the Cultural Impact Assessment that required context and clarification namely: Assessing the potential viewshaft effects by viewing the site from the summits of Maungakiekie, and Ohinerau, assessing the condition and mauri of Waiatarua, and assessing potential effects on peripheral vegetation.

5.3 Assessment Methods

The framework used for this CIA is based on assessment criteria described in the Auckland RPS **B6.5 Protection of Mana Whenua cultural heritage**, Policy B6.5.2 (2)(a) to (f); and **B5.2.2 Policies: Identification and evaluation of historic heritage places** (1) (a) to (h) as they relate to Ngāi Tai ki Tāmaki historic places, historic areas, and waahi tapu.

5.4 Assumptions and Limitations

The following assumptions and limitations apply to the scope of our assessment. These include:

- That all technical reports provided are final at the time of writing, and that the client will provide for amendments to the CIA should significant changes to the proposal occur.

As such, we expect that ARTC will advise Ngāi Tai ki Tāmaki as soon as possible if there are any changes to the proposal.

6 Statutory Context

This report has been prepared in accordance with requirements described in the following legislative documents:

- Resource Management Act 1991;
- Fisheries Act 1996;
- Local Government Act 2002;
- Heritage New Zealand Pouhere Taonga Act 2014;
- Auckland Unitary Plan (Operative in Part) 2016.
- Sea Change – Tai Timu Tai Pari (Hauraki Gulf Marine Spatial Plan) 2016; and
- Kāinga Ora – Homes and Communities Act 2019.

For ease of reference, we have described key clauses below.

6.1 Resource Management Act

This major legislation provides significant guidance across the use of waters and land. Processes within the Resource Management Act 1991 will often require Ngāi Tai engagement particularly around sections 6, 7 and 8 of the legislation.

6.1.1 Section 6

Section outlines matters of national importance and reinforces that in achieving the Act's purpose, all persons exercising functions and powers under it *shall recognise and provide* for matters of national importance including:

- preservation of natural character of land and waters;
- protection of areas of indigenous vegetation and indigenous fauna; and
- relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.

6.1.2 Section 7

Section 7 requires people exercising functions and powers under it to *have particular regard* to various matters including:

- kaitiakitanga; and
- intrinsic values of eco-systems.

6.1.3 Section 8

Section 8 requires all persons exercising functions and powers under it to *take into account* the principles of te Tiriti o Waitangi / the Treaty of Waitangi which includes practical partnership, protection and participation.

Ngāi Tai are committed to elevating the exercise of functions and powers to effectively implement Ngāi Tai kaupapa, tikanga and give practical expression to tribal values. This demands a higher standard of Treaty/Tiriti performance by applicants and regulators alike.

6.2 Fisheries Act 1996

The Fisheries Act 1996, administered by Ministry of Primary Industries, Its primary purpose of ensuring sustainability in the management of fisheries resources is defined as:

- Maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations; and
- Avoiding, remedying, or mitigating any adverse effects of fishing on the aquatic environment.

Administering of the Fisheries Act 1996 requires recognition of the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992, and the creation of tools to provide for customary use and fishery management practises including allocation of Total Allowable Catch (TAC) for Māori Customary Fishers (as well as recreational and commercial fishers).

6.3 Local Government Act 2002

The purpose of the Local Government Act 2002 is to provide for democratic and effective local government that recognises the diversity of New Zealand communities; and, to that end:

- States the purpose of local government; and
- Provides a framework and powers for local authorities to decide which activities they undertake and the manner in which they will undertake them; and
- Promotes the accountability of local authorities to their communities; and
- Provides for local authorities to play a broad role in promoting the social, economic, environmental, and cultural well-being of their communities, taking a sustainable development approach.

In doing so, the Local Government Act 2002 must recognise and respect the Crown's responsibility to take appropriate account of the principles of the [Treaty of Waitangi](#) and to maintain and improve opportunities for Māori to contribute to local government decision-making processes by way of principles and requirements for local authorities that are intended to facilitate participation by Māori in local authority decision-making processes as stipulated in Part 2 and Part 6.

6.4 Heritage New Zealand Pouhere Taonga Act 2014

The purpose of the Heritage New Zealand Pouhere Taonga Act 2014, administered by the Ministry for Culture and Heritage, is to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand. In doing so, the Act must recognise and respect the Crown's responsibility to give effect to the Treaty of Waitangi (Te Tiriti o Waitangi).

