



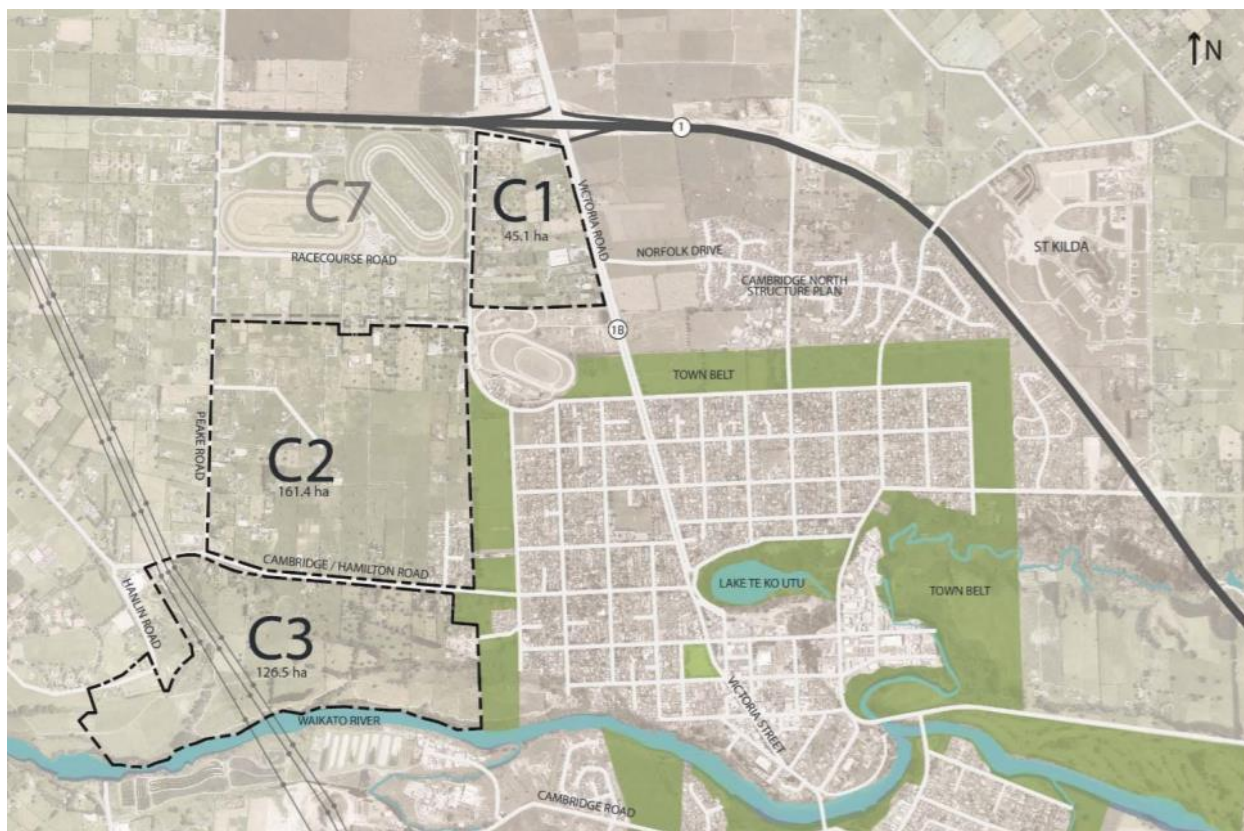
APPENDIX E

**Tangata Whenua Statement and
Engagement Report**

TAANGATA WHENUA STATEMENT AND ENGAGEMENT REPORT

C1 & C2/C3 GROWTH CELLS – VARIOUS CONSENTS AND ACTIVITIES

for Mitchell Daysh Limited



12 November 2020

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Note: Please reference Te Huia Ltd and the Report title if you use excerpts of this report, or duplicate the assessment, style or structure of this report.

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EXECUTIVE SUMMARY

Ngaati Korokii-Kahukura and Ngaati Hauaa are taangata whenua of the wider Cambridge area and hold mana (authority) in decision making for this area. The two Iwi actively uphold the principles of kaitiakitanga (guardianship) within their areas of responsibility which includes the areas known as the C1 & C2/C3 growth cells. The growth cells are a key component of the Waipa District Growth Strategy which forecasts that approximately 13,456 additional households will be required to match a population of approximately 30,257 by 2050.

