

MANA WHENUA

Assessment Report

234 Rangiuru Road, Ōtaki



Prepared for Classic Developments Rangiuru Road Limited

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1 Introduction

1. Ngā Hapū o Ōtaki (NHoŌ) are mana whenua and kaitiaki of the rohe between Kūkūtauāki and Peka Peka Road. As a representative body of Ngāti Raukawa ki Te Tonga, NHoŌ comes under the **ART** (Ātiawa, Raukawa, Toarangatira) Confederation and will collaborate with Ātiawa ki Whakarongotai and Ngāti Toa Rangatira on exercising responsibilities over shared interests within this rohe.
2. Classic Developments Rangiuru Road Limited (CDRR) have solicited the following Mana Whenua Assessment (MWA) as part of their resource consent application to carry out earthworks as preparation for residential development at 234 Rangiuru Road, Ōtaki.
3. Te Pou Taiao are mandated by NHoŌ to respond to all resource consents that will affect the values NHoŌ associate with the whenua, wai and ngā taonga katoa.
4. This assessment has been prepared by Te Pou Taiao, and reviewed by NHoŌ for the explicit use by CDRR as part of RM210322

2 Objectives

1. The objectives of this assessment are to:
 - a. Describe the relationships of Ngā Hapū o Ōtaki (NHoŌ) with the application site and how the proposed activity may impact those.
 - b. Identify any cultural, historical or spiritual values of the site and any impact the application will have on those values.
 - c. Include any Kaitiaki responsibilities NHoŌ find appropriate to include in the application.

- d. Provide recommendations on avoiding, remedying or mitigating the identified effects, including recommended consent conditions if granted.
2. In meeting these objectives, the following outcomes will be achieved:
 - a. All affected parties are informed of the proposed activity and understand the impact on the relationship and cultural values associated with the application site and the wider Ōtaki area.
 - b. Provide a recommendation from NHoŌ for the proposed activity to honour the responsibilities and role of Tangata whenua.

3 Methodology

1. This assessment draws on the knowledge of NHoŌ, utilising methods that best capture the necessary cultural, historical and environmental significance of the landscape.
2. In preparing this report, Te Pou Taiao carried out extensive research, on-site investigations and consultation with affected parties.
3. In detail, this included:
 - a. Review of the Resource Consent application and other relevant reports/minutes to understand potential environmental and cultural concerns.
 - b. Review of published information relevant to the site, area and significance to iwi, hapū and whānau.
 - c. Provide iwi and hapū with an overview of those concerns to prompt discussion.
 - d. Undertake remote and on-site investigation with NHoŌ representatives.
 - e. The consultation with iwi, hapū and neighbours who have experience and knowledge of the history, cultural significance and concerns.
 - f. MWA Report is drafted and provided to NHoŌ for feedback.

- g. Review feedback and adjust the report if needed. Present the final to NHoŌ for official approval before sending the endorsed MWA report to the applicant.
4. This MWA report consulted with the following people:
 - a. Tanira Cooper (Ngāti Kapumanaawhiti and Deputy Principal of Te Kura-a-Iwi o Whakatupuranga Rua Mano)
 - b. Troy Hobson (Ōtaki and Porirua Trusts Board)
 - c. Deanna Rudd (Ngāti Maiotaki)
 - d. NHoŌ whanau

4 Mana Whenua

1. Ngāti Raukawa ki te Tonga consist of twenty five hapū who maintain Ahi kā roa and kaitiakitanga over the area between the Rangitikei River in the north and the Kūkūtauāki Stream to the south.
2. NHoŌ is the representative body of Ngāti Kapu, Ngāti Pare, Ngāti Huia ki Katihiku, Ngāti Maiōtaki and Ngāti Korokī. Together, NHoŌ assists and supports whānau to realise their aspirations and contribution to sustaining our people, land, and environment for future generations.
3. Ngāti Raukawa ki te Tonga also recognises their shared whakapapa and traditional ties with Te Ātiawa ki Whakarongotai and Ngāti Toa Rangatira. It was through the combined efforts of the three Iwi that resulted in the acquisition of the described Ngāti Raukawa lands circa 1820 via the tikanga of raupatu. Since this time, the three Iwi have continuously occupied the land attained and worked as a confederation on a number of joint ventures. Some of these include the building of Rangiātea as a symbol of peace and collaboration, the establishment of the Ōtaki Māori Racing club, the construction of Raukawa Marae, and in 1975 the three Iwi united again to build Te Wānanga o Raukawa, the first Māori university Aotearoa.

