

Attachment 4: Evaluation of Options by Site

| Options | Benefits | Costs | Efficiency and effectiveness of provisions in achieving the objectives ¹ |
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| Hirakimatā | This maunga is the largest on Aotea/Great Barrier Island and contains several features scheduled in both the HGI and AUP(OIP). It is almost exclusively Public Conservation Land administered by DOC as part of the Aotea Conservation Park. Two small areas in the northeast of the site are privately owned. | | |
| Option 1 Do nothing | <p>There is no financial burden on Council to promulgate a plan change nor on submitters and mana whenua representatives to be involved in the plan change process.</p> <p>No additional regulation would apply with respect to the sites, so there would be no additional requirement for landowners to seek resource consent for activities specified by the respective district and regional plans on SSMW and MHS.</p> <p>Public entities such as Land Information New Zealand and Maritime New Zealand which operate structures on nominated sites of cultural significance will not require resource consent for changes to existing structures².</p> <p>Proposed private and public plan changes do not have to consider identified sites and places. Engagement with mana whenua</p> | <p>The site is documented as a site of cultural significance for Ngāti Rehua Ngātiwai ki Aotea.</p> <p>With respect to the Public Conservation Land, the area is covered by the Auckland Conservation Management Strategy. Section 4(3) of the RMA exempts DOC from obtaining district level land use consents where activities are consistent with a conservation management strategy and do not have a significant adverse effect beyond the boundary of the area of land. In this instance, the exempted activities would be considered 'business as usual activities' for the conservation park. Activities such as operating and maintaining DOC structures and facilities, and establishing/maintaining walking tracks, the installation of signage.</p> <p>The above exemption does not extend to regional plan activities under the AUP (OIP). In doing nothing, no policy, consultation and consenting guidance is</p> | <p>The 'do nothing' approach does not recognise or protect the tangible and intangible Māori cultural values of the 12 nominated sites and places.</p> <p>A lack of formal identification of SSMW and MHS does not enable mana whenua the opportunity to exercise kaitiakitanga over their land, waters, wāhi tapu and other taonga. The extent to which the views of mana whenua can be considered in resource management processes is limited by this option as there is no public visibility of the sites and places of cultural significance.</p> <p>While the benefit to landowners and developers is that no additional regulation will be applied to the sites, this is likely to come at the cost of the cultural values the sites hold. A lack of formal identification is likely to result in ineffective resource management processes where mana whenua would be required to justify their interest in sites on a case-by-case basis. It is likely that mana whenua will not be engaged with at all in some instances, due</p> |

¹ RMA s32(1)(b)(ii)

² A Geodectic survey mark on Whakahuranga Pā and a radio facility on Ruahine.

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| | <p>would not need to occur beyond what is required in schedule 1 of the RMA.</p> <p>Accidental discover mechanisms of both the HGI and AUP(OIP) will still apply regardless of the scheduling³ for all permitted activities in the HGI and all land disturbing activities in the AUP(OIP). For other land disturbing activities in the HGI, accidental discovery mechanisms do not apply.</p> | <p>provided for culturally sensitive regional activities such as large-scale land disturbance, the diversion of watercourses, the taking and damming water, stormwater discharges, vegetation management and biodiversity⁴, and the management of lakes, rivers and streams.</p> <p>A lack of formal recognition hinders the ability for mana whenua to exercise their kaitiakitanga in accordance with their tribal knowledge and customs. Development may affect their cultural relationship with this maunga.</p> <p>An opportunity to influence future conservation management strategies and plans with respect to this site may be lost due to a lack of formal identification.</p> <p>For privately owned land, the lack of recognition as a Māori heritage site could result in unregulated degradation of the area through district and regional level land disturbance or other culturally sensitive activities.</p> <p>The accidental discovery mechanisms of both the HGI and AUP(OIP) would still apply regardless of formal recognition and protection⁵ for all permitted activities. For other activities however, the inadvertent loss or damage to</p> | <p>to a lack of public awareness of the culturally significant sites.</p> <p>A lack of public visibility of the sites limits the ability for mana whenua to be considered during the development of other land management strategies outside of the RMA. Iwi planning documents, Treaty settlement documents and other material would need to be reviewed to understand the cultural significance of places, a less efficient method of understanding that a cultural relationship exists than formally recognising them in the AUP(OIP) and HGI.</p> <p>The 'do nothing' option is not an effective or efficient approach to achieve the objective of the plan change which is to recognise and protect the tangible and intangible Māori cultural values of 12 sites and places within Tāmaki Makaurau to provide for the relationship of mana whenua with their cultural heritage.</p> |

³ Rule 10c.5.5.2(4) in the HGI and Standard E12.6.1 in the AUP(OIP)

⁴ Where the HGI provisions do not apply. Refer to the notes under E15.4 Activity Table of the AUP(OIP)

⁵ Rule 10c.5.5.2(4)

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| | | <p>cultural heritage values through development may be irreplaceable.</p> <p>A lack of identification will result in an inability for decision makers to consider the impacts of adjacent activities on SSMW and MHS. Where cross-boundary effects may occur, these could degrade significant sites and places.</p> <p>In instances where a cultural relationship to a site and place is claimed, no formal recognition in the relevant plans will result in mana whenua substantiating that claim on an application-by-application basis. This is a time cost to mana whenua.</p> | |
| <p>Option 2 Other Methods</p> | <p>Mechanisms beyond the HGI and AUP(OIP) to protect sites may, in some circumstances, provide greater certainty of protection in perpetuity or a greater range of protection for some identified sites.</p> <p>Treaty settlements where land is vested to mana whenua entities or otherwise identified as having cultural significance are one mechanism by which significant cultural benefits can be achieved. Treaty settlements is a Crown process and not controlled by Council.</p> <p>In this instance, the nominated site is subject to discussions with the Crown about the vesting of land and statutory acknowledgement areas.</p> | <p>Employing other methods may avoid a costly public plan change process however education campaigns or entering land purchase discussions attract their own costs. Treaty settlements are lengthy processes and there is no certainty of a cultural outcome with respect to specific sites.</p> <p>Almost all of the nominated site is under the administration of DOC, who run their own education campaigns with respect to the natural environment. The level of recognition sought by mana whenua and the values they have identified that apply on this site are not always able to be applied as general principles. An ability to assess individual activities is important. Apart from land</p> | <p>The AUP(OIP) and HGI were developed in the knowledge that other methods can be employed by Council. Provisions are in both plans to formally protect qualifying sites, specifically as they relate to development activities.</p> <p>The use of other methods is not an effective or efficient option in the case of this site as it relies on the agreement and participation of landowners and other agencies to recognise and/or protect the cultural values of sites where there is no regulatory requirement to do so.</p> <p>The recourse for disputes is limited, costly and time consuming for mana whenua in most cases and most other methods (excluding land purchase) are likely to require outlining the cultural effect of every</p> |

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| | <p>The timeframes around this are not certain however, nor is the final form of a settlement.</p> <p>Crown settlements with mana whenua entities are not equivalent to the regulatory provisions at Council's disposal. The policy directive of Council is to recognise and provide for the principles of Te Tiriti o Waitangi⁶ and to enable the outcomes of Treaty settlements⁷ but not to be an agent for establishing Treaty redress.</p> <p>Council can enact bylaws which can regulate some activities; however these are predominantly focussed on managing nuisance behaviour and public health.</p> <p>DOC has an existing management regime that applies to a majority of this site. This has been developed under the Conservation Act 1987, with a focus on the integrated management of natural and historic resources⁸. This legislation sets a different focus to the RMA, which seeks the sustainable management of natural and physical resources in a</p> | <p>ownership or private agreements, this is unlikely to occur.</p> <p>In the event of dispute, mana whenua may be required to undertake costly civil action as opposed to being able to rely on RMA monitoring and enforcement processes. This is a significant financial and time cost to many mana whenua entities who operate with limited resourcing.</p> | <p>scenario. The various Acts under which alternative methods may be applied have different areas of focus limiting their ability to consider the protection of cultural values holistically¹⁰.</p> <p>Although other methods may provide some recognition and protection in certain situations, there are likely to be gaps in the coverage of the protection. Uncertain timeframes are a key issue and ultimately a patchwork of protections is unlikely to provide overall protection for the site.</p> <p>For these reasons, it is not recommended to rely on other methods to achieve the objective of the plan change for this site.</p> |

⁶ AUP(OIP) Objective B6.2.1(1)

⁷ AUP(OIP) Objective B6.2.1(4)

⁸ Conservation Act 1987, section 17D(1)

¹⁰ As an example, bylaws enacted under the Local Government Act 2002 (section 145) are predominantly focussed on nuisance, public health and safety and minimising offensive behaviour.

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| | <p>manner which enables the provision of social, economic, and cultural well-being.</p> <p>In this instance, benefits arise in avoiding the duplication or overapplication of regulation where existing or more targeted methods may be available.</p> <p>The HGI outlines other non-regulatory methods that may apply including education and training, monitoring and the reaching of private agreements⁹. Such methods are likely to be lower cost and, in some instances, may result in greater awareness to landowners and the general public.</p> | | |
| <p>Option 3 – plan change to add site to the HGI</p> | <p>The identified cultural values of the nominated sites and places will be recognised and protected in a publicly transparent and unambiguous way. They will receive interim protection upon notification while any outstanding issues are debated.</p> <p>While the scheduling will have limited effect on district plan activities undertaken by DOC, it will capture a range of regional plan activities within the park and trigger engagement with mana whenua. This will allow the</p> | <p>There are financial implications relating to undertaking a public plan change, which goes through a public submission process and may extend to appeals to the Environment Court.</p> <p>There is limited additional cost associated with resource consenting. Scheduling does not make activities prohibited on the site but will involve engagement with mana whenua in most cases.</p> | <p>This method will provide the sites interim protection and allow a fully informed public examination of the change proposed.</p> <p>It will provide certainty on timeframes for protection and, if accepted, will provide a publicly transparent and unambiguous regulatory framework for the identification, protection and enhancement of these sites.</p> <p>Scheduling provides for a more rigorous activity status commensurate to activities that are anticipated to have the greatest</p> |