In 2019, Te Huia Natural Resources Limited prepared and submitted a Cultural Values Assessment (CVA) to accompany applications for an overall stormwater management plan and acquire resource consents for stormwater civil structures and treatment systems within C1 & C2/C3 growth cells. The CVA and consent applications were supported by taangata whenua. Subsequently, a Cultural Management and Monitoring Plan (CMMP) was prepared to satisfy objective 5.2(v) of the CVA and condition 17 of the approved Land Use Consent, to provide cultural guidance and protocols for all works proposed in the growth cells.

Waipa District Council (Waipa DC) now seeks further resource consents to enable development of C1 & C2/C3 growth cells including central stormwater pipelines and collector, road upgrades, intersections and services. 3MS of Cambridge Ltd (3Ms), a private developer, are also applying for the resource consents within C2 and consenting zone 4, on behalf of Waipa DC (for the future public infrastructure such as the stormwater swale and the collector road) and themselves (the residential subdivision of their land).

This Report has been developed to accompany applications for resource consents to Waikato Regional Council and Waipa District Council to document the engagement that has occurred between mana whenua, Waipa District Council and 3Ms in respect of these consent processes.

Te Whakakitenga o Waikato-Tainui endorses the recommendations and position of Ngaati Korokii-Kahukura and Ngaati Hauaa, as taangata whenua of the area where these activities are proposed.

On the basis that the recommendations of this Report are accepted by Waipa District Council (and 3Ms where applicable), Ngaati Korokii-Kahukura supports the granting of various consents for activities related to C1 & C2/C3 growth cells.

On the basis that the recommendations of this Report are accepted by Waipa District Council (and 3Ms where applicable), Ngaati Hauaa Iwi Trust supports the granting of various consents for activities related to C1 & C2/C3 growth cells.

Disclaimer: This information was created for the specific purpose of providing a Taangata Whenua Statement and Engagement Report to accompany consent applications for multiple activities enabling further development of C1 & C2/C3 growth cells. This information cannot be used for any other purpose without the express permission of Ngaati Korokii-Kahukura and Ngaati Hauaa, and in no way substitutes the need for future engagement with taangata whenua.

PROJECT BACKGROUND

Ngaati Korokii-Kahukura and Ngaati Hauaa are mana whenua of the wider Cambridge area. The two Iwi actively uphold the principles of kaitiakitanga (guardianship) within their areas of responsibility which includes the areas known as the C1 & C2/C3 growth cells (see Diagram 1). The growth cells are a key component of the Waipa District Growth Strategy which forecasts that approximately 13,456 additional households will be required to match a population of approximately 30,257 by 2050.

The C1 Structure Plan area is bound by the Waikato Expressway to the north, Victoria Road to the east, the town belt to the south and Abergeldie Way in the west. The C1 Structure Plan area includes approximately 46.2 hectares of land. The C2/C3 Structure Plan area is made up of two Growth Cells – the C2 and C3 growth cells. C2/C3 have been combined to minimise serviceability complications, provide a coordinated approach to the western gateway to Cambridge and enable a more comprehensive approach to design. They are located to the west of the Cambridge town belt and north of the Waikato River, with the area being characterised by rural and rural residential land uses. C2/C3 are bisected by Cambridge Road.

The C2 growth cell is generally square in shape, measuring approximately 1.3km by 1.25km and 161.6 hectares in area. The site is flat, with very little contour. C3 growth cell is made up of 4 distinct terraces, with steep escarpments between each terrace and down to the Waikato River. C3 is generally rectangular in shape, measuring roughly 1.56km by 0.6km and 120.3 hectares in area. C3 contains approximately a third of the overall structure plan area, but is less suited to development due to topography, waterways, large power pylons and archaeological areas. A key element of the C3 Growth Cell is the Te Awa Cycleway which runs along the Waikato River and links Cambridge town centre with the velodrome cycle facilities and St Peters School. The Te Awa Lifecare Village is also located within C3.

In April 2019, a Cultural Values Assessment (CVA) was submitted alongside resource consents for stormwater civil structures and treatment systems to progress the development of growth cells C1 & C2/C3 (including the discharge permit from the Waikato Regional Council authorising the discharge of stormwater from the fully developed growth cells onto and into land and to the Waikato River). Resources consents have since been granted to Waipa District Council and furthermore a consent for the final outfall structure has also been approved. Waipa DC now seeks further resource consents including central stormwater pipelines and collector, road upgrades, intersections and services.

3MS of Cambridge Ltd (3Ms), a private developer, are also applying for the resource consents within C2 and consenting zone 4, on behalf of Waipa DC and themselves, as well as the resource consents for their private residential subdivision. See the Resource Consent section on page 6.