6.5 Auckland Unitary Plan (Operative in Part) 2016

The Unitary Plan guides the use of Auckland's natural and physical resources, including land development, by determining:

- What can be built and where;
- How to create a higher quality and more compact Auckland;
- How to provide for rural activities;
- How to maintain the marine environment;

The statutory purposes of the Auckland Unitary Plan (the Plan) are:

- For the part which is the regional policy statement: to achieve the purpose of the Resource Management Act 1991 by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region;
- For the parts which are the regional coastal plan: to assist the Council, in conjunction with the Minister for Conservation, to achieve the purpose of the Resource Management Act 1991 in relation to the coastal marine area of the region; and for the parts which are the regional plan and the district plan: to assist the Council to carry out any of its functions as a regional council and as a territorial authority in order to achieve the purpose of the Resource Management Act 1991.

6.6 Sea Change – Tai Timu Tai Pari (Hauraki Gulf Spatial Plan) 2016

The Sea Change – Tai Timu Tai Pari (Hauraki Gulf Marine Spatial Plan) 2016, is a non-statutory spatial plan intended to provide direction such to improve the health, mauri (life force and vitality), and abundance of the Hauraki Gulf Marine Park by:

- Restoring depleted fish stocks and restoring benthic (sea floor) habitats that support healthy fisheries;
- Reducing the impacts of sedimentation and other land-based activities on water quality;
- Recognising and protecting cultural values;

- Enhancing the mauri of the Hauraki Gulf Marine Park;
- Protecting representative marine habitats;
- Promoting economic development opportunities for the Hauraki Gulf Marine Park while ensuring marine environments are restored.

6.7 Kāinga Ora – Homes and Communities Act 2019

The Kāinga Ora – Homes and Communities Act 2019 was introduced to establish Kāinga Ora, a Crown Entity with the purpose of implementing and administering State Housing in accordance with the Act. In Administering the Act, Kāinga Ora must recognise and respect the Crown’s responsibility to consider and provide for Māori Interests.

6.8 Ngāi Tai ki Tāmaki Documents & Websites

- Ngāi Tai ki Tāmaki Take Taiaomaurikura (Environmental Management Plan) 2022
- Ngāi Tai website <https://www.ngaitaitamaki.iwi.nz/>

7 Existing Environment & Potential Effects of the Proposal

7.1 Cultural Significance of the Project Area to Ngāi Tai ki Tāmaki

Ngāi Tai acknowledge Papatūānuku, Ranginui, their tamariki mokopuna, and have regard and respect for all iwi.

There are a number of significant historical and cultural events that affiliate Ngāi Tai ki Tamaki to the area, which is now referred to as Ellerslie. In order to protect our Ngāi Tai kōrero from people or organisations, Māori and non Māori, who may misappropriate or reconstruct our kōrero to elevate or embellish themselves for personal or financial gain, our kōrero has been filtered to protect the use of specific stories, names, and places important to the protection of Ngāi Tai ki Tāmaki.

Ngāi Tai inhabited the numerous maunga surrounding Ellerslie from ancient times through to the colonial era. Throughout the year, Ngāi Tai traversed their vast domain in a seasonal cycle of harvesting, gathering, and fishing. Thus, we recall a network of vast pā and kainga, strategically placed, and surrounded by māra kai (gardens) and areas for mahinga kai (food gathering). Potaka established a pā at Te Maungarei a Potaka (Mount Wellington) sometime in the 15th-16th century. Potaka is an early tupuna of the Ngāi Tai hapu Te uri o te ao, a hapu that was prolific in the rohe of 'West Tāmaki'. Extending beyond Te Maungarei a Potaka were the extensive māra kai at Stonefields. This suburb carries its contemporary name in recognition of the stone formations which delineated these vast cultivations. It is said the gardens surrounded Maungarei a kilometre in radius. Just beyond lay the small Ngāi Tai maunga Te Tauoma (Purchas Hill) which has met the contemporary fate common to many such wāhi tupuna of being quarried away. It is here portrayed the vast difference between the cultural landscape referenced by Ngāi Tai in comparison to the contemporary landscape. Whilst many of our significant wāhi tapu and landscapes have been destroyed, the mauri and mana of such sites remain.