4. The campus of Te Wānanga o Raukawa, like Te Kura-a-Iwi o Whakatupuranga Rua Mano (WRM), is leased from The Ōtaki and Porirua Trusts Board. Hence, while this MWA has been written by the five mana whenua hapū of Ōtaki, the significance of the adjacent land to the three confederate Iwi is significant and continues to shape our relationship with our ancestral land and waters. It is our obligation as mana whenua to protect these lands and waters for the three confederate Iwi.

5 Ngā tikanga o Ngā Hapū o Ōtaki

1. Rangatiratanga: Asserting full control of our destiny and setting a positive example of excellence. 'He mana to te kupu' - Our word has mana, we walk the talk.
 - a. Encouraging reciprocal Treaty Based Relationships to promote a thriving environment
 - b. Transparent, Inclusive, and Collaborative Leadership across hapū to include iwi
 2. Kaitiakitanga: Actively upholding intergenerational responsibilities as stewards and guardians of our local environment, through tikanga Māori and tikanga Tiriti.
 - a. Ensure that ancestral relationships to whenua and water are maintained and strengthened through customary knowledge and practice, and contemporary knowledge and practice.
 - b. We take care of the whenua and our taonga so that they take care of us.
 3. Manaakitanga: Respectful mana-enhancing relationships that are fair, inclusive and transparent.
 - a. Providing others with opportunities and working collaboratively with our whanau, hapū and others.
 - b. Upholding the tikanga of Ngāti Raukawa for hospitality and engagement with other stakeholders and community groups who are not of Ngāti Raukawa.
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4. Whanaungatanga: Creating opportunities we can all participate in and benefit from.
 - a. Promoting the care and retention of our ancestral knowledge for current and succeeding generations.
5. Pūkengatanga: We remain committed to the development of the mātauranga Māori Continuum.
 - a. Create opportunities for whanau, hapū and iwi to acquire knowledge and to apply the knowledge and skills for the benefit of whanau, hapū and community.
 - b. Continuing to grow our knowledge through strategic relationships with technical experts.

6 Proposed Activity

1. CDRR is seeking resource consent for earthworks in preparation for an integrated residential development at 234 Rangiora Road, Ōtaki.
2. The applicant has proposed to split the development into two stages. This proposal is restricted to the residentially zoned land along the southern boundary of the site (Stage 1) and several activities occurring in the rural zoned portion at the northern end of the site (Stage 2).
3. The activities applied for are:
 - a. Contaminated soil remediation (411m³).
 - b. Construction of a final stage stormwater basin at the northern boundary.
 - c. Stockpiling of soil at the north boundary to a maximum height of 5 meters.



Figure 1 Proposed staging of development taken from Align Application

- d. Construction of a turning head for the final stage road.
 - e. Contouring and filling land for eventual building/roading.
4. The applicant has formally engaged with Te Pou Taiao of NHoŌ and discussions have occurred with community members regarding the potential impact on the Maringi-a-wai Stream.

7 Site Analysis

1. Kāpiti Coast Operative District Plan categorises 234 Rangioru Road within the General Residential Zone, General Rural Zone, and the Rural Dunes Precinct of the Plan.

2. The location is approximately 0.5km west of the Ōtaki township and is directly south of the Ōtaki and Porirua Trust Board land, Te Kura-ā-Iwi o Whakatupuranga Rua Mano and Te Wānanga o Raukawa.



Figure 2 Location of 234 Rangioru Road, Ōtaki

3. Rangioru Road is also one of two arterial routes between the township and the Ōtaki River and beach community and is situated within an area of active cultural revitalisation for Ngāti Raukawa ki te Tonga and NHoŌ.
4. The site itself is situated on the whenua known as Te Ahi Tangutu, adjacent to the Whakarangirangi Block in Ōtaki, located on the northern side of Rangioru Road.
5. On its northern boundary flows the Maringi-a-wai - a puna or source of water, known traditionally for its healing qualities and also used for drinking. The Maringi-a-wai traditionally flowed into the Rangioru Stream, a tributary of the Ōtaki River in its lower reaches.

6. Adkin recorded the Maringi-a-wai was also known as Whakarangirangi which according to his sources was perpetuated by a land block situated at the source of the Maringi-a-wai¹.
7. Whakarangirangi is the name of the block of land lying to the west of Te Ahi Tangutu on Rangiu Road.