⁹ HGI – Part 1 Part 1.4.3 Other Methods

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| | <p>opportunity for mana whenua to exercise kaitiakitanga.</p> <p>The formal scheduling will help to inform future park management strategies and plans with respect to this site.</p> <p>In the event of disputes, well-established and publicly funded monitoring and enforcement process will enable mana whenua to be actively involved at limited cost to their iwi/hapū.</p> | <p>In this case, any additional cost associated with resource consenting is considered low given the limited effect of the schedule at a district plan level on DOC and the small and remote area of private land covered by the nominated extent.</p> | <p>effect on cultural values of known sites. It enables an activity specific assessment through a process set out by legislation which is systematic and well understood.</p> <p>On this basis, scheduling as an MHS is recommended as the most effective and efficient provisions to recognise and protect the significant Māori cultural heritage values of Hirakimatā.</p> |
| Te Wai o Ruarangi | <p>The bed of the creek is within the Coastal Marine Area. It is owned and designated by Watercare Services Ltd for Wastewater purposes in conjunction with the Mangere Wastewater Treatment Plant. The nominated site includes a section of Council owned reserve to the north which runs adjacent to a drain discharging water from the nearby industrial catchment. The extent covers portions of private properties on the creek's northern banks. A historical southern tributary of the Oruarangi, which has now been reclaimed and realigned as a stormwater drain, remains a mapped part of the nominated extent. This southernmost extent of the nominated site is partially within the Auckland Airport Gateway Precinct and crosses a large distribution warehouse, local roading and smaller industrial properties.</p> | | |
| Option 1 Do nothing | <p>As has been discussed previously, there is no financial burden on Council and submitters to undertake a plan change process</p> <p>There would be no additional requirement for landowners to seek resource consent for activities on the sites. Engagement with mana whenua would be limited to legislative minimums.</p> | <p>There is limited formal recognition of the cultural significance of this particular site. The significance of Te Wai o Ruarangi is identified in a relevant iwi planning document formally lodged with Council.¹¹ This document is not publicly available and must be requested from either the iwi authority or Council.</p> <p>Activities within the CMA and adjoining it would continue to be applied for and</p> | <p>The 'do nothing' approach does not recognise or protect the tangible and intangible Māori cultural values of this site.</p> <p>Having no formal recognition and protection does not enable mana whenua to participate in resource management processes affecting their cultural heritage and allow them to exercise their kaitiakitanga. Decision makers may not have the benefit of hearing the tribal</p> |

¹¹ Ngāti Te Ahiwaru Environmental Plan 2019

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| | | <p>consented as they are currently. The site is within the Te Kawerau ā Maki Coastal Statutory Acknowledgement Area, so engagement is likely to continue to occur with that iwi authority however other mana whenua entities also have cultural associations with this site. Watercare and AIAL have existing engagement processes with mana whenua and these would most likely continue.</p> <p>A lack of formal recognition and protection of the site maintains the risk of activities being undertaken in a manner that diminishes the cultural values of the awa. Stormwater management plans may not be cognisant of discharging water in a culturally sensitive manner to the awa and infrastructure may be inadvertently constructed on or near the banks of the creek.</p> <p>The ability for formal recognition to influence public and private works in and around the stream would be lost potentially resulting in a degradation of the values the awa holds.</p> | <p>knowledge on mana whenua to inform decision making.</p> <p>While the benefit to landowners and developers is that no additional regulation will be applied to the sites, this comes at the cost of the cultural values the sites hold.</p> <p>A lack of formal identification is likely to result in ineffective resource management processes to protect cultural value, where mana whenua would be required to justify their interest in sites on a case-by-case basis.</p> <p>A lack of public visibility of the sites limits the ability for them to be considered during the development of other land management strategies outside of the RMA. Iwi planning documents and other material would need to be reviewed to understand the cultural significance of places, a less efficient method of understanding that a cultural relationship exists than formally recognising them in the AUP(OIP) and HGI.</p> <p>The 'do nothing' option is not an effective or efficient approach to achieve the purpose of the plan change.</p> |
| <p>Option 2 Other Methods</p> | <p>The existing arrangement between Watercare and iwi authorities indicates an intention to pass ownership of the bed of the awa to mana whenua once the Mangere</p> | <p>The transfer of ownership of the bed of the creek will not address the health of the tidal waters within the awa. The uncertain timeframes mean that any degradation of the cultural values that is permitted to occur currently will remain</p> | <p>An assessment of the efficiency and effectiveness of scheduling the southern branch of the site across the AIAL land has been undertaken in Attachment 8 of this report where it is recommended that the existing AUP(OIP) controls and</p> |

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| | <p>Wastewater Treatment Plan is fully decommissioned.</p> <p>The timeframes and details of such an arrangement are yet to be determined. Eventual ownership of the bed of the creek would provide mana whenua with landowner status for activities affecting that land but not activities affecting the tidal waters.</p> <p>Te Ahiwaru Waiohua do not currently have a Treaty settlement with the Crown. A future settlement may incorporate aspects of the nominated site however this is yet to be discussed and agreed by the parties.</p> <p>An evaluation of the existing planning provisions applying to the southern tributary of the nominated extent has been undertaken and is included in Attachment 8.</p> <p>The tributary is located on land owned by AIAL and been reclaimed and realigned through resource consent processes. This evaluation identifies precinct provisions within the Auckland Airport Precinct¹² which apply to the area and recognises the cultural significance of the Oruarangi to mana whenua.</p> | <p>unchecked, particularly where they relate to discharges into the creek. There is similarly no certainty regarding a future Treaty settlement.</p> <p>Other methods that can be pursued, such as memorandums of understanding or covenants are civil matters requiring iwi and hapū to pursue expensive private litigation in the event of dispute. This may be a barrier for mana whenua groups who lack the financial resources.</p> <p>A reliance solely on other methods is likely to result in incomplete coverage of the issues resulting in a situation where the cultural relationship mana whenua have with the awa and their ability to exercise their kaitiakitanga is impeded.</p> | <p>granted resource consents are the most effective method for addressing the significance of this historic tributary. This portion of the nominated site is not included in the recommended site extent for scheduling.</p> <p>For the balance of the site, other methods may provide some coverage of the matters at issue but do not provide a holistic suite of controls, nor transparent public recognition of the site in the AUP(OIP).</p> <p>It should be noted that formal recognition in the AUP(OIP) will enhance the efficiency and effectiveness of other methods, such as reserve management planning, public education, and the use of Stormwater Management Plans when considering new infrastructure with respect to the awa.</p> <p>For these reasons, a reliance solely on other methods for the full extent of the nominated site is not recommended as the most efficient and effective approach to provide for the cultural relationship of mana whenua with this site.</p> |

¹² Precinct I402 in the AUP(OIP)

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| | <p>The precinct provides for the comprehensive development of the AIAL land in a manner which recognises this cultural relationship. There is benefit in applying a single regulatory regime to manage land use and development where they address the same subject matter.</p> <p>As with other sites, there are wider community benefits from recognition and awareness and increased knowledge and understanding of cultural values associated with sites of significance to mana whenua. This can be through the provision of information and use of education and advocacy, such as signage and interpretation, especially on public land. Reserve management plans which promote public access to the creek would address an inability to readily access the creek.</p> | | |
| <p>Option 3 – plan change to add site to the AUP(OIP)</p> | <p>As with other sites, the identified cultural values of the nominated sites and places will be recognised and protected in a publicly transparent and unambiguous way. An established planning framework and processes sets a clear expectation for all plan users. Iwi and hapū can fulfil their obligations as kaitiaki of the site.</p> <p>The sites will be provided interim protection upon notification while the</p> | <p>There is the potential for some cost to accrue to landowners adjacent to the site where formal recognition may trigger the need for culturally sensitive disposal of stormwater through proposed Stormwater Management Plans. All existing legally established stormwater discharges are consented through the Regional Stormwater Consent held by Council.</p> | <p>Option 3 provides interim protection of the site while the merits of plan change are examined. This will prevent land use and development which may further degrade the site being consented in advance of the protections being applied.</p> <p>The subject site contains reserve land. Formal recognition in the plan highlights the significance of the awa to related processes such as reserve management planning and discharge management,</p> |

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| | <p>merits of the plan change are evaluated.</p> <p>The addition of sites and places to the AUP(OIP) and HGI provides certainty to plan users that sites have met the appropriate qualifying criteria and suitable regulatory standards are already established avoiding additional costs associated with the creation of non-statutory protection mechanisms.</p> <p>Scheduling enhances the consideration of cultural matters and therefore the requirement to engage with mana whenua. This, in turn, strengthens environmental outcomes in other parts of the plan (e.g. stormwater discharges).</p> <p>There is an ability to consider activities adjacent to the nominated site, where the AUP(OIP) allows discretion to consider effects those activities may have on the SSMW. Scheduling enables a holistic consideration of the issues affecting the awa and supports complementary processes such as reserve and water catchment planning.</p> | <p>Infrastructure providers note that the areas surrounding the awa are predicted to grow, with an associated increase in the demand for supporting infrastructure.</p> <p>Some infrastructure is present over the awa and adjacent to it. While the scheduling does not prohibit new infrastructure or its operation and maintenance, its alignment and the methods used to construct and maintain infrastructure are likely to be more onerous where they cross into the site of significance.</p> <p>The existing AUP(OIP) provisions and resource consenting practice within Council already require the consideration of cultural effects on waterways so these matters are to some extent already being considered where discretion within the AUP(OIP) allows.</p> | <p>thereby providing for cultural and environmental outcomes and giving mana whenua a greater ability to exercise their kaitiakitanga with respect to these sites.</p> <p>Apart from the area of the southern tributary discussed in Option 2, this option is recommended as the most effective option to achieve the objective of the plan change to provide for the relationship of mana whenua with their cultural heritage by recognising and protecting the tangible and intangible Māori cultural values of Te Wai o Ruarangi.</p> |
| Pahurehure Islands | <p>This site is comprised of three islands off the Hingaia Peninsula - Pararēkau, Orona/Orewa and Kopuahingahinga/Waikirihinau Islands. The smaller two islands are undeveloped, with Kopuahingahinga Island being subject to a conservation covenant. Pararēkau Island is subject to granted resource consents for a comprehensive residential development to create vacant residential lots of an average lot size of 600m².</p> | | |

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| | <p>The gradual urbanisation and development of this site commenced in 2009 with Private Plan Change 8 to the Auckland Council District Plan – Operative Papakura Section 1999. The originally nominated site extent for Pahurehure Islands included the largest of the islands, Pararēkau Island. Pararēkau Island is currently subject to a separate plan change process, Plan Change 78, to implement the National Policy Statement on Urban Development. Discussions between the landowner and mana whenua entities has resulted in an agreed position being reached on amendments to an existing precinct over Pararēkau Island to address the cultural concerns of iwi. The agreement also extends to SSMW scheduling an esplanade reserve around the perimeter of the island once the titles have been created.</p> <p>As this is overlapping subject matter, it is not proposed to address the island further in this plan change. Should this aspect of PC78 not reach the decision-making stage through those hearings¹³, the planning response to Pararēkau Island to recognise and protect its Māori cultural values will require re-evaluation.</p> | | |
| <p>Option 1 Do nothing</p> | <p>A do nothing approach maintains the status quo for Orona and Kopuahingahinga Islands as well as for the coastal marine area around Pararēkau Island.</p> <p>There are no costs associated with undertaking a plan change to the AUP(OIP).</p> | <p>In not formally recognising the cultural significance of these sites, mana whenua have limited ability to influence future use and development on the islands and within the coastal marine area around Pararēkau Island.</p> <p>The islands and inlet surrounding them are identified through cultural values assessments and cultural landscape mapping as sacred places, customary fishing areas, and important tohu within a wider cultural landscape. An inability for mana whenua to exercise their kaitiakitanga over this area maintains an existing situation where their relationship with the islands is being degraded.</p> | <p>While the zoning and conservation restrictions on Orona and Kopuahingahinga Islands maintain some level of protection, these do not recognise and protect the cultural relationship mana whenua have with this area. There is limited ability for mana whenua to influence any rezoning proposals, nor participate in resource consenting processes which may disturb the customary fishing grounds around the islands.</p> <p>The 'do nothing' option is not an effective or efficient approach to achieve the purpose the plan change.</p> |
| <p>Option 2 Other Methods</p> | <p>Kopuahingahinga Island has a conservation covenant protecting vegetation on the island. It is zoned as Open Space - Conservation Zone.</p> | <p>Zoning and covenants as an alternative method do not recognise and protect the tangible and intangible associations Māori have with this site. They do not</p> | <p>The approach being taken in PC78 is considered an 'other method' to effectively achieve the recognition and protection of Pararēkau Island.</p> |