Furthermore, a Cultural Management and Monitoring Plan (CMMP) was developed to meet Condition 17 of the approved Land Use Consent and section 5.2(v) of the CVA. The CMMP includes cultural induction, tikanga (protocols), monitoring, recovery and placement of taonga species, and also discovery protocols of taonga and koiwi. In conjunction with this Report, the reader should refer to the CVA and CMMP to gain an historical context and overall objectives for the C1 & C2/C3 growth cells from the perspective of taangata whenua.

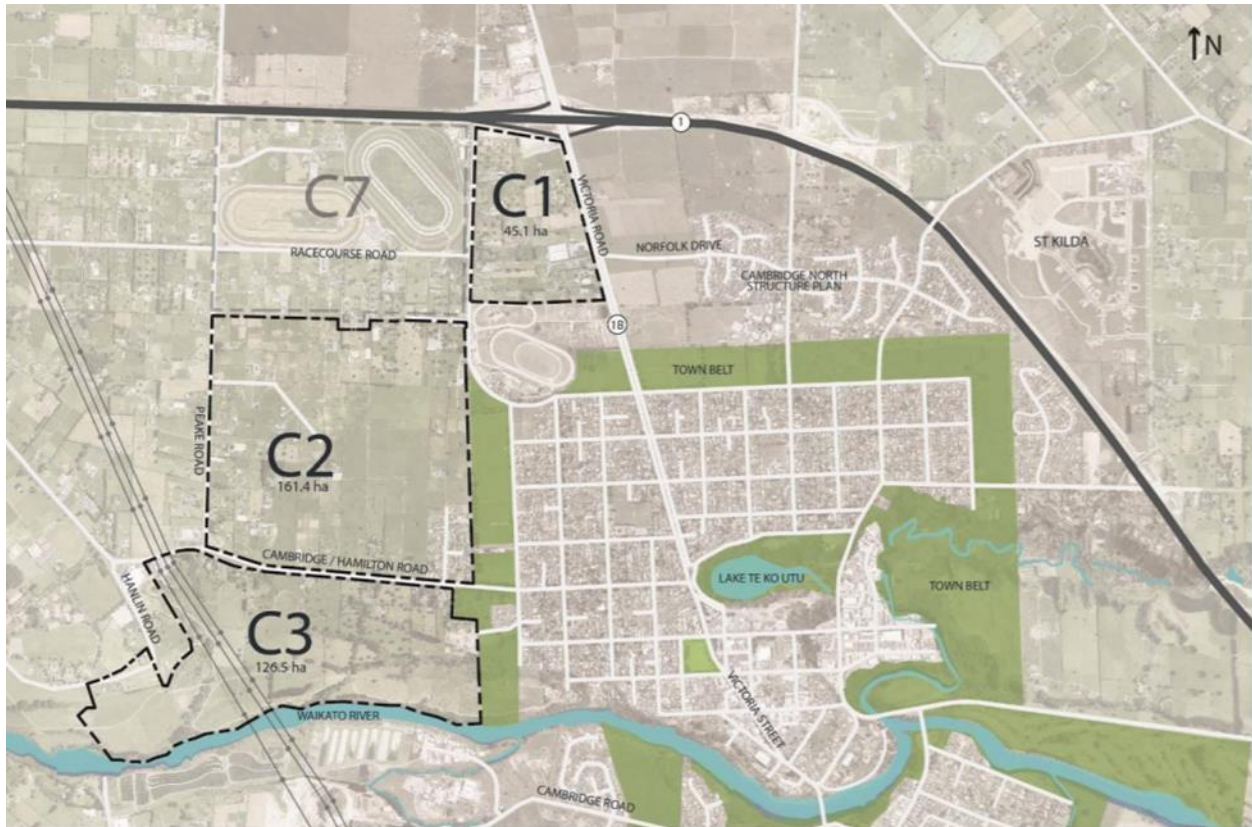


Diagram 1: C1 & C2/C3 Growth Cells

TAANGATA WHENUA STATEMENT AND ENGAGEMENT REPORT

Te Huia Ltd has developed this Taangata Whenua Statement and Engagement Report (Taangata Whenua Report) to accompany resource consent documentation to the Waikato Regional Council and Waipa District Council. This report does not cover a wide scope of matters that decision making authorities would expect in a Cultural Values Assessment (CVA). The decision to do a Taangata Whenua Statement and Engagement Report, rather than a CVA, as a CVA has already been completed for the entire C1 & C2/C3 growth cell area. This report focusses on specific consents and activities related to subsequent stages of development for C1 & C2/C3. The Taangata Whenua Statement and Engagement Report will capture and reflect the following:

- Demonstration of engagement with taangata whenua;
- Reflect issues and opportunities presented by taangata whenua;
- Assess the proposed activities against Te Ture Whaimana o te Awa o Waikato and Tai Tumu, Tai Pari, Tai Ao (Waikato-Tainui Environmental Plan); and
- Present the position of taangata whenua in relation to the activity.