8 Historical Analysis

1. Title Investigation for the Te Ahi Tangutu Blocks occurred between 1871 and 1881². They were comprised of 10 parent blocks with various claims brought before the court seeking title to each.
2. The titles was awarded as follows:

Date	Block	a	r	p	Owners
4 Mar 1874	Ahitangutu 1	1	3	20	Ngahora & Naihi Pekeia
29 Sep 1871	Ahitangutu 2 ⁷	5	0	28	Henare Warihi Hatete
5 Mar 1874	Ahitangutu 3 ⁸	1	2	29	
14 Mar 1878	Ahitangutu 4 ⁹	0	3	39	Enoka Te Whano, Tamara Te Putu, Hopia Enoka Te Whano
13 Mar 1875	Ahitangutu 5 ¹⁰	1	2	2	
	Ahitangutu 5A	0	2	20	
27 Sep 1871	Ahitangutu 6	0	1	4	Tiemi Ranapiri
15 Sep 1881	Ahitangutu 7 ¹¹	1	0	19	Tamiera Ranapiri (m.14yrs), Ihaka Ranapiri (m.12yrs), Te Hiwi Ranapiri (m.5yrs) & Rangiwhakairi Ranapiri(f)
6 Nov 1879	Ahitangutu 16 ¹²	2	2	35	Ngahora & Naihi Pekeia
6 Nov 1879	Ahitangutu 17 ¹³	1	0	21	Rutene Pehiohonoa

Figure 3 Titles for the Te Ahi Tangutu Blocks

3. Enoka Te Wano stated in his evidence that the whenua belonged to Ngati Raukawa³ and claimed his portion through Te Rangikuia. Te Wano claimed his

¹ Adkin, GL (1948) p. 233, p.423

² Walghan Partners (2017) Wai 2200 #A212 p.11

³ Te Wano, E (1878) OMB 3 p.142

parents cultivated the land until their passing, later selling his shares to Tiemi Ranapiri.

4. Henare Te Hatete of Ngāti Wehiwehi claimed his share of the title through Te Waka te Kotua of Ngāti Koata⁴, left to him by his tupuna Meri Rangiwehea who built her house on part of the block.
5. On 16 March 1878, new claims were successfully brought before the court by Te Rutene Whakarongo and Nahora of Ngāti Kapu who claimed a share of the parent block for themselves and others (Ahitangutu 16) due to the continual occupation of the portion of which they stated should be correctly named Awaroa.
6. The surrounding blocks were also used for cultivation, and for the Maringi-a-wai. Hori Te Waru, when giving evidence in the Maori Land Court in 1878 recalled that his whānau had lived on the Maringi-a-wai block and had cultivated there⁵.
7. The ten Te Ahi Tangutu blocks remained in private Māori ownership until alienated between 1875 and 1935 by either private or Crown purchase⁶.

9 Planning Framework

1. This application has been considered within the following framework.
2. Resource Management Act 1991

The Resource Management Act (RMA) aims to promote the sustainable management of natural and physical resources. This scope of management, outlined in Section 5(2), enables and provides for the cultural wellbeing of people and their communities.

⁴ Te Wano, E (1878) OMB 3 p.142

⁵ Te Waru. H (1878) OMB 3 p. 132

⁶ Walghan Partners (2017) Wai 2200 #A212 p.12

3. Section 6 identifies the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga as a matter of national importance that should be recognised and provided for when carrying out sustainable management.
4. Furthermore, the RMA states that persons exercising functions and powers under the RMA should have particular regard to kaitiakitanga (Section 7(a)) and take into account the principles of Te Tiriti o Waitangi (Section 8).

National Policy Statement for Freshwater Management

5. The National Policy Statement for Freshwater Management 2020 (NPSFM) provides local authorities with updated directions on managing freshwater under the RMA 1991.
6. Under the NPSFM, the first principle for freshwater management is Te Mana o Te Wai which states the management of freshwater must give effect by involving and working with Tangata whenua to set out long-term visions in the regional policy statement and prioritising the health and wellbeing of water bodies, then the essential needs of people, followed by other uses as well as the identification of any Māori freshwater values.
7. In addition, the framework of objectives has been expanded to include mahinga kai as a compulsory value. In accordance with this value, kai should be safe to harvest and eat from waterbodies. In addition, mahinga kai also includes the transfer of knowledge that occurs through the preparation, storage and cooking of the kai. In this way, mahinga kai is a value that provides a mechanism for NHoŌ to provide for our relationship with our ancestral lands and waters. The Marangi-a-wai is an important waterway for mahinga kai and customary use.