Te uri o te ao (and Ngāti kohua) had further pā at Rarotonga (Mount Smart), Maungarahiri (Mountain of the sun's rays, contemporarily known as little Rangitoto), Ōhinerau (Remuwera, Mount Hobson), and Maungakiekie (So named after the kiekie vine that grew prominently on the Maunga). Between these numerous pā the rich volcanic loams provided by lava flows offered a highly productive base for cultivation of kumara (sweet potato) and native fernroot along with patches of supplementary taro, yam, and gourd.

Waiatarua, prior to being drained in 1929, was a large lake that provided freshwater supply to the Remuwera area and thus nourished those vast and plentiful māra kai (gardens). It further provided for a site to harvest manu (birds), tuna (eels) and various flora. Some such

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flora would have included Harakeke (flax) for weaving, and Raupō, the pollen of which was harvested by our tūpuna to make bread (amongst other uses).

Lava Caves are commonplace in the areas surrounding these maunga. Shallower and more accessible caves were utilised by Ngāi Tai for burial of koiwi tangata (human remains) and taonga (treasures). One such example is found within the site. Unfortunately, many of these sacred burials and caves have been destroyed, flushed, or filled in as a consequence of the continuing development of our rohe.

These kōrero point to a time when the area provided continued residence, shelter, and significant cultural events to Ngāi Tai before the arrival of settlers to the Tāmaki region. A time when the whenua was under the kaitiakitanga of the significant Rangatira Māori of that period who exercised their cultural practises without interference from members of the crown or any other non-Māori.

7.2 Project Considerations Effecting Ngāi Tai

7.2.1 Te Whenua

The footprints, the narratives of Ngāi Tai reach across the entire landscape of Tāmaki Makaurau. From atop the many maunga, the ceremonial standing places, the burial places, the kāinga of our tūpuna, for Ngāi Tai the wairua, the mauri can still be seen, felt, and heard.

Ngāi Tai kōrero tuku iho speak of the occupation of the area by its many hapū. It is therefore not unreasonable to consider that wāhi tapu (sacred sites) or archaeology in this area would be present, and though much of it unseen, evidence of the ancient occupation lies beneath the surface and above ground evident by pā sites and terracing.

Recent excavations across various projects have exposed human remains present in the interface between the historic fill and original layers. Kaitiaki have been able to alert the project management to the discovery of kōiwi or other archaeological remains. Although not always seen by Heritage New Zealand as being in an archaeological context, the cultural context and sensitivity of such discoveries validates our values and Manaakitanga on the project.

Bulk Earthworks will be required to facilitate the development. Although an approximate amount is not yet clarified, the size of the development indicates considerable earthworks will be required. Protection of wāhi tapu, taonga remains the largest concern for Ngāi Tai ki Tāmaki. Continued development of our rohe is a major factor in the disturbance of wāhi tapu (sacred sites). Consequently, Ngāi Tai are active in ensuring that earthworks associated with Resource Consents are, when required, supported by stringent protocols that ensure the

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avoidance, remediation, or mitigation of effects on sites of Cultural and Archaeological significance. Considering the earthworks proposed Accidental Discovery cannot be discounted. This risk of Accidental Discovery is supported and exacerbated by the surrounding cultural landscape and close proximity to several significant sites to Ngāi Tai ki Tāmaki, any modifications previously made to the site notwithstanding. A Cave Burial is noted immediately adjacent to the site. This, as well as further burials noted to the West of the site (Maungakiekie) indicates the wider area is likely used for burials.

The Proposal sits within a volcanic landscape and thus earthworks carry a risk of disturbing Lava Caves (and any associated Burials).

7.2.2 Ngāi Tai Maunga

While the landscape is vastly altered, many maunga have disappeared, lost to quarrying to further the colonised growth and infrastructure from the early 1800s to present day. From a spiritual sense however, Ngāi Tai view those lost tūpuna maunga as still very present, their mana, their kōrero within our ancient teachings remain relevant.

