



PIRIRĀKAU ASSESSMENT OF CULTURAL EFFECTS 2021

Pirirakau Assessment of Cultural Effects
for 340E Pāhoia Rd, Pāhoia, Western Bay
of Plenty.

Pirirākau Incorporated Society 2021

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1 Introduction

The Applicant – Mactip Trust is making an application for resource consent retrospectively for a seawall and occupation of space within the coastal area and part of the coastal marine area. It is considered that the seawall stretches beyond its private boundary and is therefore two parts. Pirirākau maintains an interest under the Ngāti Ranginui Iwi area of interest. The wall was erected on the landward side of an older seawall at the edge of the Tauranga Harbour (Waipapa Estuary), at 340E Pāhoia Road.

The applicants agent Veros initiated consultation with Pirirākau as early as the 25th of October 2019. A Pirirākau assessment of cultural effects is agreed by Veros to be commissioned by the applicant. A site visit was undertaken by Carlton Bidois of Pirirākau and Riki Nelson of Ngāti Te Wai on the 27th of February 2020 during the uncertain times of Covid 19 which was about to break out.

At the site visit those hapū representatives had immediate concerns of the reclamation of foreshore which is the main subject of this assessment. In November of 2020 Pirirākau sought the supply of an archaeological assessment which was undertaken in December of 2020 by Brigid Gallagher (Mishmish) who has provided a limited assessment to assist this application.

Pirirākau hapū maintains the nearest marae to Pāhoia which is named Tawhitinui Marae which validates this response with the appropriate mana (authority). Pirirākau hapū have a long standing relationship with the Pāhoia peninsular centred on ancestral and historical connections. The Crown confiscation of the Pirirākau rohe in 1864 created a physical severance of Pirirākau dominance in Pāhoia.

This Pirirākau Assessment of Cultural Effects (PACE) is a response to resource consent requirements of consultation with Pirirākau, it is guidance for cultural matters for the Mactip application for retrospective resource consent.

1.1 Aim and Objectives

The aim of this assessment is primarily to inform and influence the Bay of Plenty Regional Council on decision making that incorporates and provides for the appropriate response to Pirirākau cultural effects for this application. This assessment gives details of cultural values and interpretation into a cultural landscape while addressing the cultural effects of the activity of the application.

1.2 Scope and Limitations

The scope of this report covers the following activities:

- Identify cultural effects associated with the seawall as described by Pirirākau hapū:
 - through the literature:
 - Mishmish Limited Archaeological Assessment of 340E Pahoia Rd
 - Pirirākau Hapū Management 2017
 - Report on the Tauranga Confiscation Claims
 - Tauranga Moana Iwi Collective Redress and Ngā Hapū o Ngāti Ranginui Claims Settlement Bill

- CIV-2017-485-2014 - An originating application for recognition orders pursuant to the Marine and Coastal Area (Takutai Moana) Act 2011, 3rd April 2017.
- validation of cultural values and resulting cultural effects and their assessment.

2 Literature Review

The review of Pirirākau traditions and existing literature, fortifies the appropriate cultural response required for this application.

The nature of the language that is articulated in this assessment is accentuated by a 'Kaupapa Pirirākau theory' to relay Pirirākau experiences and perspectives of the world; values and expectations around ethics; cultural practices and values; language and knowledge and the place and status of Pirirākau within their world view. Only Pirirākau can articulate what is 'right' for them. It is important to make these expressions so that they are promoted and understood.

Pirirākau has witnessed the effects of lifestyle developments which has leaned centrally on the physical landscape and interface with the coastal marine area (CMA). While this site has retained some landform legibility, the landscape has been modified through the seawall activity seeking reclamation of the foreshore within the CMA.

2.1 Limited Archaeological Assessment

The limited archaeological assessment prepared by Brigid Gallagher (Mishmish); December 2020 outlines that archaeology may remain intact. And, that archaeology is visible in the feature identified as Island 2 on page 1 of the assessment which verifies historic Māori occupation prior to 1900AD.

2.2 The Pirirākau Raupatu Report

¹Describes one version that the name Pirirākau was derived from the Ngāi Te Rangi conquest of Mauao when the remnants of Ngāti Ranginui moved to their forest settlements. From that point on, the survivors became known as Pirirākau "clinging to the trees". The authority of Pirirākau extends from the Wairoa River to the Aongatete Stream with usage and shared rights to the Aongatete stream with extended interests to Athenree.