¹³ A new Government elected in October 2023 has indicated that legislative change may be undertaken which would affect the requirements on councils to implement the NPS-UD

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| | <p>While the vegetation on the island is not identified in the AUP(OIP) as an SEA, the covenant provides some measure of protection and enhancement of the indigenous vegetation on the island.</p> <p>A coastal marine area statutory acknowledgement covers the wider Pahureure Inlet. This provides some affected party recognition for Ngāti Tamaoho when considering activities affecting the CMA.</p> | <p>regulate activities within the coastal marine area or on land in a manner that covers the scope of the cultural values in this area. Beyond simply the removal of vegetation, the types of activities (temporary activities) undertaken in the area in the future may be culturally inappropriate.</p> <p>Statutory acknowledgements can be considered under section 95E of the RMA, however they do not engage objectives, policies and methods in the AUP(OIP) which specifically address what is appropriate on sites which are identified as being culturally significant within Tāmaki Makaurau.</p> <p>Activities which are contrary to mana whenua tikanga in this area serve to denigrate the cultural relationship Māori have with this taonga.</p> | <p>With respect to the remainder of the area, while other methods can provide some recognition and protection, they are not comprehensive in dealing with the issues affecting mana whenua. In general, they do not provide a timeline or process for evaluating activities affecting sites. They are not an efficient and effective method for achieving the purpose of this plan change.</p> |
| <p>Option 3 – plan change to add site to the AUP(OIP)</p> | <p>The cultural significance of Kopuahingahinga and Orona Islands, along with the CMA around the islands are recognised and protected in a publicly transparent and unambiguous way. Interim protection is provided whilst the merits of the plan change are examined. Mana whenua are provided greater opportunities to exercise their tikanga with respect to use and development of the islands and surrounding marine area.</p> | <p>There is little cost associated with this option. Both of the islands are vacant of development apart from an existing vehicular access on Kopuahingahinga to service Pararēkau Island. It is not anticipated that either island will be developed.</p> <p>Should works be proposed within, or affecting the scheduled CMA, existing AUP(OIP) provisions and resource consent practice place an emphasis on engaging with mana whenua in the coastal environment. Formalising the</p> | <p>The application of the SSMW is an efficient and effective response to Kopuahingahinga and Orona Islands where they are largely undeveloped. Scheduling of these islands will encourage active mana whenua involvement in the management of the islands, particularly where development is concerned.</p> <p>The scheduling of the CMA is an effective method to protect these customary fishing grounds from future disturbance. As the development of Pararēkau Island is</p> |

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| | <p>Formally recognising the cultural significance of the islands will provide greater awareness of the cultural values as conservation efforts continue.</p> | <p>area as a SSMW will add weight to the consideration of Māori cultural values but is unlikely to result in significantly greater time and cost associated with consenting processes.</p> | <p>completed, and an esplanade reserve is vested in council around the island, the scheduling of the CMA will complement conservation, education and possibly water access for the community.</p> <p>This option is recommended as the most effective option to achieve the objective of the plan change to provide for the relationship of mana whenua with their cultural heritage by recognising and protecting the tangible and intangible Māori cultural values of the Pahurehure Islands.</p> |
| Whakahuranga Pā | <p>This pā site is located on a hilltop near Tapura Village, approximately 7.5kms northeast of Manukaua Island in the Kaipara Harbour. It is a land-locked site surrounded by a privately owned forestry land, undulating farm used for drystock, and Public Conservation Land administered by the Department of Conservation. A geodetic survey mark (trig) owned by Land Information New Zealand (LINZ) sits on the high point of the site. The tihi of the hill has been subdivided and vested in Environs Holdings Limited, a subsidiary of the Te Uri o Hau Settlement Trust. It was received as cultural redress in the Te Uri o Hau Claims Settlement Act 2002.</p> <p>The nominated site extent covers a larger area than the vested land and recognises a more realistic cultural extent which also serves an aspiration to reinstate some measure of culturally significant views to the north and northwest. The site sits within a wider cultural landscape that Te Uri o Hau representatives advise of great value to them culturally. The landscape surrounding the site is scheduled in the AUP(OIP) as Item 19 – Oruawharo Heads, Okahukura Peninsula. The site is also partially covered by the Significant Ecological Area overlay protecting indigenous vegetation in the eastern area of the site.</p> | | |
| Option 1 Do nothing | <p>The nominated site extent extends into private properties and also into the Public Conservation Land. LINZ operate a trig beacon on the site and have confirmed that it is still required.</p> <p>The 'do nothing' approach would primarily benefit the landowners and Department of Conservation as there would be no additional regulatory</p> | <p>The tihi itself is owned by the Te Uri o Hau Settlement Trust and activities cannot occur on the Treaty settlement land without the iwi authority's permission as landowner.</p> <p>Beyond the Te Uri o Hau owned land, the nominated extent is wider, in part to recognise a fuller cultural extent but also to avoid possible erosion and</p> | <p>In the case of the area of the nominated site where commercial forestry activities, activities affecting the site are generally permitted under the RMA (National Environmental Standards for Commercial Forestry) Regs 2017.</p> <p>The status quo does not recognise or protect the cultural values of the site, as is evidenced by structures, farming and</p> |

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| | <p>requirements applying to their land. In the case of the production forestry land, the RMA (National Environmental Standards for Commercial Forestry) Regulations 2017 applies making plantation forest activities permitted, subject to standards.</p> | <p>destabilisation of the tihi through activities being undertaken on the adjoining properties.</p> <p>Farming activities have the potential to damage the southern slopes of the pā and historic access tracks have damaged the western side. Earthworks potentially affecting the pā site remain unregulated with the potential for damage to occur (refer photo 6 in site photos).</p> <p>The lack of formal identification for this site in the AUP(OIP) may result in unintentional future damage to the site as land uses and farming practices change.</p> | <p>forestry activities occurring on the flanks of the pā.</p> <p>Not having formal identification of sites results in the information being gained through iwi planning documents or through consultation with mana whenua – which is a less visible, less certain and more time-consuming activity to undertake.</p> <p>The ‘do nothing’ option is not an effective or efficient approach to achieving the purpose of the plan change.</p> |
| <p>Option 2 Other Methods</p> | <p>The site is covered by two existing overlays which are relevant to the protection of visual and ecological elements of the site.</p> <p>The Outstanding Natural Landscapes overlay of Oruwharo Heads¹⁴ recognises the high to very high landscape qualities of this area. The overlay itself recognises the ancestral relationships mana whenua have with these landscapes although in this instance, that relationship is not noted in Schedule 7. The schedule provides some regulation of buildings and</p> | <p>There is no certainty of protection as consideration of information and protection mechanisms would depend on the method employed at the site. This will often be at the landowner’s discretion. There is also no certainty of timeframes or the ability to have a co-ordinated approach to addressing sites.</p> <p>The site contains a survey beacon owned and administered by LINZ, and which operates under separate legislation. There is no certainty that an</p> | <p>As with other sites, a reliance on other methods provides incomplete coverage of the matters at issue to mana whenua. There is no certainty agreement could be reached in a timely fashion and disagreements may result in expensive civil litigation.</p> <p>A lack of transparency of such arrangements means that complementary processes such as conservation management planning and subdivision activities (which could result in access being created to land locked sites) are not</p> |

¹⁴ Schedule 7(g) Area 19

| Options | Benefits | Costs | Efficiency and effectiveness of provisions in achieving the objectives ¹ |
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| | <p>structures, although not buildings associated with farming activities.</p> <p>The forestry in the eastern area of nominated site is identified as Significant Ecological Vegetation. This provides a measure of protection in the event of vegetation clearance, however does not recognise the cultural significance of the site.</p> <p>Mechanisms beyond the AUP(OIP) to protect sites may, in some circumstances, provide greater certainty of protection in perpetuity or a greater range of protection for some identified sites.</p> <p>As the site is privately owned and does not have formalised vehicular access, an agreement with the landowners giving ongoing access to the site would be beneficial for Te Uri o Hau to be able to exercise kaitiakitanga on this site.</p> | <p>arrangement can be agreed as to the location of the beacon.</p> <p>A lack of certainty means there is potential for further degradation of the cultural values of sites.</p> | <p>readily cognisant of the cultural significance of such sites.</p> <p>Formal recognition of the site in the AUP(OIP) does not preclude non-regulatory agreements also being used. As an exclusive option, however, this is not considered the most effective or efficient response to provide for the cultural relationship mana whenua have with Whakahuranga Pā.</p> |
| <p>Option 3 – plan change to add site to the AUP(OIP)</p> | <p>As with other sites, benefits include:</p> <ul style="list-style-type: none"> • cultural values will be recognised and protected in a publicly transparent and unambiguous way. • An established planning framework and processes sets a clear expectation for all plan users. | <p>Apart from the financial implications of undertaking a public plan change process, limited additional costs have been identified with scheduling this site.</p> <p>A relatively small area of private land is included within the site extent of Whakahuranga Pā. To the south, this slopes down to a drystock farm. Scheduling would not prevent grazing of</p> | <p>As with other sites, benefits include:</p> <ul style="list-style-type: none"> • This method will provide the sites interim protection and allow a fully informed public examination of the change proposed. • It will provide certainty on timeframes for protection and, if approved, will provide a publicly transparent and unambiguous regulatory framework for the identification, |

| Options | Benefits | Costs | Efficiency and effectiveness of provisions in achieving the objectives ¹ |
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| | <ul style="list-style-type: none"> • The sites will be provided interim protection upon notification while the merits of the plan change are evaluated. • Scheduling enhances the consideration of cultural matters and therefore the requirement to engage with mana whenua. This, in turn, strengthens environmental outcomes in other parts of the plan (e.g. stormwater discharges). • There is an ability to consider activities adjacent to the nominated site, where the AUP(OIP) allows discretion to consider effects those activities may have on the SSMW. • The identification of the site in the AUP(OIP) may result in access to the site being considered in the event private land affected by the site is subdivided. • Scheduling enables a holistic consideration of the issues affecting the awa and supports complementary processes such as reserve and water catchment planning. | <p>cattle but does regulate land disturbance (cultivation).</p> <p>On the northern side of the pā where commercial forestry activities are occurring, the NES for commercial forestry maintains Permitted Activity status for most production forestry activities.</p> | <p>protection and enhancement of these sites.</p> <ul style="list-style-type: none"> • Scheduling provides for a more rigorous activity status commensurate to activities that are anticipated to have the greatest effect on cultural values of known sites. • Scheduling of the sites will not unnecessarily constrain forestry and farming activities at this location but allows the significant Māori cultural values of the sites to be considered as part of any resource consenting or subsequent plan change process. <p>The limited cost and significant cultural benefit associated with scheduling result in this option being the most efficient and effective for achieving the purpose of the plan change.</p> |
| Manukapua | <p>Manukaupa Island is a Department of Conservation administered conservation reserve in the Kaipara Harbour. It is a sand island located approximately 300m off the mainland near Tapura village with pedestrian and vehicle access at low tide. The site contains multiple overlays. It is part of an Outstanding Natural Landscape and the island and surrounding Tapura Bank are scheduled as Outstanding Natural Character. The island and surrounding area contains terrestrial and marine Significant Ecological Areas.</p> | | |