It was vital for Ngāi Tai to have clear viewshafts between maunga such to maintain contact and visibility between groupings of people (hapū). It was also strategically important during times of impending attack, such that respective hapū could inform each other of danger, usually by way of smoke signal or pūtātara (conch shell trumpet), or other such instruments. It is crucial that the cultural importance of such connections between maunga is preserved in our consideration of contemporary activities/proposals.

7.2.3 Te Wai Māori

Water is of special significance to Ngāi Tai. The many strains, wai tai, wairere, wahapū, wai whakaika, awa and ākau from which essential food sources and drinking water are provided. They are fundamental to the sustenance and quality of life as a life source to all living and indeed ngā wāhi motuhake for the mauri of our tūpuna and for ngā uri o Ngāi Tai today.

Vehicle connections to the adjacent road network are proposed. Contaminant generating surfaces have the potential to effect Te Mauri o te Wai, should those contaminants not be appropriately treated and managed, through their degradation of water-quality and thus the life giving capacity of those water-bodies. All road reserves should provide for treatment of contaminants, including driveways and parking areas. Ngāi Tai are supportive of a treatment-train approach such to minimise any onflow effects to the receiving environment(s). A combination of natural and proprietary devices eg Swale, 360 Filter is suitable.

Constructing the carparks required for the proposed development will require diversion of Groundwater. It is essential the project treats this taonga wai in a manner that enhances Te Mauri o te Wai. Treatment should be provided to increase/maintain groundwater quality, and effort should be made to minimise groundwater diversion.

7.2.4 Ngā Kukuwai

Wetlands, such as Waiatarua, are significant ecological and cultural features that provide(d) for food (**Mahinga Kai**) and resource gathering to Ngāi Tai. They further provide the important functions of cleaning water of excess nutrients and sediment, controlling flood water and pollutants, and acting as carbon sinks (removing carbon dioxide from the atmosphere). Draining wetlands for agricultural and urban development over the past 150 years has led to significant wetland loss and deterioration. Wetland area has been reduced to less than 10% of its pre-human extent with some 6,000ha lost in the last two decades alone.

With that said, Ngāi Tai are cautious in protecting Ngā Kukuwai. Whilst they appear resilient, they have an inherent capacity that can be overwhelmed from an excess of contaminants brought about by surrounding development.

7.2.5 Te Waitai/Te Moana

Ngāi Tai travel unencumbered from mainland Tāmaki Makaurau traversing Te Waitematā, Te Maraetai and Tikapa Moana to the outer islands of Te Rangitōtō, Te Motutapu ā Taikehu, Te Motu ā Ihenga, Motukorea, Rataroa and Te Motu Arai Roa, now known as Waiheke Island.

The development of Tāmaki Makaurau has seen deposits, minerals and sediments received into Tikapa moana which has had severe adverse effects. Sea Change Tai Timu Tai Pari - Hauraki Gulf/Tikapa Moana Marine Spatial Plan has been developed to address this.

<http://www.seachange.org.nz/>

Estuaries were favoured for food gathering sites and provided safe, sheltered waters with an abundance of fish, shellfish, and birds for eating. Estuaries also gave access to the interior of the country and its wealth of resources-tall timbered rain forests, abundant bird life, flax swamps and rivers full of eels.

Because estuaries were viewed by many European settlers as unproductive wastelands, estuarine land was reclaimed for harbours, and filled in for pasture, sewerage schemes and stormwater discharge.

Many estuaries are still under threat from:

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- excess silt
- pollution from sewerage, industrial/ agricultural runoff and stormwater
- invasion by introduced species [plant and animal]
- reclamation

If surrounding moana and awa are compromised, the impact upon Ngāi Tai, the cumulative effect in the gathering of kaimoana, fishing (**Mahinga Ika**) or activities such as swimming become unsafe due to the increased health related issues. Such outcomes conflict with Ngāi Tai values in respect of manaakitanga.

With flood levels, weather bombs, the many heavy rainfall events experienced as a result of climate change, overland waters carrying pollutants propose further concerns for Ngāi Tai for the storm water overflows into Te Moana. This proposal could directly impact the storm water run-off after heavy rains which will affect the water quality of Waitemata and Tīkapa Moana, surrounding foreshores (**Te Takutai Moana**) and tidal streams.

Ngāi Tai advocate for the importance of measures over and above ‘best practice’ in water sensitive design to provide appropriate and ongoing contribution to healthy water quality outcomes. These outcomes can be achieved with appropriate storm water devices such as 360 devices, rain gardens and wetlands.