When determining a decision, in consideration of activities associated with the subdivision, the decision makers should 'recognise and provide for' the Taangata Whenua Statement and Engagement Report.

TAANGATA WHENUA

Te Huia Ltd notes that the rights and interests of Waikato-Tainui Iwi Authority, Ngaati Korokii-Kahukura and Ngaati Hauaa Iwi Trust do not need to be proven, or verified, to decision making authorities. For a summarized narrative of their interests and history, please see the Cultural Values Assessment of April 2019.

RESOURCE CONSENTS SOUGHT AND ACTIVITIES

Resource consents are being sought by Waipa District Council and 3Ms. This Report will accompany resource consent applications and assessment of environmental effects for the following activities (this list is not exhaustive):

Waipa District Council

- Take, divert and discharge groundwater and/or surface water (dewatering) during construction;
- Take, divert and discharge groundwater and/or surface water (dewatering) permanently associated with the swale infrastructure and wastewater pump stations.
- Work in, on, under or over the bed of the C3 Stream;
- Undertake earthworks in a high risk erosion area;
- Construction of a Road;
- Earthworks exceeding 1,000m³ in one calendar year; and
- Use of Cleanfill.

3Ms of Cambridge Ltd

3MS of Cambridge Ltd (3Ms) are a private developer for a significant portion of the C2 cell north of the C2/C3 Cambridge Road Intersection (see below). 3Ms are also applying for the following resource consents within the C2 growth cell and consenting zone 4:

- On behalf of Waipa DC, to undertake earthworks and dewatering associated with the creation of the future public assets (roads, swale, pump station);
- Construction of the collector road (on behalf of Waipa DC);
- Use of cleanfill;
- Earthworks exceeding 1,000m³ in one calendar year; and
- Subdivision and land use associated with the residential development of their site.

ENGAGEMENT

Te Huia Ltd engaged with the taangata whenua and Iwi Authority through email and hui. Phone contact also occurred during the development of this Report.

- 17 August 2020: Initial contact, via email, was made with taangata whenua providing the first draft of the Report for the various consents sought by Waipa District Council and 3Ms.
- 3 November 2020: Meeting with Norm Hill (on behalf of Ngaati Hauaa Iwi Trust).
- 5 November 2020: Revised draft Report sent to taangata whenua for comment and discussion.
- 10 November 2020: Support for final report received from Ngaati Korokii-Kahukura (via email).
- 10 November 2020: Endorsement from Waikato-Tainui of the position provided by Ngaati Korokii-Kahukura and Ngaati Hauaa Iwi Trust.
- 10 November 2020: Phone discussion with Norm Hill regarding the Report. Support provided for the report on behalf of Ngaati Hauaa Iwi Trust.

ASSESSMENT OF PROPOSED ACTIVITIES

To support an assessment of the proposed activities, Te Huia Ltd has assessed the activities noted above against the following documents:

- **Te Ture Whaimana o te Awa o Waikato – the Vision and Strategy for the Waikato River**

Te Ture Whaimana o te Awa o Waikato is the primary direction setting document for the Waikato River catchment from Te Taaheke Hukahuka (Huka Falls) to Te Puuaha o Waikato (the mouth) and all of the Waipaa River. Section 9(2) of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (the Settlement Act) states that:

*“The vision and strategy applies to the Waikato River and **activities** within its catchment affecting the Waikato River.” [emphasis added]*

- **Tai Tumu, Tai Pari, Tai Ao – the Waikato-Tainui Environmental Plan**

Section 40(2) of the Settlement Act also notes the following with regard to the Waikato-Tainui Environmental Plan:

“A consent authority considering an application for a resource consent under section 104 of the Resource Management Act 1991 must have regard to the Waikato-Tainui environmental plan, if it considers that section 104(1)(c) applies to the plan.”

Given the proximity of the proposed activities, an assessment against these two unique documents is appropriate.