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| | <p>The nominated site extent includes an area of the Coastal Marine Area to the west of the island out to the limit of the 1m depth mark. The marine extent represents what is understood to have once been part of the island and a village located upon it. Sand mining occurs in proximity to this site, something which is of concern from the cultural perspective of the iwi authority Te Uri o Hau. The southwest extremity of the nominated site overlaps with a consented area for mineral extraction by Winstone Aggregates Ltd and Mt Rex Shipping Ltd, which was granted in 2006. The use of off-road motorbikes on the island has also been cited as a concern by iwi due to damage to sand dunes as well as flora and fauna.</p> <p>The island is subject to the Kirihipi Overlay, a matter included in the Te Uri o Hau Claims Settlement Act 2002. This Act does provide the ability for the Governor General, acting on a recommendation of DOC, to regulate or prohibit activities or conduct by members of the public in the overlay area through enacting bylaws.</p> | | |
| <p>Option 1 Do nothing</p> | <p>The site remains administered by the Department of Conservation as a conservation reserve. There are no additional agreements or regulations applied to the site.</p> <p>Sand mining permits sought in the Kaipara Harbour near the island would not explicitly require consideration of mana whenua's cultural association with Manukapua Island.</p> | <p>There is the potential for known sites of particular importance to mana whenua to be encountered through individual resource consenting and plan change processes resulting in ad-hoc, potentially repetitive, time-consuming and costly processes for developers, the council, and mana whenua.</p> <p>The lack of formal recognition of this site in district and regional planning documents may limit the extent to which iwi and hapū can influence the management of the island. This could include via mechanisms outside the RMA such as conservation management plans and strategies and local board initiatives.</p> | <p>The provisions of the Te Uri o Hau Claims Settlement Act 2002 provide a legislative framework for some protection mechanisms to be applied over the island to manage things such as public access.</p> <p>There is some public recognition of the cultural significance of the island through existing signage and publicly available websites.</p> <p>The 'do nothing' approach does not fully address the activities occurring on the island and surrounding coastal marine area which are of cultural concern to Te Uri o Hau. They seek a stop to motorised vehicle use on the island and consideration of the cultural values of this site when making decisions on sand mining consents.</p> <p>Future plan changes and regional resource consents are likely to have some cognisance of the cultural significance of the area, but not to the extent formal identification and protection in the AUP(OIP) could provide.</p> |

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| | | | <p>The 'do nothing' option is not considered the most effective or efficient approach to provide for the cultural relationship of mana whenua with Manukapua Island.</p> |
| <p>Option 2 Other Methods</p> | <p>Manukapua is covered by several overlays in the AUP(OIP). While these overlays provide for the consideration of cultural associations, their primary purpose is to protect tangible features such as landscape, character and indigenous flora and fauna.</p> <p>Conservation management plans, local board strategies/public education and enacting bylaws may be effective in addressing some of the matters of concern to iwi.</p> <p>Access to the island is not regulated by the AUP(OIP) but may be regulated and enforced by DOC or through local government bylaws where nuisance or public safety is a concern.</p> <p>The island is subject to the Kirihipi Overlay, a matter included in the Te Uri o Hau Claims Settlement Act 2002. This Act does provide the ability for the Governor General, acting on a recommendation of DOC, to regulate or prohibit activities or conduct by members of the public in the overlay area through enacting bylaws.</p> | <p>While there is no financial burden on the Council from undertaking a public plan change, some costs may be associated with the provision of signage, instigating legal agreements, easements, creating bylaws and the like.</p> <p>While these other methods have been available for some time, they have only been applied to a limited extent. Existing use of the island, as observed during a site visit, indicates that public awareness of cultural concerns and enforcement may be an issue.</p> <p>A lack of a co-ordinated approach to addressing land use activities on the island means there is potential for further degradation of the cultural values of this site.</p> | <p>The ability for bylaws to be enacted to regulate public activities on the island may provide a targeted solution to off-road motorbiking that is both effective and efficient. It is understood that an existing easement providing public access to the island only grants access on foot, however the use of vehicles remains an issue¹⁵.</p> <p>The ability of DOC to regulate activities through conservation plans and strategies is another effective and efficient option where these matters are enacted and enforced in a timely manner.</p> <p>The lack of certainty around when other methods may be employed, the extent of their scope, and how they will be enforced makes solely relying on such approaches inefficient and ineffective in the short-to-medium term to protect the Māori cultural heritage of this site.</p> <p>Formal recognition of this site in the AUP(OIP) will not preclude these other regulatory mechanisms and encourages a co-ordinated approach to the protection of the island and surrounding CMA.</p> <p>A reliance solely on other methods is not recommended as the most efficient</p> |

¹⁵ <https://www.herengaanuku.govt.nz/our-work/publications/older-publications/annual-reports/annual-report-2019/te-uri-o-hau-and-manukapua> downloaded 30 Oct 2023

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| | | | <p>approach to achieve the purpose of the plan changes.</p> |
| <p>Option 3 – plan change to add the site to the AUP(OIP)</p> | <p>Apart from those benefits in common with those of the other nominated sites, disturbance of the seabed adjacent to the island is regulated through the AUP(OIP) provisions allowing consideration of Māori cultural values during the assessment of coastal permits.</p> | <p>Limited costs have been identified with the application of this method.</p> <p>An existing mineral extraction permit owned by Winstone Aggregates Ltd and Mt Rex Shipping which was granted in September 2006 is unaffected by the scheduling, however should this be renewed in the coming years, consideration will be required of the cultural significance of the coastal marine area around Manukapua Island.</p> <p>New regional level and sand extraction activities would require explicit consideration of mana whenua cultural values, necessitating engagement with iwi and hapū where this is not occurring.</p> <p>The existing policy provisions and practice of Council is that engagement with mana whenua is already required for such proposals.</p> | <p>Scheduling allows the Council to exercise discretion across a range of activities both on land and in the coastal marine area to recognise and protect the cultural values of Manukapua. This option engages more rigorous activity statuses commensurate to activities that are anticipated to have the greatest effect on cultural values of Manukapua.</p> <p>Scheduling of the site in the AUP(OIP) will not constrain development as it is a wildlife reserve with a purpose to preserve indigenous fauna. Scheduling as a site of cultural significance works in addition to the existing ONL, ONC and SEA protections to maintain the site in its natural state. Formal recognition in the AUP(OIP) may also influence related processes such as local board funding and DOC conservation management.</p> <p>Scheduling is a targeted response to the matters raised of cultural concern to mana whenua and is the most efficient and effective option to achieving the purpose of this plan change for Manukapua Island.</p> |
| <p>Poutekorua</p> | <p>This is a distinctive dual peaked hill located near the northern entrance of Tryphena Harbour. It is predominantly public conservation estate land with the southernmost fifth of the site being privately owned. The site is forested with an access track winding up its southern slopes. The site is within the Aotea Outstanding Natural Landscape Area 88, an overlay which covers almost the entire island. It also contains scheduled areas of ecological significance, and significant ridgeline areas. The site is identified as conservation and forest and bush areas as land units. There is no public access directly to the site other than through the conservation estate. This hill is specifically identified as culturally significant in the Ngāti Rehua – Ngāti Wai ki Aotea Trust Hapū Management Plan 2013.</p> | | |

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| <p>Option 1 Do nothing</p> | <p>There is no financial burden on the Council to undertake a public plan change and on landowners or administrators to partake in plan change processes.</p> <p>Landowners would not be required to obtain additional resource consents to undertake development on the portion of their properties within the MHS.</p> | <p>There is the potential for private development on the privately owned portions of this site to occur in a manner that is culturally inappropriate. There is evidence of a track which runs up the southern slopes of the hill. Land disturbance is a culturally sensitive activity for mana whenua and is regulated on MHS.</p> <p>The site is remote and unlikely to experience development pressure apart from possibly the establishment of a dwelling in the future. Having no requirement for mana whenua to be involved in the consideration of ground disturbance activities to establish a dwelling may result in accidental disturbance of evidence of historic Māori occupation and dwellings sited in culturally inappropriate locations.</p> <p>Should development or additional tracking occur on this site, this may result in a degradation of the cultural relationship mana whenua have with this site.</p> | <p>As with other sites of cultural significance to mana whenua, the status quo does not recognise or provide for the specific consideration of the cultural heritage of significant sites to Māori.</p> <p>Doing nothing will not be an efficient and effective approach to achieving the purpose of the plan changes.</p> |
| <p>Option 2 Other Methods</p> | <p>Mechanisms beyond the HGI to protect sites may, in some circumstances, provide greater certainty of protection in perpetuity or a greater range of protection for some identified sites.</p> <p>There are wider community benefits from recognition and awareness and increased knowledge and understanding of cultural values</p> | <p>While there is no financial burden on the Council from undertaking a public plan change, some cost may be associated with the provision of signage, instigating legal agreements, heritage funding and the like.</p> <p>There is no certainty of protection as consideration of information and protection mechanisms would depend on the method employed at the site.</p> | <p>This option used in isolation is not an effective or efficient option as it relies on the agreement and participation of landowners or other agencies in order to recognise and/or protect the cultural values of sites where there is no regulatory requirement to do so.</p> <p>Although other methods may provide some recognition and protection for some sites, there are likely to be gaps in the</p> |