The Waitangi Tribunal notes that Ngāti Hāua lands lay to the west of the Kaimai Range but held close ties with Ngāti Ranginui and Ngāi Te Rangi. They regularly crossed the range over the Wairere track to the peninsula's of Pāhoia, Ōmokoroa and Hūharua (Plummers Point) to gather kaimoana (seafood). At times Ngāti Hāua lived in Tauranga, however, their occupation and use were based on their alliance with Tauranga Māori, particularly Pirirākau and never asserted rights of their own. Pirirākau also has close whakapapa connections to Ngāti Hinerangi through Ngāti Tokotoko. They were afforded certain rights within the area, however, mana over the land always remained with Pirirākau.

These peninsula's were gateways for people travelling between the Waikato District and Tauranga Moana. The major access way was the Wairere track. The highway system was not a single track but a network of tributaries starting in the Whākamārama area and branching down the spurs and

¹ PIRIRĀKAU REPORTS. Property of Pirirākau hapū

ridges ending on the numerous peninsula on the harbour foreshore. The track provided a secure line of communication and contact between Pirirākau and tribes in the Waikato, particularly Ngāti Hāua, Ngāti Tokotoko and Ngāti Raukawa. Waikato tribes were able to maintain access to coastal resources via the Wairere track and establish wāhi nohoanga (camp sites) or seasonal settlements to collect and process fish and shell-fish. In that regard, the wāhi nohoanga were never fortified and are not easily distinguishable in the landscape.

2.3 Pirirakau Hapū Management Plan 2017

²Written by the author of this assessment - outlines the importance of these connections. Estuarine and freshwater wetlands, gully systems and Puna (springs) were highly regarded by Pirirākau as resource areas for food harvesting and textiles. The mangroves and channel entry to the Waipapa maintains an uninterrupted resource for oysters and fish. Overall, the importance of these areas is considered to represent the mauri (supporting life capacity) of the land, the water, the people, and the spiritual realm this is described as Te Aō Mārama the connection of all things through whakapapa (genealogy).

Te Aō Mārama is exercised through the expression of kaitiakitanga and the many associated narratives of Pirirākau cultural values. The estuarine habitat contains a number of significant cultural sites which are evidenced by archaeological assessment. These sites were used for many purposes which included preservation of natural resources and burials.

These statements manifest physically through development or modification and are observed as recently as December 2017. At a development in Omokoroa, Stage 2 (Neil Construction Ltd) where a wetland was partially removed which interfaced with the Mangāwhāi Estuary, worked wooden taonga were recovered. Brigid Gallagher (Archaeologist) records these items as partial hoe, Ko, uprights and rākau³. The assemblage of the artefact collection is currently held by the Tauranga Heritage Collection under the mana of Pirirākau.

A significant effort is required to retain and restore these sites not keep allowing for their modification. We must encourage planning which responds to the necessity of mauri to support the preservation of taonga species (native fish, birds, and plants) to thrive within an optimal habitat. In the event that modification occurs, and revegetation is required there must be reference to appropriate historic plant species of relevant hapū recommendation.

The Pāhoia peninsula was strategically important for Pirirākau given its proximity to the Kaimai ranges and nearby islands. Signs of habitation and use are evident along the length of the peninsula with a Pā site at the Pāhoia headland. Pā sites have a much broader kainga settlement footprint where populations fluctuated between times of seasonal gathering from the moana (sea), preparation, and preservation of kaimoana (seafood), and growing, tending, and harvesting of food crops, grown throughout the peninsula. In times of conflict, inhabitants could withdraw to the safety of the nearby ranges, or across the foreshore and stream or river crossings at low tides to other Pirirākau peninsula and Otumoetai, or the islands nearby.

All that changed with land confiscation policies that followed the land wars in the 1860's. In this way Pirirākau was stripped of its economic base and were prevented from maintaining a cultural

² J SHEPHERD 2017. Pirirakau Hapū Management Plan. Bay of Plenty Regional Council, Pirirakau Incorporated Society.

³ GALLAGHER B. 28 August 2018. RE: Tauranga Conservation Treatment. Type to SHEPHERD, J.

association with its traditional lands, forests, and fisheries. As a result of the confiscation, Pirirākau were essentially left landless with diminutive reserves being set aside. and Ngāti Tokotoko.