Te Ture Whaimana o te Awa o Waikato – Vision and Strategy

Te Huia Ltd provides the following comments and proposed recommendations (bullet pointed) in relation to the activities, to achieve the objectives of the Vision and Strategy:

Objectives of Te Ture Whaimana	Comments/Recommendations
(a) The restoration and protection of the health and well being of the Waikato River.	<p>The CVA recommended that:</p> <ul style="list-style-type: none"> WDC and must demonstrate ‘betterment’ to restore and protect the Waikato River from activities related to growth cells C3 and the stream entering the Waikato River. <p>The CVA recommended the following:</p> <ul style="list-style-type: none"> The objectives and vision of Te Ture Whaimana, as note in section 4.4 of the CVA, must be furthered.
(b) The restoration and protection of the relationship of Waikato-Tainui with the Waikato River, including their economic, social, cultural, and spiritual relationships.	<p>Taangata whenua continue to practice their relationships with the Waikato River and its resources.</p> <ul style="list-style-type: none"> The CMMP should be applied during all works in C1 & C2/C3 Growth Cells.
(c) The restoration and protection of the relationship of Waikato River iwi according to their tikanga and kawa, with the Waikato River, including their economic, social, cultural, and spiritual relationships.	As above.
(d) The restoration and protection of the relationship of the Waikato region's communities with the Waikato River including their economic, social, cultural and spiritual relationships.	<ul style="list-style-type: none"> Connectivity to the Waikato River should be provided for (if legally possible) for the community and taangata whenua.
(e) The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River.	<p>Understanding the history and significance of the area can better improve work practices and care onsite.</p> <ul style="list-style-type: none"> As provided in the CMMP, Taangata whenua to lead cultural induction and cultural safety training to onsite staff for the works undertaken by Waipa District Council or on behalf of Waipa District Council . This will improve awareness of the area and its cultural importance to taangata whenua. Design of various sections should reflect expressions of cultural design, as determined by Ngaati Korokii-Kahukura and Ngaati Hauaa.
(f) The adoption of a precautionary approach towards decision that may result in significant adverse effects on the Waikato river, and in particular those effects that threaten serious or irreversible damage to the Waikato River.	<p>Ngaati Korokii-Kahukura and Ngaati Hauaa do not support any activities that threaten serious or irreversible damage to the Waikato River.</p> <ul style="list-style-type: none"> As matters arise, where decisions may result in adverse effects, developers will contact Ngaati Korokii-Kahukura and Ngaati Hauaa immediately for direction.

<p>(g) The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River and within its catchments on the health and wellbeing of the Waikato River.</p>	<ul style="list-style-type: none"> • Restorative planting where possible, and at the completion of the development stages to improve stability in surrounding soils and minimise impacts to the Waikato River. • Where practicable plants required for wetlands and swales to manage stormwater should be sourced locally. <p>The stormwater management plan requires water quality treatment (i.e. swales, soakage basins and wetland). This will ensure that treatment of stormwater will go through Papatuuuanuku before being discharged into the Waikato River.</p>
<p>(h) The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities.</p>	<ul style="list-style-type: none"> • All works and their impacts should be managed onsite to not contribute to further degradation to the Waikato River.
<p>(i) The protection and enhancement of significant sites, fisheries, flora and fauna.</p>	<p>The CVA outlines multiple opportunities to provide for this objective:</p> <ul style="list-style-type: none"> • Restoring waterways to a state that can provide for mahinga kai (the gathering of food) such as Tuna (eels), Watakirihī (watercress) and other species historically found in this area. This work could take place at the stream connecting to the Waikato River (the C3 Stream) • Reiteration of support for the Vision, Goals and Actions of the Arikirua Management Plan. • Implementation of the CMMP, in particular the Pre-Construction Protocols, Taonga Tuku Iho Discovery and Koiwi Discovery Protocols. • Ngaati Korokii-Kahukura and Ngaati Hauaa would like to contribute to design, where possible, of the landscape design of the subdivision, to reflect the surrounding environment and express cultural values. This includes providing for cultural visual corridors, pathway design, expression of history and the environment,
<p>(j) The recognition that the strategic importance of the Waikato River to New Zealand's social, cultural, environmental and economic wellbeing is subject to the restoration and protection of the health and wellbeing of the Waikato River.</p>	<p>The support of Ngaati Korokii-Kahukura and Ngaati Hauaa for the C1 & C2/C3 growth cell development recognizes that the health and well being for the Waikato River and its people have been considered.</p>