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| | <p>associated with sites of significance to mana whenua. This can be through the provision of information and use of education and advocacy, such as signage and interpretation, especially on public land. There may be scope to address the significance of this site through the conservation management plan for the DOC administered areas of the site extent.</p> | <p>This will often be at the landowner's discretion. There is also no certainty of timeframes or the ability to have a co-ordinated approach to addressing sites.</p> <p>A lack of certainty means there is potential for degradation of the cultural values of this site.</p> | <p>coverage of the protection. This is not an efficient option as it relies on a range of different tools and processes to achieve the overall recognition of the sites, and the different methods may not provide a regulatory requirement that will protect the sites.</p> |
| <p>Option 3 – plan change to add site to the HGI</p> | <p>As with the other sites, the identified cultural values of the nominated sites and places will be recognised and protected in a publicly transparent and unambiguous way. This protection will generate an ongoing environmental benefit for current and future generations.</p> <p>Should development pressure build on this site in the future, this option would provide the ability for mana whenua to be involved in resource management processes affecting this site.</p> | <p>There is the potential for some cost to accrue to the private landowner. The provisions for Māori Heritage Sites as proposed in PPM15 make most earthworks activities a Discretionary Activity. This would apply to the northern 8ha of the 40ha privately owned site. Resource consenting costs will therefore be incurred.</p> <p>Any district level development undertaken by DOC within the public conservation estate which is in accordance with a conservation management plan is not required to obtain additional land use consents from Council. Any regional consents are likely to require engagement with mana whenua. This may increase the costs of resource consent processes in some cases, noting that the views of mana whenua as potentially affected parties are often sought on regional resource consents regardless of scheduling.</p> | <p>As with other sites, this method will provide the sites interim protection and allow a fully informed public examination of the change proposed.</p> <p>It will provide certainty on timeframes for protection and, if accepted, will provide a publicly transparent and unambiguous regulatory framework for the identification and protection of this site.</p> <p>There is an existing private access track which extends into the nominated site extent. Modified provisions are proposed in PPM15 to Part 7.13 of the HGI to permit maintenance of the track provided it is limited to areas and ground depths previously disturbed, bringing greater efficiency and effectiveness through alignment with the AUP(OIP) provisions.</p> <p>Scheduling is considered the most efficient and effective option to recognise and protect the cultural relationship mana whenua have with Poutekorua.</p> |

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| <p>Ruahine</p> | <p>Ruahine is the southernmost maunga on Aotea/ Great Barrier Island. It is a bush clad hill which has a distress and safety radio facility administered by Maritime New Zealand on its peak. The hill is otherwise vacant of development and has no apparent vehicular access, although one may exist to service the radio facility. Ruahine is scheduled in part as an Outstanding Natural Landscape and High Natural Character area. It also is scheduled as a Site of Ecological Significance. The peak is identified as part of a Significant Ridgeline Area. The site is entirely privately owned across four separate properties that vary in property size from 32ha to 97ha.</p> | | |
| <p>Option 1 Do nothing</p> | <p>Landowners and developers for the four properties comprising this site can undertake earthworks and subdivision activities without specific consideration of the Māori cultural heritage qualities of the site. There are therefore no additional cost implications for private landowners in the event they wish to develop on the site.</p> | <p>The site is considered wāhi tapu and a tohu (landmark) within a wider cultural landscape.</p> <p>Earthworks and additional development rights enabled through subdivision many inadvertently affect the ancestral relationship mana whenua have with this site.</p> <p>There is the potential to inadvertently disturb sensitive material associated with historic Māori occupation through a lack of awareness of the significance of the site.</p> | <p>The site is identified as a culturally significant maunga and a visually conspicuous landmark in a wider cultural landscape. The visual integrity of the maunga as a bush clad hill is identified as being important to maintaining its cultural significance.</p> <p>There are several significant environmental features which apply to the nominated site area. These protect the natural landscape, ridgelines and vegetation. This provides some measure of protection of the natural features of this site although are not explicit as to the cultural association mana whenua have with Ruahine.</p> <p>A radio facility located at its summit has been found to be an activity which is inconsistent with the cultural significance of this site. This has been established under a status quo management approach and, according to mana whenua representatives, no engagement was undertaken prior to its development.</p> <p>The status quo management approach has resulted in development which is inconsistent with the cultural relationship mana whenua have with this maunga. The existing provisions applying to Ruahine are not considered to be the most effective and efficient provisions to provide for the</p> |

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| | | | relationship of mana whenua with their cultural heritage. |
| Option 2 Other Methods | <p>As with other nominated sites, mechanisms beyond the HGI to protect sites may, in some circumstances, provide greater certainty of protection in perpetuity or a greater range of protection for some identified sites. In some cases, this may address matters beyond those which the RMA can regulate.</p> <p>There are wider community benefits from recognition and awareness and increased knowledge and understanding of the cultural values associated with sites of significance to mana whenua. This can be through the provision of information and use of education and advocacy, such as signage and interpretation, especially on public land.</p> | <p>While there is no financial burden on the Council from undertaking a public plan change, some cost may be associated with the provision of signage, instigating legal agreements, heritage funding and the like.</p> <p>The nominated site extent is on private land. There is no certainty of protection as consideration of information and protection mechanisms would depend on the method employed at the site. This would be at the landowner's discretion. There is also no certainty of timeframes or the ability to have a co-ordinated approach to addressing sites.</p> <p>A lack of certainty means there is potential for further degradation of the cultural values of sites.</p> | <p>While this option may provide some recognition and protection on privately owned sites which is outside what can be achieved by the district plan provisions, this option is not effective or efficient as the sole method. This is because it relies on the agreement and participation of private landowners to recognise and/or protect the cultural values of sites where there is no regulatory requirement to do so.</p> <p>There are likely to be gaps in the coverage of the protection. This is not an efficient option as it relies on a range of different tools and processes to achieve the overall recognition of the sites, and the different methods may not provide an enforceable mechanism, or independent monitoring, to protect the site.</p> <p>For these reasons, relying on other methods is not considered to be the most efficient and effective manner to achieve the purpose of the plan change.</p> |
| Option 3 – plan change to add site to the HGI | <p>As with other sites, the identified cultural values of the nominated sites and places will be recognised and protected in a publicly transparent and unambiguous way.</p> <p>An established planning framework and processes sets a clear expectation for all plan users. Iwi and</p> | <p>Scheduling the site in the HGI places greater consideration of the cultural effects of new land use and subdivision activities within the nominated site extent. If landowners wish to undertake activities in this area, engagement with iwi and hapū representatives would be required.</p> | <p>Scheduling provides for a more rigorous activity status commensurate to activities that are anticipated to have the greatest effect on cultural values of known sites of cultural significance. It is likely that the presence of the schedule will influence how future subdivision and land use is undertaken on the maunga to protect the cultural values it holds.</p> |

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| | <p>hapū can fulfil their obligations as kaitiaki of the site.</p> <p>The sites will be provided interim protection upon notification while the merits of the plan change are evaluated.</p> <p>The addition of MHS to the HGI provides certainty to plan users that sites have met the appropriate qualifying criteria and suitable regulatory standards are already established avoiding additional costs associated with the creation of non-statutory protection mechanisms.</p> <p>Scheduling enhances the consideration of cultural matters and therefore the requirement to engage with mana whenua resulting in positive outcomes for Māori.</p> <p>There is an ability to consider activities adjacent to the nominated site, where the HGI allows discretion to consider the effects those activities may have on the scheduled site. Scheduling enables a holistic consideration of the issues affecting the maunga.</p> | <p>Time taken to undertake engagement and changes to proposed development plans may result in additional costs for landowners that did not exist prior to scheduling.</p> <p>Any additional cost is not considered significant as multiple HGI schedules apply to the nominated area of Ruahine. These scheduled protect the visual and ecological qualities of the site. The land use zoning of the private properties contained within the site does not promote development.</p> | <p>Where existing access or fencing exist, amendments are proposed to Part 7.13 of the HGI to allow a permitted level of earthworks for the maintenance and repair of these.</p> <p>The presence of significant environmental features already applying to this site in the HGI regulates development and subdivision with respect to the visual qualities of the site and the indigenous vegetation. Scheduling this site and a Māori Heritage Site complements these other protections.</p> <p>The site is identified as both regenerating slopes and forest and bush areas in the HGI, neither of these land units promote development of the private sites.</p> <p>For these reasons, this option is the most efficient and effective to provide for the cultural relationship mana whenua have with Ruahine.</p> |
| <p>Komahunga</p> | <p>This site of Aotea/ Great Barrier Island is an undeveloped area of coastline containing the Harataonga public walking track administered by the Department of Conservation. The western portion of the site is privately owned with the balance being public conservation land. The site is comprised of a series of ridges and valleys sloping down to a rocky coastline. It also includes part of the coastal marine area in recognition of historic fishing activities that occurred in conjunction with occupation of the site. The HGI identifies the area as predominantly conservation land with the private land a combination of regenerating slopes, alluvial flats and dune systems and sand flats.</p> | | |

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| <p>Option 1 Do nothing</p> | <p>Doing nothing will result in no additional obligations on either DOC or the private landowner. There will be no costs associated with a public plan change process. The status quo remains.</p> | <p>While the potential of development and subdivision on this site is considered low, development pressure is increasing in the gulf islands.</p> <p>While DOC is exempt from district plan level provisions on land held under the Conservation Act 1987, this exemption does not extend to regional plan level activities. Bridges cross several streams in the area and works that may require stream diversions or other regional plan level activities will have no need to recognise the cultural significance of the area. Works may have an increased risk of encountering Māori artefacts in this area.</p> <p>Private developers affecting the river and land in the western extent of the site would be unaware the area is culturally significant. This may result in inadvertent damage to culturally sensitive parts of the site.</p> <p>Land disturbance on or near headlands has an increased chance of encountering Māori artefacts including kōiwi, resulting in the potential for significantly adverse cultural outcomes on sites undisturbed since they were occupied by Māori.</p> | <p>Not having formal identification of sites results in the information being gained through iwi planning documents or through consultation with mana whenua – which is a less visible, less certain and more time-consuming activity to undertake.</p> <p>In instances where there is no public awareness the cultural significance of the site, there is no trigger to oblige landowners to engage with mana whenua about proposals affecting their cultural interests.</p> <p>The ‘do nothing’ option is not an effective or efficient approach to provide for the cultural relationship of mana whenua with Komahunga.</p> |
| <p>Option 2 Other Methods</p> | <p>The most relevant non-regulatory methods for addressing activities on Komahunga are conservation management plans or other management plans established under the Conservation Act 1987. This area has a conservation management</p> | <p>There is no certainty of protection as other planning documents would take time to develop and may not address the cultural significance of this site.</p> | <p>This option is not an effective or efficient option as it relies on the agreement and participation of landowners or other agencies to recognise and/or protect the cultural values of sites where there is no regulatory requirement to do so.</p> |