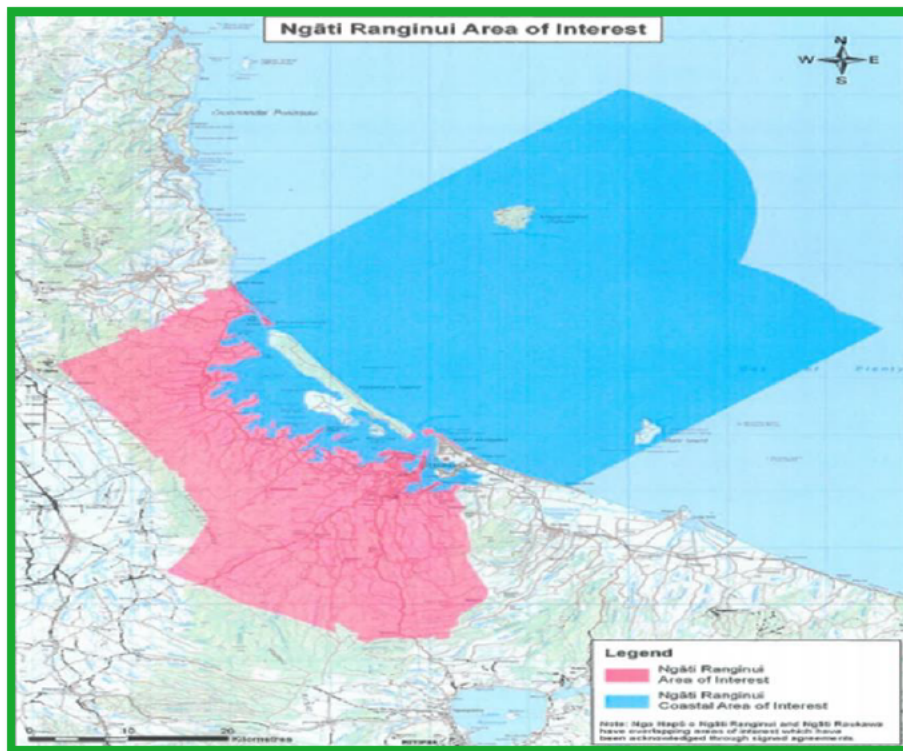
Development created modifications to landmarks and reference points that would connect them into the landscape. There can be a sense of unfamiliarity and foreignness to new development areas. While we understand it probably wasn't intended, this can create disenfranchisement from areas. Even if subtly changed by a seawall when viewed from the inner harbour or at strategic familiar viewshafts.

2.4 CIV-2017-485-2014

An originating application for recognition orders pursuant to the Marine and Coastal Area (Takutai Moana) Act 2011, 3rd April 2017. Pursuant to the Deed of Settlement with the Crown dated 21 June 2012 (the Deed of Settlement), Ngāti Ranginui includes:

- a) The collective comprising individuals who descend from one of more of Ngā Hapū o Ngāti Ranginui tupuna or ancestors, and;
- b) Every whanau, hapū or group to the extent that is composed of individuals referred to in paragraph (a) above, including the following groups:
 - i) Pirirākau;

Provides for the Pirirākau Coastal Marina Area indicative of map A⁴ below which is relative also to 'Tauranga Moana' provided for by the following section; Ngā Hapū o Ngāti Ranginui Claims Settlement Bill which is appropriate to consider in assessing this resource consent application



⁴ <https://www.courtsofnz.govt.nz/assets/the-courts/high-court/high-court-lists/applications-marine-coastal-list/civ-2017-485-000294-ngati-ranginui/civ2017-485-294ngatiranginuimap.pdf>

2.5 Tauranga Moana Iwi Collective Redress and Ngā Hapū o Ngāti Ranginui Claims Settlement Bill

Part 1

10 Meaning of Tauranga Moana

In **Parts 1 to 3**, **Tauranga Moana** and **moana**—

3 (a)

mean—

4 (i)

the waters (including internal waters and tidal lagoons) and other natural resources and the geographic features (including Tauranga Harbour) comprising the coastal marine area marked “A” on the Tauranga Moana Framework plan in the attachments; and

5 (ii)

the waters and other natural resources and the geographic features comprising the rivers, streams, creeks, and natural watercourses within the catchment that flow into—

6 (A)

Tauranga Harbour; or

7 (B)

the sea at any point within the area marked “A” (shown above) on the Tauranga Moana Framework plan in the attachments; and

8 (iii)

the waters and other natural resources and the geographic features comprising wetlands, swamps, and lagoons within the catchment; and

9 (iv)

the beds and aquatic margins of the water bodies referred to in **subparagraphs (i) to (iii)**; and

10 (v)

the ecosystems associated with the waters and natural features referred to in **subparagraphs (i) to (iv)**;

2.6 Summary of literature review

Pirirākau maintain certain perspectives that are provided for through the Settlement Bill and various planning regimes. As the kaitiaki recognised through the Resource Management Act 1991. Our position is to discourage hard structures that change the naturalisation of coastal morphology interactions with the materials from which the coastal zone is built.

To add another cultural layer, we discourage the use of hard structure for coastal retention structures for reclamation. As this provides habitat for the likes of invasive species such as the Asian Paddle Crab which threatens our native biodiversity⁵. Recent research undertaken by Diana Rutten; a researcher of Manaaki Te Awanui and MPI has identified a hot spot in the Te Puna Estuary. This confirms the concern that modified hard structures are providing additional habitat.