Kāpiti Coast Operative District Plan

8. A primary objective of the Kāpiti Coast District Council Operative District Plan (ODP) is DO-O1 Tāngata Whenua, which stipulates the councils position to

work in partnership with tāngata whenua to maintain kaitiakitanga of resources and ensure that decisions affecting the natural environment are made in accordance with the principles of Te Tiriti o Waitangi.

9. In addition, DO-O7 Historic Heritage outlines the need to protect historical heritage for the social, cultural and economic wellbeing of the community and future generations, including recognising and protecting Tangata whenua historical heritage, including waahi tapu other places and areas significant to Māori.
10. The Sites and Areas of Significance to Māori (SASM-P1) policy adds that these places and their surroundings will be protected from inappropriate subdivision, development, land disturbance, earthworks or change in land use, which may affect the physical features and non-physical values of the place or area.
11. ECO-P5 allows for tāngata whenua to maintain and enhance their traditional relationship with the natural environment while supporting the enhancement of the mauri of aquatic environments and having particular regard to the exercise of kaitiakitanga in the management of resources

Regional Council Proposed Natural Resources Plan

12. The Proposed Natural Resources Plan (pNRP) is operational within a provisional status on some aspects including the need to include all NPSFM attributes by 2024.
13. The objectives identified below and the scheduled sites which include the Maringi-a-wai have completed the appeals process and are operative with respect to this consent.
14. These regional planning aspects include:

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- a. Objective 03 - The mauri of fresh and coastal waters is sustained and, where it has been depleted, natural resources and processes are enhanced to replenish mauri.
 - b. Objective 04 - The relationships of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga are recognised and provided for, including:
 - a. maintaining and improving opportunities for Māori customary use of the coastal marine area, rivers, lakes and their margins and natural wetlands, and
 - b. maintaining and improving the availability of mahinga kai species, in terms of quantity, quality and diversity, to support Māori customary harvest, and
 - c. providing for the relationship of mana whenua with Ngā Taonga Nui a Kiwa, including by maintaining or improving Ngā Taonga Nui a Kiwa so that the huanga identified in Schedule B are provided for, and
 - d. protecting sites with significant mana whenua values from use and development that will adversely affect their values and restoring those sites to a state where their characteristics and qualities sustain the identified values.
 - c. Objective 15 - Kaitiakitanga is recognised and mana whenua actively participate in planning and decision-making in relation to the use, development and protection of natural and physical resources.
 - d. Objective 23 - Rivers, lakes, natural wetlands and coastal water are suitable for contact recreation and Māori customary use, including by:
 - a. maintaining water quality, or
 - b. improving water quality in:
 - i. significant contact recreation freshwater bodies and sites with significant mana whenua values and Ngā Taonga Nui a Kiwa
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- to meet, as a minimum, the primary contact recreation objectives in Table 3.1⁷, and
- ii. coastal water and sites with significant mana whenua values and Ngā Taonga Nui a Kiwa to meet, as a minimum, the primary contact recreation objectives in Table 3.3, and
 - iii. all other rivers and lakes and natural wetlands to meet, as a minimum, the secondary contact recreation objectives in Table 3.2.
- e. Objective 25 - Biodiversity, aquatic ecosystem health and mahinga kai in fresh water bodies and the coastal marine area are safeguarded such that:
- i. water quality, flows, water levels and aquatic and coastal habitats are managed to maintain biodiversity, aquatic ecosystem health and mahinga kai, and
 - ii. where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8⁸ is not met, a fresh water body or coastal marine area is improved over time to meet that objective.
- f. Objective 48 - The adverse quality and quantity effects of stormwater discharges from stormwater networks and urban land uses are reduced over time. The proposed discharge from the proposed consent is in direct conflict with this objective.
15. In addition to the objectives identified in the pNRP; in accordance with the RMA and the NPSFM a number of specific values connected to the Maringi-a-wai have been identified and included in Schedule C: Sites with Significant Mana Whenua Values. These are:
- a. Mahinga kai – the customary gathering of food and natural materials, the food and resources themselves and the places where those resources are gathered