7.2.6 Te Wao Nui ā Tāne

The common gardens and natural kai of the ngahere for Ngāi Tai and for our tūpuna manu and ika have long been destroyed by farming and developments. Edible native plants & trees such as watercress, puha, kōkihi, karaka berries to name a few are disappearing from our landscapes and are difficult to replace due to the pollutants in their environment making them unpalatable and due to western planting policies. Native bird and fish species are under threat, their foods sources either too far afield or fast becoming scarce within their immediate natural habitat.

The culture, identity, and ecology of Tāmaki is consistently degraded by the removal of native trees, or decreased representation of native flora through the unnecessary planting of exotics. Ngāi Tai advocate for the avoidance of the removal of these trees in the first instance and, if not possible, appropriate mitigation over and above the requirements of Auckland Council.

It is noted, within this proposal, an intention to remove several Pohutukawa. These rākau are of cultural and spiritual significance to Ngāi Tai ki Tāmaki. We view that their avoidance in the first instance will provide a holistic benefit to the site and its surrounding environment.

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Removal of such rākau will incur further effect by way of a reduction of suitable habitat and Kai for our native Manu (birds).

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8 Summary and Conclusions

Ngāi Tai ki Tamaki have been engaged by the Auckland Thoroughbred Racing Club (**the ARTC**) to prepare a Cultural Impact Assessment (**CIA**) relating to their proposal to create a residential development on a c.6.2ha area of the eastern portion of the Ellerslie Racecourse, Ellerslie referred to as “The Hill.” The project is located at 100 Ascot Avenue, Greenlane. It will be consented under the COVID-19 Recovery (Fast Track Consenting) Act 2020.

The proposal includes:

- Constructing approximately 370 residential dwellings with associated:
 - Open space areas;
 - Pedestrian and cycle connections (including connections to public transport)
 - Cycle parks;
 - Footpath adjoining the Ellerslie Racecourse which is expected to be controlled on race days;
 - Vehicle connections to the adjacent road network;
 - 505 carparks (approximately) that are contained mostly in garages or enclosed in basement parking areas.
- Undertaking bulk earthworks;
- Vegetation clearance;
- Works to fill in the artificial racetrack irrigation pond;
- Providing temporary activities (eg site offices) during the construction phase;
- Site landscaping;
- Retaining selected pohutukawa trees along Ladies Mile where safe and appropriate;
- Providing network utility connections;
- Discharging stormwater either into the existing 18m deep public stormwater pipe (that discharges into the Waiaatarua Reserve) or onto land.

The ARTC requires several resource consents and has an approved Authority from Heritage New Zealand Pouhere Taonga relating to the bulk earthworks.

This Cultural Impact Assessment describes Ngāi Tai ki Tamaki cultural values. Significant cultural values in close proximity to the project site include those associated with Mahinga Kai, Mauri o te Wai, and Maunga. Cultural values associated within the immediate project site include Mahinga Kai, Te Whenua, Te Wai Maori, and Te Wao Nui a Tāne.

Cultural effects during the construction phase include potential degradation to water quality; vegetation clearance; and archaeology. Once operational we anticipate potential cultural effects could potentially be related to (if not adequately managed) the degradation to water quality; waste management; flooding and Mahinga Kai.

We have provided robust recommendations to help guide the decision-making process. Key to our recommendations is a strong desire to have a long-term working relationship with the project team – from project inception to successful completion.

To this end, we would appreciate frequent updates and to be advised of opportunities for us to be involved. Amongst others, for example, we would appreciate being involved in cultural monitoring of site works; translocating eel from the Ellerslie Racecourse irrigation pond, and revegetating native plants across the site.

9. Recommendations

Should consent be granted, Ngāi Tai have provided several recommendations (below) to help avoid and/or mitigate potential cultural effects.

These recommendations relate to Bulk Earthworks required to facilitate the development. The below recommendations will implement the Policies provided in the Auckland Unitary Plan sections B6.3, B6.5, E12.3: B6.3.2, B6.5.2, E12.3.1, E12.3.2, and E12.3.4. These recommendations will provide for s4(b), s4(d), and s42 of the Heritage New Zealand Pouhere Taonga Act 2014.