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| | <p>strategy but no subservient plans currently. Some benefit from public education may be possible for the public conservation land.</p> <p>Other methods applicable to the private land include memorandums of understanding, easements, covenants and the provision of signage for public education.</p> | <p>There is no certainty of timeframes and limited recourse for mana whenua in the event of a dispute.</p> <p>A lack of certainty means there is potential for further degradation of the cultural values of this site.</p> | <p>Although other methods may provide some recognition and protection for some sites, there are likely to be gaps in the coverage of the protection. This is not an efficient option as it relies on a range of different tools and processes to achieve the overall recognition of the sites, and the different methods may not provide a regulatory requirement that will protect the sites.</p> |
| <p>Option 3 – plan change to add sites to the HGI</p> | <p>The identified cultural values of the nominated sites and places will be recognised and protected in a publicly transparent and unambiguous way. This protection will generate an ongoing environmental benefit for current and future generations.</p> <p>The addition of sites and places to the HGI provides certainty that sites have met the appropriate qualifying criteria and suitable regulatory standards are already established avoiding additional costs associated with the creation of non-statutory protection mechanisms.</p> <p>Identified sites are protected upon notification, thereby avoiding the delays possible with non-statutory methods. This protection prevents degradation of the sites (cultural and environmental costs) while the merits of the plan change are examined.</p> | <p>There are financial implications relating to undertaking a public plan change, which goes through a public submission process and may extend to an appeal to the Environment Court.</p> <p>There is the potential for some cost to accrue to landowners whose development rights may change because of the identification of an MHS on their property. Additional requirements to seek resource consent will result in some financial and time costs.</p> | <p>Scheduling provides for a more rigorous activity status commensurate to activities that are anticipated to have the greatest effect on cultural values of known sites.</p> <p>Scheduling of this site is unlikely to constrain development in the short to medium term due to the remoteness of this site. It will, however, help to inform the management of the public conservation land and raise awareness of the significance of the area. Changes proposed to the provisions of Part 7.13 of the HGI will permit some level of earthworks activity on the private site.</p> <p>This option recognises and protects this significant site in a way which targets those activities most likely to be culturally problematic. It is the most efficient and effective method to provide for the mana whenua cultural relationship with Komahunga.</p> |
| <p>Korotiti</p> | <p>This site is located on the eastern coastline of Aotea/Great Barrier Island, due east of Hirakimatā and north of Awana Bay. The site encompasses public conservation estate land, private land, and the coastal marine area. It is bounded to the south by a ridgeline. The HGI identifies the site as being a mix of conservation, regenerating slopes and coastal cliffs land units. The site is traversed by</p> | | |

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| | significant ridgeline areas and is within a Outstanding Natural Landscape which covers a majority of Aotea. The nominated site contains two holiday houses and ancillary buildings. | | |
| <p>Option 1 Do nothing</p> | <p>As with other sites, there is no financial burden on the Council to undertake a public plan change.</p> <p>Landowners and developers would not be required to obtain additional resource consents to undertake development and subdivision activities on their properties. The status quo remains</p> | <p>As the site is unidentified for the significant cultural values it holds, there is the potential for land use and subdivision activities to be consented and undertaken in a way that damages the cultural heritage and values the site holds.</p> <p>One such activity is earthworks for new tracks¹⁶ which has occurred on one of the private sites in Korotiti.</p> <p>A lack of public awareness of the cultural significance of Korotiti has the potential to degrade the cultural relationship Māori have with this site and provides mana whenua with limited opportunities to exercise their kaitiakitanga. Depending on the activities undertaken, this cultural cost may be irreversable.</p> | <p>The area of Korotiti has been identified as containing significant cultural values to mana whenua. The status quo retains the ability for development and subdivision to be undertaken in a manner that may degrade these values and the relationship mana whenua hold with the site.</p> <p>The purpose of the plan changes is to provide for the relationship of mana whenua with their cultural heritage by recognising and protecting the tangible and intangible Māori cultural values of 12 sites and places within Tāmaki Makaurau.</p> <p>Doing nothing does not recognise the site or provide any ability to protect it beyond the HGI provisions which currently apply. Development, including earthworks for new access tracks to private property, can result in activities in inappropriate locations. It can also disturb areas known to contain culturally sensitive material.</p> <p>This option is not efficient or effective in achieving the purpose of the plan change.</p> |
| <p>Option 2 Other Methods</p> | <p>As has been discussed with respect to other sites, mechanisms beyond the HGI to protect sites may, in some circumstances, provide greater certainty of protection in perpetuity or</p> | <p>While there is no financial burden on the Council from undertaking a public plan change, some cost may be associated with the provision of</p> | <p>This option is not an effective or efficient option as it relies on the agreement and participation of landowners or other agencies to recognise and/or protect the</p> |

¹⁶ Refer to site visit photo 4 in Attachment 7

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| | <p>a greater range of protection for some identified sites. Methods such as conservation strategies, public education, memorandums of understanding, heritage funding, easements and covenants may address certain aspects of sites.</p> | <p>signage, instigating legal agreements, heritage funding and the like.</p> <p>DOC administers the northern portion of this site which lies within the Aotea Conservation Park. Other methods may require certain activities of DOC which could incur financial cost.</p> <p>A key issue is the lack of certainty of these other methods provide in terms of timeframe and approach. While they may address some matters at issue, they are unlikely to address all activities of concern. In the event of dispute, expensive civil litigation would be required in the absence of district plan regulations. There is also no certainty of a co-ordinated approach to addressing sites.</p> <p>There are limited other methods to recognise and protect the identified area of the CMA outside of a Treaty settlement process.</p> <p>This lack of certainty means there is potential for further degradation of the cultural values of this site.</p> | <p>cultural values of sites where there is no regulatory requirement to do so.</p> <p>Although other methods may provide some recognition and protection for some sites, there are likely to be gaps in the coverage of the protection. This is not an efficient option as it relies on a range of different tools and processes to achieve the overall recognition of the sites.</p> <p>The use of other methods may add to the effectiveness of the preferred method, but it is not by itself an efficient or effective response achieving the purpose of the plan change.</p> |
| <p>Option 3 – plan change to add site to the HGI</p> | <p>The identified cultural values of the nominated sites and places will be recognised and protected in a publicly transparent and unambiguous way. This protection will generate an ongoing environmental benefit for current and future generations.</p> <p>The addition of the site to the HGI provides certainty that it has met the</p> | <p>Scheduling Korotiti places additional obligations on landowners and developers looking to undertake activities on this site.</p> <p>It is likely that additional cost will be incurred by private landowners when undertaking some activities on their property now requiring resource consent.</p> | <p>Scheduling provides for a more rigorous activity status commensurate to activities that are anticipated to have the greatest effect on cultural values of known sites.</p> <p>Scheduling of the site in the HGI will not unreasonably impact on land development as changes are proposed to the provisions of Part 7.13 of the plan to</p> |

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| | <p>appropriate qualifying criteria and suitable regulatory standards are already established, avoiding additional costs associated with the creation of non-regulatory protection mechanisms.</p> <p>Identified sites are protected upon notification, thereby avoiding the delays possible with non-statutory methods. This protection prevents degradation of the sites (cultural and environmental costs) while the merits of the plan change are examined.</p> | <p>DOC may incur additional costs when applying for resource consent for regional activities under the AUP(OIP).</p> | <p>provide for a reasonable level of earthworks for rural activities.</p> <p>The land use zoning of the site does not provide for significant development. The scheduling does not prohibit development from occurring but requires an examination of the cultural effect of activities and how adverse effects may be avoided or mitigated.</p> <p>As a MHS, the objectives align with those existing schedules is the HGI protecting the natural environment. It allows mana whenua to undertake kaitiakitanga on the site.</p> <p>This option is the most effective and efficient to achieve the purpose of the plan change.</p> |
| <p>Te Rae o Kāwharu</p> | <p>This is the site of the Grey Lynn library and carpark. The site extends to include a bush clad bank to the south of the site as a natural observation point to viewpoints south. The property is owned and administered by Auckland Council. The Grey Lynn library is listed under schedule 14 of the AUP(OIP) as an historic heritage place. The site is zoned as Open Space – Community Zone and Informal Recreation Zone.</p> | | |
| <p>Option 1 Do nothing</p> | <p>There is no financial burden on the Council to undertake a public plan change.</p> <p>The landowner (Council) would not be required to obtain additional resource consents for proposed activities within the site so the status quo remains.</p> | <p>The lack of cultural recognition of this site may result in inappropriate development occurring. This would be a higher risk if Council sold the site to private interests.</p> <p>Existing heritage protection for the building on this site does not apply to the cultural values associated with this site.</p> <p>The inability for mana whenua to influence resource management decisions for this site may result in the</p> | <p>The 'do nothing' approach limits the ability for mana whenua to influence development and subdivision of this site to protect its cultural values. It does not recognise the site as culturally significant, nor offers any means of protection.</p> <p>The 'do nothing' option is not an effective or efficient approach to achieve the purpose of the plan change.</p> |

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| | | degradation of the significant cultural values associated with Te Rae o Kāwharu. | |
| Option 2 Other Methods | Te Rae o Kāwharu is a Council owned and administered site. This provides some opportunity to recognise the cultural significance of this site through the provision of information and use of education and advocacy, such as signage and interpretation. | <p>These methods are unlikely to address the full spectrum of issues which may occur through changing use and development of this site.</p> <p>Private agreements are not on the public record and may lose effectiveness over the passage of time despite the best intentions of the parties.</p> <p>Incomplete coverage in the protection provided by other methods may result in activities which degrade the cultural values Te Rae o Kāwharu holds.</p> | <p>While relying on other methods may be effective in the short-term given the relationship Council has with mana whenua, over the long term it provide little certainty as to how the site is managed.</p> <p>In the event of disagreements between Council and mana whenua on how the site is developed, there is little recourse for mana whenua to challenge resource management decisions made under private agreements.</p> <p>Although other methods may provide some recognition and protection for some sites, there are likely to be gaps in the coverage of the protection. Timeframes associated with the implementation of other methods is also an issue.</p> <p>While other methods are effective to complement formal recognition, they are not considered the most effective and efficient option in isolation for the purpose of the plan changes.</p> |
| Option 3 – plan change to add the site to the AUP(OIP) | <p>The identified cultural values of the nominated sites and places will be recognised and protected in a publicly transparent and unambiguous way. This protection will generate an ongoing environmental benefit for current and future generations.</p> <p>Identified sites are protected upon notification, thereby avoiding the</p> | <p>There are financial implications relating to undertaking a public plan change, which goes through a public submission process and may extend to an appeal to the Environment Court.</p> <p>There is the potential for some additional cost to be borne by the Council when undertaking additional</p> | <p>This method provides interim protection while the merits of the plan change are examined. It uses an existing policy and rule framework in the AUP(OIP) to address those activities which are of concern to mana whenua. Limited cost is incurred by Council as the landowner.</p> <p>This option is recommended as the most efficient and effective option to provide for</p> |