<p>(k) The restoration of water quality within the Waikato River so that it is safe for people to swim in and take food from over its entire length.</p>	<p>It is anticipated that stormwater discharge to the Waikato River will be of better and safer quality. The C3 Stream restoration will provide opportunity for watercress and also eel habitat.</p>
<p>(l) The promotion of improved access to the Waikato River to better enable sporting, recreational, and cultural opportunities.</p>	<p>In C3 growth cell the Cycle footpaths provide access to the Waikato River, potentially Arikirua Paa and developed wetlands, through which stormwater will be dispersed.</p> <ul style="list-style-type: none"> • Access to the Waikato River, from C1 & C2/C3, should be considered in the final designs.
<p>(m) The application to the above of both maatauranga Maaori and latest scientific methods.</p>	<ul style="list-style-type: none"> • Engagement with Iwi should continue to ensure Maatauranga aa Iwi is reflected throughout the entire development. • The CMMP should be implemented to provide for the tikanga and kawa of Iwi in the development.
<p>Analysis: It is the view of Te Huia Ltd that the application for multiple consents is not inconsistent with the Vision and Strategy.</p>	
<p>Note: Te Huia Ltd notes to the Waipa District Council (or developer where appropriate) that where taangata whenua are required to perform tasks noted in this table, they must be resourced for their time.</p>	

Tai Tumu, Tai Pari, Tai Ao – Waikato-Tainui Environmental Plan

Te Huia Ltd provides the following comments and proposed recommendations (bullet pointed) in relation to the activities, to achieve the development policies and objectives of section 25 of the Tai Tumu, Tai Pari, Tai Ao – Waikato-Tainui Environmental Plan:

Tai Tumu, Tai Pari, Tai Ao	Comments and Recommendations
<p>25.3.1 - Development principles are applied to land use and developments (urban and rural) and, in particular, development in new growth cells, that enhance the environment.</p>	<p>The lands associated with the C1 & C2/C3 growth cells have been previously modified. Currently, there are limited connectivity corridors for flora or fauna, except for native flora along the edges of the Waikato River and the C3 Stream. As noted in the Vision and Strategy table above, the following recommendations will achieve policy 25.3.1.</p> <ul style="list-style-type: none"> Restoring waterways to a state that can provide for mahinga kai (the gathering of food) such as Tuna (eels), Watakirihi (watercress) and other species historically found in this area where possible. This work could take place at the stream connecting to the Waikato River (the C3 Stream) Planting should occur once development is completed and should reflect its surrounding environment. Cultural expression to be provided for to acknowledge the uniqueness of the location and cultural corridors.
<p>25.3.2 - Urban and rural development is well planned and the environment, cultural, spiritual, and social outcomes are positive.</p>	<p>The soils are not recognised as high quality, therefore the proposed development will not destroy high quality or versatile soils. The proposed development will not decrease environmental, cultural, spiritual or social outcomes. It aims to improve housing opportunities for the community.</p> <ul style="list-style-type: none"> The proposed development will minimise soil disturbance with best practice methods and encourage better water use and harvesting methods, where appropriate.
<p>25.3.3 - Land use and development has positive environmental and cultural effects.</p>	<p>Please see section (i) of the assessment and recommendations under the Te Ture Whaimana table.</p>
Waikato Raupatu Claims Settlement Act 1995	Comments and Recommendations
<p>Section 11: Right of land holding trustee to acquire residual Crown land in certain circumstances.</p>	<p>There are four sites identified as residual Crown lands that may be subject to s11 Waikato Raupatu Claims Settlement Act 1995.</p> <ul style="list-style-type: none"> Waipa DC must engage with Waikato-Tainui to resolve their interests in these four sites recognised as residual Crown land.
<p>Analysis: It is the view of Te Huia Ltd that if the developer fulfils the recommendations of the Taangata Whenua Statement and Engagement Report, the C1 & C2/C3 growth cell developments will demonstrate that they “have regard” to the Waikato-Tainui Environmental Plan.</p>	

DECISION

Te Whakakitenga o Waikato-Tainui **endorses** the recommendations and position of Ngaati Korokii-Kahukura and Ngaati Hauaa, as taangata whenua of the area where these activities are proposed.

On the basis that the recommendations of this Report are accepted by Waipa District Council (and 3Ms where applicable), Ngaati Korokii-Kahukura **supports** the granting of various consents for activities related to C1 & C2/C3 growth cells.

On the basis that the recommendations of this Report are accepted by Waipa District Council (and 3Ms where applicable), Ngaati Hauaa Iwi Trust **supports** the granting of various consents for activities related to C1 & C2/C3 growth cells.

Nгаа manaakitanga



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