⁷ Refer to Wellington Regional Council Natural Resources Plan

⁸ IBID

- b. Wai ora – water utilised for healing
- c. Wāhi whakawātea – a place where physical, emotional and/or spiritual burdens are removed
- d. Wāhi whakarite – place of organising
- e. Papa kāinga – original home
- f. Ara waka – traditional canoe route

10 Mana Whenua Assessment

1. In assessing the proposed activity to occur at 234 Rangiora Road, Te Pou Taiao, in consultation with affected Iwi organisations and members, identified several components of the application as having the potential to adversely affect the cultural values of NHoŌ, these are:
 - a. The discharge of stormwater and associated contaminants into the Maringī-a-wai Stream and catchment.
 - b. Establishing a precedent for future developments unable to manage their stormwater on-site.
 - c. Creating liability for adjacent landowners.
 - d. Further discharge once the subdivision is completed and occupied.
 - e. High visual access into a tamariki space at Te Kura-a-Iwi o Whakatupuranga Rua Mano.
2. These issues were assessed individually, followed by a cumulative approach that allows Te Pou Taiao to understand the full breadth of risk to the whenua, wai and cultural values. The following values framework facilitated this approach.
 - a. **Significance** - This component identifies the significance and contribution of the immediate site in maintaining the history, identity, traditions and/or culture of whānau, hapū and iwi. This can be as a traditional place, contemporary place or both. The second measure is if and how the space/place contributes to the wider cultural landscape.

- b. **Kaitiakitanga** - The second component is whether kaitiakitanga has or is being expressed by whānau, hapū or iwi on the site, aspects of the site, or at adjacent sites. This can be represented in both tangible and intangible ways by an individual or group and show that the whenua and wai are actively being maintained, enhanced or restored in a culturally considerate way for present and future generations.
- c. **Mahinga kai** - The third component allows for the identification of mahinga kai values. Whether a traditional or contemporary site for mahinga kai, the following markers can be used to help assess.
 - i. Identification of mahinga kai species present
 - ii. Whether the site is able to provide for cultural use by whānau, hapū or iwi
 - iii. The ease of access to the site for continuing exercising of mahinga kai
- d. **Te mana o te wai** - The final component expresses the 'bottom line' of Te Pou Taiao and that is the allocation, health or use of the water. This is applied to understand how the activity will affect the life-sustaining capacity of the water itself. Whānau, hapū and iwi exercise mana wai by caring for the water and its life-supporting capacity. This component is measured by assessing the risk of introduced activity to the quality and quantity of the river, lake, stream, ocean or wetlands.

11 Assessment of effects on NHoŌ

1. The key impacts for this application are the likelihood of the activities and resulting subdivision adversely affect the following cultural values.

2. Kaitiakitanga

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- a. The Maringi-a-wai Stream flows through the adjacent property owned and managed by Ōtaki and Porirua Trusts Board, who lease a section to WRM.
 - b. OPTB have made significant changes to its farming operations since 2021, exercising kaupapa tuku iho (inherited values) and making a commitment to the environment and to future generations. Their strategic planning places kaitiakitanga at the forefront of their activity due to a growing appreciation of the sensitivity of land located between the town and beach and reinforces the need for all landowners to take meaningful steps to restore the environment for future generations.
 - c. This has led to the OPTB changing its land use from a dairy farming operation, to dry stock farming. This change in land use is directly attributed to the inherited value of kaitiakitanga guiding their behaviour and actions on the land. The OPTB are currently engaging with the ART confederation to determine the future use of these lands which support and enhance their people while enhancing the environment and quality of the land for future generations. This decision has come at a significant financial cost to the trust and the beneficiaries, but it is made using the principles of valuing people and the environment over profit.
 - d. The OPTB firmly opposes this application as the Kaitiaki of the lands along the northern boundary of the proposed development. Their lands include the Maringi-a-wai Stream and subsequently the OPTB is the recipient landowner of any water discharged from the proposed activity.
 - e. The Board have demonstrated their commitment to Te Mana o te Wai and to support of the reinvigoration of the mauri of the Maringi-a-wai Stream and connected waterways. The discharge of stormwater into the stream is in direct conflict with the principles of the Board and NHoŌ, and are therefore unable to support the consent application.
 - f. The Maringi-a-wai Stream has also allowed for the ability of the tamariki at WRM to learn the process of waterway restoration and how to exercise
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kaitiakitanga. The kura started the Stream Restoration Project approximately ten years ago and have since established significant riparian planting bands and reintroduced native species into the site.