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| | <p>delays possible with non-statutory methods. This protection prevents degradation of the sites (cultural and environmental costs) while the merits of the plan change are examined. Scheduling provides longevity of protection in the event of a change in ownership.</p> <p>The formal recognition of the plan enables mana whenua to be proactively identified and involved in resource management decisions involving this site without having to firstly justify a cultural interest.</p> | <p>resource consent processes triggered by the scheduling.</p> <p>Overall, any additional costs incurred by scheduling are not considered to be significant.</p> | <p>the cultural relationship of mana whenua with Te Rae o Kāwharu.</p> |
| <p>Waipapa Awa</p> | <p>The northern portion of the nominated site extent is the historical alignment of the stream which is now culverted around Parnell Train Station and under the Carlaw Park Student Village. The southern portion of the site covers the stream where it still flows above ground north of the Parnell Tunnel. A small portion of the nominated extent which is above the Parnell Tunnel represents the stream's historic alignment down the slope above the Parnell Tunnel.</p> <p>Predominantly, the nominated site is on privately owned land or Crown land administered by KiwiRail. The site extent crosses the Carlaw Park mixed use precinct, the common area of two unit title properties, and land around the Parnell Train Station consented for development as a retirement village complex.</p> | | |
| <p>Option 1 Do nothing</p> | <p>As with other sites, there is no financial burden on the Council to undertake a public plan change.</p> <p>Landowners and developers would not be subject to additional resource consent requirements when seeking to develop their properties, therefore there are no additional cost implications for them.</p> <p>Private plan change requests would not have this identified site to contemplate, potentially resulting in time and costs savings for</p> | <p>There cultural significance of the awa would have to be established each time development is proposed in the site area. This would result in ad-hoc, repetitive, time-consuming and costly processes for proponents, the Council, and mana whenua.</p> <p>Waipapa Awa is, in part, representative of a historic stream alignment which no longer exists (the northern extent). While development undertaken in this extent will not result in physical damage to the awa, any opportunity to recognise the original alignment</p> | <p>Not having formal identification of sites results in the information being gained through iwi planning documents or through individual consultation with mana whenua – which is a less visible, less certain and more time-consuming activity to undertake.</p> <p>While engagement has occurred with mana whenua on individual resource consent application, a lack of formal identification will limit the extent to which both tangible and intangible associations can be considered. This is particularly the</p> |

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| | <p>landowners and developers (recognising that sites of cultural significance may be identified through the private plan change process).</p> | <p>through design responses and/or signposting may be lost. This results in mana whenua's whakapapa to the stream being further hidden by layers of urban development for current and future generations.</p> <p>The southern extent of the awa is, with the exception of the section over Parnell Tunnel, still intact. Further stream diversion, reclamation or degradation of the waterway by adjoining activities will serve to further degrade the mauri of the stream at a cost to the cultural relationship mana whenua have with this awa.</p> | <p>case for the northern sections of the stream now culverted.</p> <p>The 'do nothing' option is not an effective or efficient approach to achieve the purpose of the plan change which is to provide for the relationship of mana whenua with their cultural heritage.</p> |
| <p>Option 2 Other Methods</p> | <p>The significance of the Waipapa Awa is recognised in the Waitemata Local Board Parnell Plan as well as in historic documents. An aspiration of the community is a shared pathway to extend from the city centre via the redundant old Parnell Tunnel to Newmarket.</p> <p>KiwiRail own land and operate a designation which includes some portions of the awa. KiwiRail actively engage with tangata whenua. These existing forums may provide some benefit for this site in the areas where KiwiRail exert control.</p> <p>There are wider community benefits from recognition and awareness and increased knowledge and understanding of cultural values associated with sites of significance to mana whenua. This can be through</p> | <p>While there is no financial burden on the Council from undertaking a public plan change, some cost may be associated with the provision of signage, instigating legal agreements, heritage funding, acquisition of land and the like.</p> <p>There is no certainty of appropriate protection for the historical and current extent of the awa as consideration of information and protection mechanisms would depend on the method employed.</p> <p>There are multiple landowners, including body corporates affected by the nominated extent and there is no certainty of timeframes or the ability to have a co-ordinated approach to addressing this site. In the event of disputes, costly civil action may be required to achieve a resolution.</p> | <p>As with other sites, this option is not an effective or efficient option as it relies on the agreement and participation of landowners and other agencies in order to recognise and protect the cultural values of sites where there is no regulatory requirement to do so.</p> <p>While other methods may provide some recognition and protection for some sites, there are likely to be gaps in the coverage of the protection. This is not an efficient option to achieve the purpose of the plan change as it relies on a range of different tools and processes to achieve the overall recognition of the sites.</p> |

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| | <p>the provision of information and use of education and advocacy, such as signage and interpretation, especially on public land.</p> | <p>A lack of certainty means there is potential for further degradation of the cultural values of sites.</p> | |
| <p>Option 3 – plan change to add sites to the AUP(OIP)</p> | <p>As with other sites, the addition of sites and places to the AUP(OIP) provides certainty that sites have met the appropriate qualifying criteria and suitable regulatory standards are already established avoiding additional costs associated with the creation of non-statutory protection mechanisms. Having this level of visibility will also be useful for the development of non-statutory plans like future local board documents and strategy documents. It will also assist key stakeholders such as KiwiRail and Auckland Transport when planning future upgrades to the rail and shared path network.</p> <p>Identified sites are protected upon notification, thereby avoiding the delays possible with non-statutory methods. This protection prevents degradation of the sites (cultural and environmental costs) while the merits of the plan change are examined.</p> | <p>There are financial implications relating to undertaking a public plan change, which goes through a public submission process and may extend to an appeal to the Environment Court.</p> <p>Scheduling will trigger greater consideration of cultural matters for activities on or adjacent to the site. Engagement with mana whenua is already encouraged for applications involving waterbodies and native vegetation to determine the level of cultural effect arising from proposals. Scheduling is therefore unlikely to result in significantly more cost to developers.</p> | <p>This method will recognise and protect the awa in a publicly transparent manner and apply a clear regulatory framework to consider the cultural values of the site holistically.</p> <p>The site exception rule proposed to be applied to this site recognises that the awa has been so physically modified that no evidence of historic occupation and use are likely to remain. Less restrictive activity statuses for earthworks and infrastructure activities would apply.</p> <p>Scheduling would place limited additional costs on developers through changes to consenting requirements and supports the application of other methods of recognition such as local board plans and reserve management plans.</p> <p>Scheduling of the sites will not unnecessarily constrain urban growth or impact on land development capacity. The overlay provides for flexibility in the expression of cultural relationships with the site.</p> <p>In the northern portion of the nominated site, where the extent traverses developed and consented areas of private land, the stream no longer flows in that alignment.</p> |

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| | | | <p>The presence of the overlay will not affect existing development and consented activities. In the event of redevelopment, the overlay would trigger discussions on site interpretation or other design responses to reflect the historical extent. These properties would otherwise have been developed without the benefit of knowing the cultural history of the area.</p> <p>The southern portion of the site is where the stream largely remains. The presence of the overlay will serve to manage development to enhance the environmental qualities of the stream and enable restoration activities through an existing policy framework.</p> <p>For these reasons, scheduling in Schedule 12 of the AUP(OIP) and utilising the existing framework of provisions is seen as the most efficient and effective method to provide for the cultural relationship of mana whenua with the Waipapa Awa.</p> |
| <p>Kaarearea Paa ID 275</p> | <p>This is the site of an operational quarry. The site is entirely owned by Fulton Hogan Ltd and operated by Stevenson Aggregates Ltd. Centrally located within the site is an area of indigenous and native bush protected by both a scheduled significant ecological vegetation and an historic heritage overlay.</p> <p>The nominated extent is larger than the centrally located pā and includes its flanks where culturally significant activities were undertaken. Stevenson Aggregates Ltd is currently in the process of preparing an application for resource consent to expand the quarry operation to the north and east into what is known as the Sutton Block. As part of those discussions, agreement has been reached between the nominating mana whenua representatives and the landowner to modify the western and northern areas of the nominated site extent. This agreed position is illustrated in Figure 2 and is reflected in the proposed plan change maps in Attachment 1.</p> <p>The land within the nominated extent is both Quarry Zone and Rural – Mixed Rural Zone. Also refer to Figure 1 at the bottom of this table.</p> | | |

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| <p>Option 1 Do nothing</p> | <p>There is a financial and time saving benefit to the current operators of the Drury Quarry, Stevenson Aggregates Ltd.</p> <p>By not applying any controls on the use of the nominated site, there is no increased regulatory threshold to quarrying activities other than those which apply currently. The landowner is able to expand their quarry operations in accordance with the current policy direction and standards of the AUP(OIP) which provide a low threshold for such activities within the Special Purpose - Quarry Zone¹⁷.</p> <p>This ability to expand without additional restriction provides greater security of aggregate supply for Tāmaki Makaurau as it continues to grow and intensify. Aggregate is a foundational material for the creation of buildings and infrastructure and a readily accessible supply near its destination market has both financial and time benefits.</p> <p>In the absence of formal recognition of the nominated extent, Stevenson are engaging with mana whenua with an interest in their site as part of developing resource consent proposals for this site. That</p> | <p>The pā area is identified as wāhi tupuna of immense cultural, spiritual, traditional and historical importance¹⁸.</p> <p>The site is of cultural significance to multiple iwi and hapū within Tāmaki Makaurau and is considered to have regional and national significance due to its unique features and construction.</p> <p>The currently protected extent of Kaarearea Paa as a historic heritage site and the protected significant ecological area (SEA) represents a small and tightly defined area of the site. The presence of archaeology and native vegetation have been determinative in the current protected extents and do not respond to the full extent of the cultural values on the site.</p> <p>As discussed in the Cultural Values Assessment and supporting Cultural Heritage and Archaeological analysis, the site extent is much wider than is currently recognised and includes many elements¹⁹.</p> <p>Within the Quarry Zone there are limited matters of control or assessment criteria for Council to consider cultural effects when considering land disturbance applications. These are limited to the mauri of water and the quality of</p> | <p>The cultural assessments provided for this site identify that the extent of the cultural significance of the site is larger than is currently recognised by the Historic Heritage Overlay and SEA scheduling.</p> <p>As there is currently no formal recognition of the wider site in the AUP(OIP), reporting planners assessing a future expansion to or change of quarrying activities and any associated quarry management plans within the Quarry Zone area will have limited opportunities to consider the cultural effects of future quarrying activities in this area.</p> <p>The disturbance and removal of land from the wider site extent is identified by mana whenua representatives as being both profane and would result in irreversible adverse cultural effects. A lack of formal recognition and protection may result in issues being relitigated in the future should consents be varied or new consents sought.</p> <p>The 'do nothing' option is not an effective or efficient approach to achieve the purpose of the plan change. It does not provide for the cultural relationship of mana whenua with Kaarearea Paa.</p> |
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¹⁷ Mineral extraction activities and Land disturbance greater than 2,500m² and 2,500m³ are Controlled Activities (Table H28.4.1(A7), (A14) & (A15))

¹⁸ Kaarearea Paa Cultural Values Assessment. Attachment 3.