1. Prior to the commencement of earthworks on the site, Ngāi Tai would recommend the client hold a pre-start meeting that includes Ngāi Tai ki Tāmaki representation to carry out cultural ceremonies and cultural inductions required by the consent conditions and as agreed to between Ngāi Tai ki Tāmaki and the consent holder.
2. Representatives of Ngāi Tai ki Tāmaki should be given at least twenty working days' notice by the consent holder of the meeting and reasonable endeavours should be made to accommodate their attendance.
3. Prior to the commencement of earthworks (or at other times to be agreed with representatives), Ngāi Tai recommend cultural inductions be provided to the workers involved in earthworks/topsoil stripping associated with this application, including those involved in the establishment of earthworks controls.
4. Ngāi Tai recommend the consent holder provide a minimum of twenty working days' notice to representatives of Ngāi Tai ki Tāmaki of the dates for any cultural inductions.
5. Provision should be made by the consent holder for Ngāi Tai ki Tāmaki representatives to undertake cultural monitoring, karakia, placement of tohu, and/or other such cultural ceremonies on the site, associated with the following milestones:
 - a) Pre-start meeting;
 - b) Prior to construction of earthworks control measures;
 - c) Prior to commencement of bulk earthworks;
 - d) During bulk earthworks when deemed appropriate by Ngāi Tai ki Tāmaki;
 - e) Immediately prior to completion of bulk earthworks across the site; and
 - f) At other times as agreed between the consent holder and Ngāi Tai ki Tāmaki.
6. The consent holder should provide a minimum of twenty working days' notice to representatives of Ngāi Tai ki Tāmaki of the anticipated dates for the above milestones.
7. Ngāi Tai recommend the consent holder adhere to the conditions of an Accidental Discovery Protocol during all associated works, and include Ngāi Tai ki Tāmaki contact details in this Protocol such that the client and contractors have these details available in order to expedite the Protocol.

These recommendations relate to demolition of existing structures, and further provide for the objectives of Te Tāruke ā Tāwhiri – Auckland’s Climate Plan.

8. Ngāi Tai recommend that the consent holder develop and employ methods to reduce waste to landfill associated with demolition works, and Ngāi Tai wish to be engaged on developing those methods.
9. The consent holder should report to Ngāi Tai ki Tāmaki on demolition works at an interval and including such contents agreed between the consent holder and Ngāi Tai ki Tāmaki.
10. Ngāi Tai wish to be involved in the development and establishment of the Waste Management Plan.

The following recommendations relate to effects on Wai Maori, Ngā Kukuwai, and Mahinga Kai associated with the proposal. In implementing these recommendations, the project will give effect to the following sections of the Auckland Unitary Plan: B6.2.2, B6.3.2 and will provide for Te Mana o te Wai in accordance with the National Policy Statement: Freshwater Management (s1.3, s2.2). These recommendations will further provide for the avoidance, remediation, or mitigation of ‘cumulative effects’ (Resource Management Act 1991) on the receiving environment ie Waiatarua, other waterways.

12. Ngāi Tai recommend all waterways whether direct or via storm water to be protected during the stages of development via stringent erosion and sediment controls and appropriate devices in accordance with GD05.
13. Provision should be made by the consent holder for Ngāi Tai ki Tāmaki representatives to undertake cultural monitoring during:
 - a) Establishment of erosion and sediment control measures.
 - b) Monitoring of water quality.
 - c) Any occasion, as agreed between the consent holder and Ngāi Tai ki Tāmaki, during associated works, for the purpose of viewing and assessing the erosion and sediment control measures.
14. Ngāi Tai request the consent holder provide us with monitoring data related to performance of the aforementioned measures/devices, and water-quality of the receiving environment ie Waiatarua Reserve.
15. Ngāi Tai recommend the consent holder provide for measures over and above ‘best practice’ in water sensitive design to provide appropriate and ongoing contribution to healthy water quality outcomes. This should be achieved with a combination of appropriate storm water devices such as 360 devices, rain gardens and wetlands.