- g. The objective of the mahi WRM and the tamariki is to “promote sustainability and strengthen students relationships with Ngā Atua Māori”. In doing so, the tamariki hope to:
- I. Restore a bird corridor, a traditional supermarket (kai o te ngahere), learning classroom (Wānanga o te Ngahere), a medicine cabinet (Pātaka Rongoā), and a spiritual domain (Wairua o te Ngahere).
 - II. To encourage native fish to return, such as Kokopū, Kōaro and Tuna
 - III. To provide cultural resources and materials for the tamariki to bring into their everyday learning experience while attending Kura and to develop their comprehension and understanding of everything tangible and intangible existing in Te Ao Māori.
- h. As a result, WRM and the wider community who have helped the project since its inception strongly oppose any activity that will compromise the work done by the tamariki and adversely impact the ability to take the project forward for future generations.



Figure 4 The Stream Restoration Project at Te Kura a Iwi Whakatupuranga Rua Mano. Photos by WRM

- i. In addition, the Kura are concerned about the safety of the tamariki due to the visual access of the future subdivision into the field and play area along the shared boundary.
- j. Te Pou Taiao are in agreement with both OPTB and WRM, supporting the firm opposition to the discharge of waters into the Maringi-a-wai Stream because of the significant cultural impact on whānau, hapū and iwi to exercise Kaitiakitanga.

3. Mahinga Kai

- a. Te Pou Taiao is concerned with the protection of customary and traditional fishing rights and practices at Maringi-a-wai Stream and connected waterways at Rangioru and the Ōtaki River.
- b. The history of the catchment is significant in the identity and traditions of NHoŌ. Since the introduction of intensive development, iwi have seen the degradation, diversion and complete reclaiming of waterways and as a result, the loss of mahinga kai.
- c. Whānau, hapū and iwi must have access to mahinga kai species that are culturally fit for human consumption in order to exercise manaakitanga and whanaungatanga. This will provide the first step in protecting and enhancing the mauri of the catchment in accordance with the tikanga and kawa of NHoŌ.
- d. Indigenous species such as Inanga, Kokopū, Kōaro, koura and Tuna may be found in the Stream and in the nearby Rangioru and Ōtaki River. NHoŌ want to ensure that they have access to Mahinga kai in their rohe now and in the future. The Maringi-a-wai Stream is also an important source of matauranga Māori (traditional māori knowledge), and the stream must be protected from negative impacts.
- e. The Maringi-a-wai was a traditional bathing place as the spring waters would always run clean and clear. It was typically frequented by whanau as they

returned from the beach as it offered beautiful water in which to wash the sea salt from their bodies prior to getting home.

- f. The spring waters are also well known for supporting excellent patches of watercress that can be used in salads, boil-up, and hangi. They allow for the consistent flow of clean and cold waters which is excellent for watercress and koura (freshwater crayfish). Being spring-fed, the stream is not subject to high flushing flows created via overland runoff which allows the watercress to remain established when other streams have had their supply stripped out by floodwaters.
- g. The Maringi-a-wai was a favoured place for storing kai. NHoŌ would use the gentle flow in the stream to steep tawa, karaka, and corn. The tawa and karaka berries would be steeped in this water to remove the water-soluble alkaloids from the kernel. These would be left in the stream for a month or two and then dried before eating. A rich hummus-like paste could be made from them, or they would be roasted and eaten like peanuts.
- h. The steeping of corn in the stream was an important use of the stream. Corn in their husks were submerged in the water and fermented over many weeks. This process could be used to soften old dried corn for use. The resultant fermented corn or Kangawai/kangapirau (rotten corn) is a delicacy and eaten as a morning porridge or after a meal as desert.
- i. The predictable nature of the stream also meant it was a valued place for maintaining a whanau eel box. The eel box was used to hold tuna (eel) for long periods, particularly over the winter when it is difficult to catch tuna. Tuna would be gathered on mass during the autumn migrations to the sea, and transferred into these boxes for consumption at a latter date. The nature of the Maringi-a-wai meant that flood flows did not wash away the eel box, and our primary protein source was always available for whanau and visiting manuwhiri.
- j. The proposed activity will impact the ability of NHoŌ to exercise our mahinga kai traditions. The prospect of having stormwater being directed into a special

place where we collect and store kai is in direct conflict with our culture and traditions. If granted, this activity will undermine the relationship we have with the stream, and undo the work, effort and sacrifices made by both the OPTB and the Kura.