¹⁹ Including wāhi tapu, wāhi tupuna, tūāhu, urupā.

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| | <p>engagement provides the opportunity for some level of cultural benefit to be achieved.</p> <p>A history of engagement between mana whenua and the landowners of this site has resulted in verbal arrangements in the past on how the site would be protected.</p> | <p>taiāpure or mahinga mātaītai (coastal sites for harvesting seafood)²⁰.</p> <p>Mineral extraction and land disturbance activities are incompatible with such sites as the land is both sacred and likely to contain culturally sensitive material.</p> <p>The excavation of land within the nominated site extent will result in irreversible damage to the pā extent and the cultural values associated with it.</p> | |
| <p>Option 2 Other Methods</p> | <p>There is a history of informal agreements between previous landowners and some iwi with respect to this site and that this has provided some measure of protection and access to the central pā area.</p> <p>The currently scheduled extent of the pā site is not included in the current quarry management plan²¹ and therefore sits outside the currently consented area. It is fenced from the operational quarry. It is not protected by any covenants.</p> <p>Mechanisms beyond the AUP(OIP) to protect sites may, in some circumstances, provide greater certainty of protection in perpetuity or a greater range of protection for some identified sites. Maintaining a positive</p> | <p>While there would be no establishment costs for additional protection either on behalf of Council or the landowner, the potential loss of mana whenua cultural heritage may be significant and irreversible.</p> <p>Administering site activities through a patchwork of protections and agreements is time consuming. Resourcing must be dedicated to keep agreements effective at cost to the landowner and iwi/hapū.</p> <p>There is no certainty of protection as consideration of information and protection mechanisms would depend on the method employed at the site. This will often be at the landowner's discretion. There is also no certainty of timeframes or the ability to have a co-</p> | <p>Private arrangements between mana whenua representatives and the landowners have resulted in some cultural heritage outcomes on the quarry site in the past.</p> <p>Discussions between the landowner and nominating mana whenua representatives have resulted in agreement being reached that the issues identified for the western section in Figure 1 can be addressed outside of formally scheduling that section. These methods may include changes to existing resource consent conditions and memoranda of understanding. The issues of concern in this section are not about the quarrying which has already occurred, but the future remediation and development of that area close to the pā.</p> |

²⁰ Refer to matters of control H28.7.1 and assessment criteria H28.7.2.

²¹ Stevenson Quarry Management Plan Update Drury Quarry, April 2019.

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| | <p>relationship with landowners is a benefit to achieving and maintaining positive cultural outcomes, including agreements to access the site across private land. This has delivered some cultural outcomes in the past.</p> | <p>ordinated approach to addressing sites. Disputes would need to be resolved through civil litigation at significant cost to landowners and mana whenua entities.</p> <p>A lack of certainty means there is potential for further degradation of the cultural values of sites.</p> | <p>As a result of Council formally being advised by the nominating mana whenua representatives that their cultural concerns with respect to this section are being addressed through other methods, the western section is largely excluded from the proposed extent for scheduling.</p> <p>This option is not considered to be the most effective or efficient method for the balance of the site but complements the remaining areas proposed to be scheduled.</p> |
| <p>Option 3 – plan change to add sites to the AUP(OIP) and HGI</p> | <p>By scheduling the site extent as a place of significance to mana whenua, the area will be protected in a publicly transparent and unambiguous way.</p> <p>The scheduling provides for a holistic assessment to the effects on the cultural values attributed to the site, both with respect to tangible and intangible matters.</p> <p>The scheduling is not reliant on landowner agreement and may guide the future zoning of the nominated area to more compatible land uses. It provides a timely resource management response and immediate protection upon notification.</p> <p>With respect to compliance and monitoring, the availability of existing Council systems and resources lessens the burden of resourcing on mana whenua and the landowner.</p> | <p>Mana whenua representatives have advised that any further land disturbance and mineral extraction activities within the nominated site extent will result in significant and irreversible adverse cultural effects.</p> <p>The advice received is that the disturbance and removal of land is to be avoided on wāhi tapu sites. This indicates that if scheduled, the presence of the overlay over the Quarry Zone and Rural Zoned land may act to effectively prevent land extraction activities where mana whenua are opposed to it. Land disturbance on SSMW is a Discretionary Activity.</p> <p>As nominated, approximately 14ha of the Quarry Zone will be scheduled as a SSMW. Out of a total of approximately 94ha of Quarry Zone still to be mined, this represents 15% of the area and does not consider operational restrictions that may be encountered</p> | <p>The purpose of the plan changes is to provide for the relationship of mana whenua with their cultural heritage by recognising and protecting the tangible and intangible Māori cultural values of 12 sites and places within Tāmaki Makaurau.</p> <p>While overlays already exist which provide some measure of protection to the pā site, this is a by-product of protecting features on the site (archaeology and native vegetation). They do not provide for a holistic cultural assessment of the site and are limited in such an application.</p> <p>The significant opportunity cost to Fulton Hogan in potentially not being able to access aggregate supply is considered against the pā being identified as regionally significant cultural asset. It is unique in terms of its history and relationship to iwi and hapū of Tāmaki Makaurau.</p> <p>Quarrying activities are generally incompatible with such activities and</p> |

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| | <p>Having immediate legal effect upon notification, the scheduled extent will be protected from future quarry activities until the merits of the plan change are examined. In this instance, an expansion of the quarry area is proposed which will directly impact on the nominated extent of the pā.</p> | <p>due to a narrow land area preventing quarrying from being undertaken in a safe and efficient manner.</p> <p>Discussions with the quarry owners indicate that an inability to quarry the northeastern section²² of the nominated extent will result in an inability to access 10,000,000 tonnes of aggregate material. This equates to 2.5 years supply at a cost of approximately \$300,000,000 (based on \$30 per tonne retail price).</p> <p>Aggregate is a key component to the construction of housing and infrastructure during a period of growth and intensification. In the case of Drury Quarry, it is identified as one of three quarries considered to have the capacity to supply large quantities of aggregate over the long term²³. It is one of three quarries located near Auckland.</p> | <p>scheduling will allow for a fulsome assessment of any proposed quarrying under Part 2 of the RMA to determine the most sustainable management of the natural and physical resources in this area.</p> <p>In this instance, the landowner and mana whenua representatives have agreed a nominated site extent which takes into account other methods being proposed across the wider site.</p> <p>For the above reasons, scheduling of the amended extent in Figure 2 and as reflected in the proposed plan change maps in Attachment 1 is recommended as the most efficient and effective method to achieve the purpose of the plan change.</p> |
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²² Refer to Figure 1 at bottom of table

²³ Winstone Aggregates et al. Legal Submissions to PAUP Topic 041. Para 1.5.

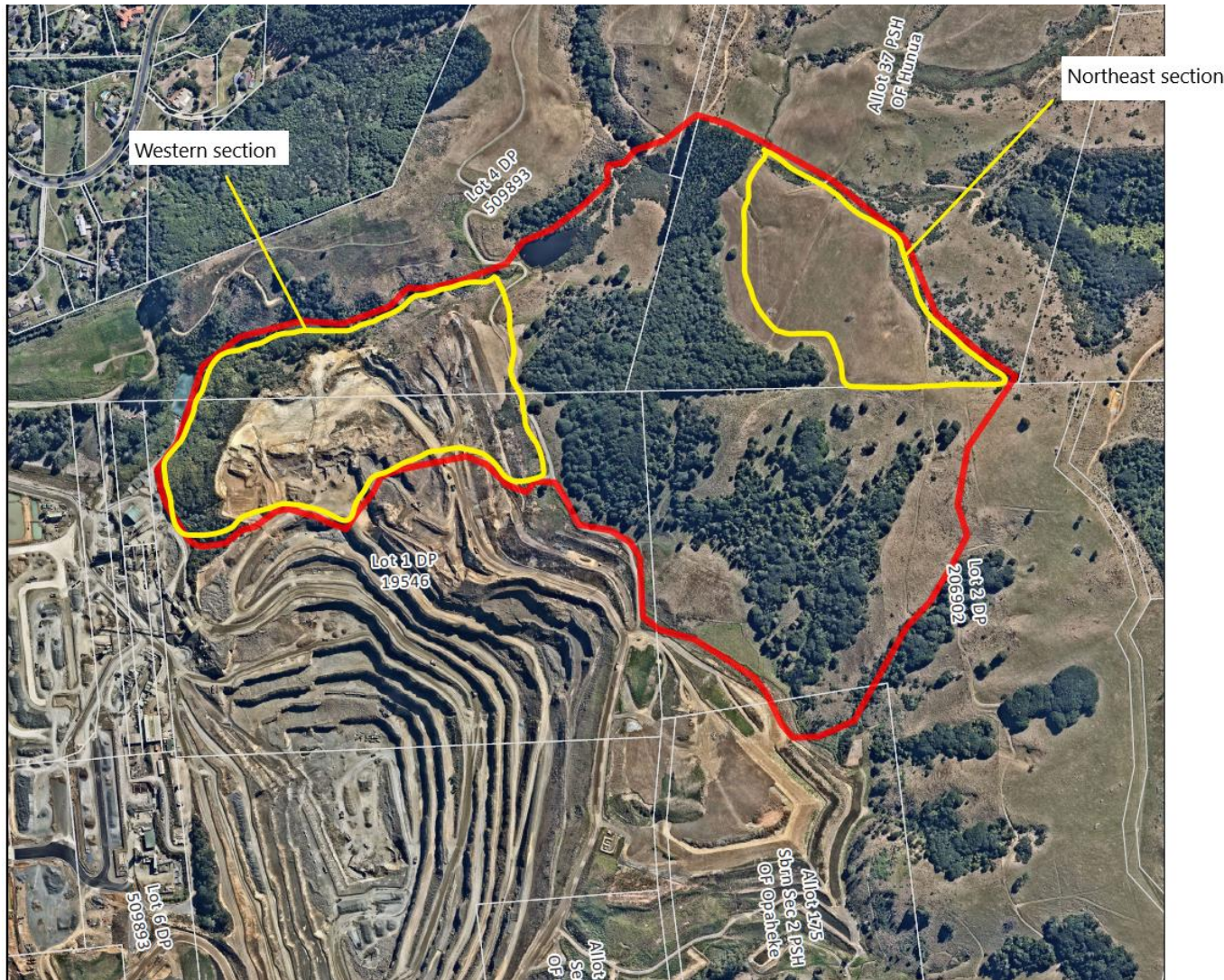


Figure 1: Originally nominated Kaarearea Paa / Drury Quarry sections referenced in Cost/Benefit analysis



Figure 2: Kaarearea Paa site extent agreed between mana whenua representatives and Stevenson Aggregates Ltd