16. It is recommended the consent holder employs due-consideration of methods to achieve 100% water re-use on-site, and it is the desire of Ngāi Tai to be involved in these endeavours.
17. Ngāi Tai recommend provision be made by the consent holder for Ngāi Tai ki Tāmaki representatives to undertake cultural monitoring during:
 - a) Infilling of the irrigation pond on-site.
 - b) Relocation of Tuna (Eels) in accordance with the Ecology Report.
18. Ngāi Tai propose that Tuna relocation occurs within the local catchment.
19. Ngāi Tai recommend the consent holder retain all Pohutukawa on-site. Should removal of any Pohutukawa be proposed, Ngāi Tai wish to be engaged before that is confirmed.
20. It is the desire of Ngāi Tai to be actively involved in mitigation planting plans.

Thank you for the opportunity to prepare this Cultural Impact Assessment relating to the proposed residential development at “The Hill.” Ellerslie. We would also appreciate the opportunity to meet with you to discuss our CIA further. Please feel very welcome to contact me if you would like to discuss any aspect of this Cultural Impact Assessment.

My contacts are as follows:

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Kaitiaki

Taiaomaurikura

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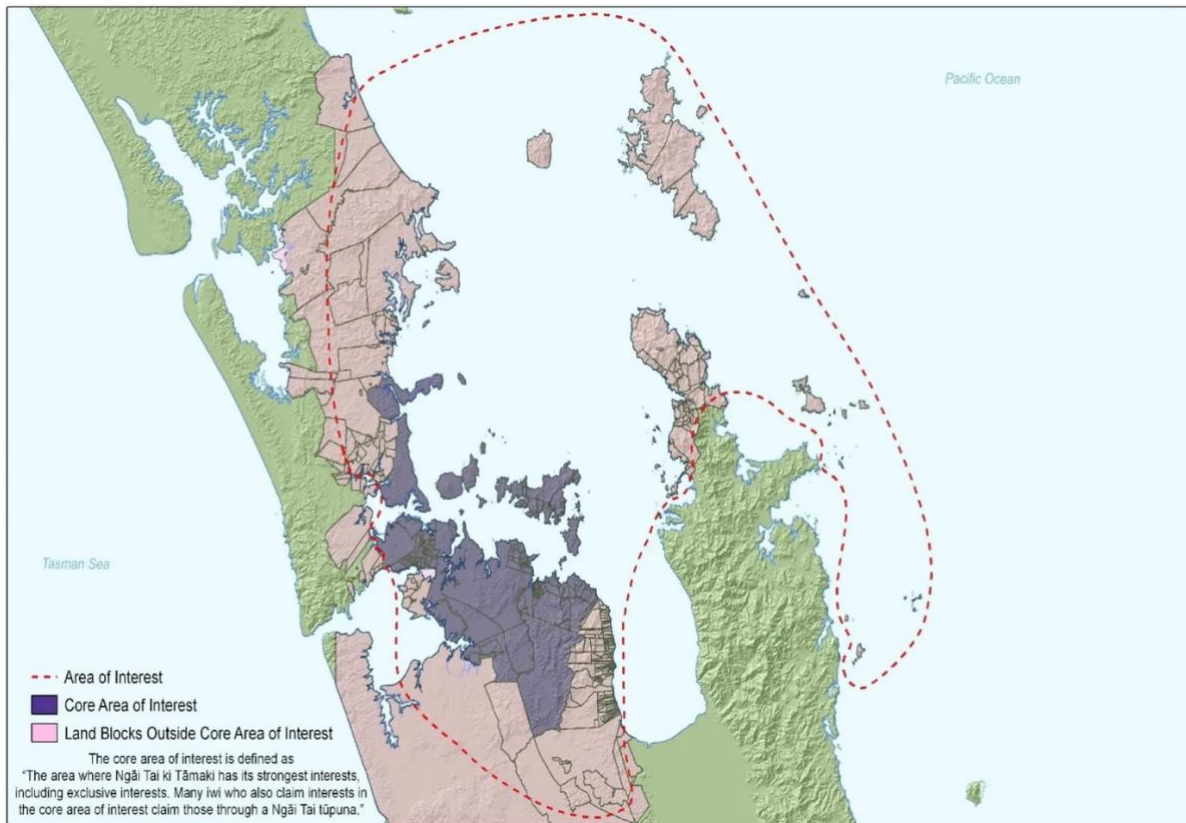
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Appendix 1 Rohe – Ngāi Tai ki Tāmaki



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