4. Te Mana o te Wai

- a. Discharge of stormwater that potentially contains a plethora of contaminants into the environment will have adverse effects on the mauri and physical wellbeing of the receiving environment, both water and soil.
- b. In the case of this application, the effect is on a spring-fed waterway which is part of a much wider network. Furthermore, due to the shallow nature of the stream, the possibility of stormwater flowing over the adjacent land and flooding is also a significant concern for both OPTB and WRM.
- c. As outlined previously, in the pNRP the Maringi-a-wai was a place to go for waiora. Waiora is a pure form of water used in whakawātea and *pure* (a traditional form of blessing). These activities would occur in the Maringi-a-wai as the water was clean and clear and seen to be free of contamination. The act of discharging stormwater off the roads and adjoining houses would compromise this water and restrict these practices. It is the view of NHoŌ that the discharge would significantly affect te mana o te wai – rendering it unsuitable for whakawātea and pure.
- d. The stormwater discharge of this application was raised as a significant issue of OPTB and WRM, who are in support of Te Pou Taiao opposing this activity due to the affects which are in direct conflict with the NPSFM and Section 6(e) of the RMA.

5. Setting a precedent

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- a. During this time of exponential growth occurring in the Greater Wellington Region, it is and will continue to be an issue for iwi who are trying to maintain their cultural footprint in their own rohe.
 - b. Te Pou Taiao have concerns that if this consent is approved, a precedent may be established for future landowners wishing to develop land and discharge further stormwater into the waterways of Ōtaki, putting the whenua, wai and sites of cultural importance at risk.
 - c. We note that the RMA seeks to protect land and water from inappropriate development. We implore the applicant and the council to carefully consider what this means.
 - d. It is the belief of NHoŌ that this consent application should seek to dispose of its stormwater on-site. This may require that phase two of the project is unviable as the land is needed for water storage and slow infiltration into the groundwater system.
 - e. The notion of conveyance of the stormwater across the development and onto a neighbouring property is not what NHoŌ believe to be sustainable management.
 - f. This activity compromises the relationship NHoŌ have with the land, and devalues the land onto which it is discharged.
 - g. Te Pou Taiao believes that this will be an ongoing issue and encourage local authorities to consider this component in assessing Resource Consent applications carefully.

6. Creating Liability

- a. As the application intends to discharge water over the adjacent land and into the Maringi-a-wai Stream, the OPTB is concerned about the liability this will create in the future if issues arise due to the discharge.

- b. The focus of OPTB is to manage their lands for the benefit of the environment and iwi, not to engage in additional discussions with future landowners and residents of the subdivision if problems occur with their water management and infrastructure.
- c. Ultimately the OPTB is opposed to receiving the stormwater from this or other developments which would continue to flood their land and compromise the functions and aspirations of the board.
- d. OPTB through NHoŌ suggest that the developer assert their rangatiratanga and responsibly deal with the stormwater generated from their lands.

12 Recommendations

- 1. We would like to be clear that NHoŌ are not anti-development, but are opposed to accepting environmental and cultural degradation in sites that are significant to our collective hapū.
- 2. As outlined in the sections above, NHoŌ have grave concerns for the surrounding environment and the flow-on effects this would have on the relationship NHoŌ have with the Marangi-a-wai.
- 3. Our primary concern with the proposed development is the discharge of stormwater into the adjacent Marangi-a-wai Stream and the subsequent effects this has on the stream and the people.
- 4. A secondary concern is the visual impact of the subdivision on the kura adjacent to the proposed development.
- 5. Our recommendations are as follows:

- a. The northern boundary of the development is planted with native vegetation that will provide a visual screen between the kura and housing development.
 - b. The native planting will be maintained by the developer until it reaches 3m in height and provides a visual barrier between the properties.
 - c. That the stormwater generated from the development is managed so as to not enter the Maringi-a-wai or OPTB lands via overland flow or direct discharge.
6. If the applicant is able to demonstrate that the above recommendations can be accepted as enforceable conditions of the resource consent, we would be willing to sign an affected parties waiver.

Document Control

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Oriwia Mason

Te Pou Taiao

Ngā Hapū o Ōtaki



Caleb Royal

Te Pou Taiao

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