The literature review provides clarity that Pirirākau maintains legal rights and interests that must be considered during any assessment for both planning and consenting.

⁵ <https://www.boprc.govt.nz/your-council/news/news-and-media-releases/media-releases-2018/february-2018/asian-paddle-crabs-invade-tauranga>

3 Pirirākau Cultural Values

The following is a summary of the cultural values and associated cultural effects of the constructed seawall and its activity seeking retrospective consent. The cultural values are based on a review of relevant literature and general discussions with Pirirākau kaumatua (elders) consisting of koroua (male elders) and kuia (female elder).

The cultural values provide a filtering measurement against the effects of an activity. Where a cultural value is present, which it always is. We are able to make and provide our assessment of cultural effects.

- Kaitiakitanga - the application of kaitiakitanga expresses a much deeper and broader context. The kaumatua support Merata Kawharu who articulates that “kaitiakitanga does not mean guardianship alone rather it forms the genesis of Māori resource management”. A kaitiaki has an obligation of ‘rights and responsibility’ to safeguard the inheritance of future generations and the legacy that is left to them;
- Kotahitanga - unity and solidarity for social and community connectivity and cohesion;
- Wairuatanga - embedded emotional and perceptive connection to space, place, and people;
- Manaakitanga - social care and responsibility;
- Rangatiratanga - the right of Pirirākau hapū to determine their outcomes;



Pirirākau Tiaki Taiao - Care of the Pirirākau Environment

4 Assessment of cultural values and cultural effects

The following table assesses the activity against the cultural values and resulting cultural effects. This may include statutory, consenting, landowner, and natural environment aspects.

Cultural Value	Activity Cultural Effects	Expression	Description and outcome A site meeting was held on the 4th of March 2021. Updates are in red.
<p>Kaitiakitanga-obligations of rights and responsibility of physical and cultural environment</p> <p>Kotahitanga – social and community connectivity and cohesion</p>	<ul style="list-style-type: none"> Resource consent for a sea wall Reclamation of foreshore. 	Retrospective	<ul style="list-style-type: none"> Difficult to apply Pirirākau resource management unlike a new application where Pirirākau are able to exercise the interests of kaitiakitanga. The foreshore must provide for Pirirākau uninterrupted access and public access during high tide. The sea wall reclamation prevents this. The seawall breaches the coastal marine area which Pirirākau does not support as it breaches Treaty Settlement agreements agreed by the Crown. Pirirākau request the removal of any seawall that is not consented and encroaches on publicly owned land.

		<p>Sea wall materials</p> <p>Updated</p> <p>The current form is accepted, and a Pirirākau recommendation was made to investigate covering the plastic type of material or removing it as concrete is contained inside the material as a casing used in the lower portion of the retaining feature prior to it breaking down to ensure debris does not break loose as the material breaks down. Some natural habitat (barnacles, oysters and crabs) are forming on the casing surface and in the open recesses of the casing material however the habitat that is forming contributes to the eventual break down. The material is cracking in one location already</p>	<p>Pirirākau support natural materials such as wood or rock. Synthetic or manufactured material is not supported.</p>
		<p>Island feature x 2</p> <p>Engage with WBOPDC</p> <p>Gary Allis to exercise community benefit lot</p>	<p>To be vested in Pirirākau ownership transferring out of private ownership if consent is granted for existing seawall.</p>
		<p>Maximise indigenous or endemic vegetation</p>	<p>Provide for indigenous vegetation in landscaping designs, rather than exotic. Indigenous vegetation is preferred to encourage native fauna.</p>
		<p>Planting</p> <p>As agreed with landowners, plants will be accessed from Matakana Island Nursery;</p> <p>Jason Murray [REDACTED]</p> <p>Or</p> <p>Nessie Kuka [REDACTED]</p>	<p>Where planting is proposed cultural monitoring will be required to observe holes and the presence of archaeology. Pirirākau to be offered planting to provide for this. Plants to be supplied by Matakana Island Nursery. At the owners cost.</p>

Wairuatanga – embedded emotional and perceptive connection to space, place, and people	<ul style="list-style-type: none"> Restore Pirirākau memory back into landscape 	<p>Orientation and sightlines to geographical and cultural features</p> <p>Site identified within reclaimed area; ramp already constructed to provide for access.</p> <p>Landowner has agreed to commission a carved Pou at a value no greater than \$6000.00</p>	<p>Provide for access point to capture important cultural geographic features. The orientation toward features will reconnect memory.</p>
Manaakitanga – social care and responsibility	<ul style="list-style-type: none"> Restore Pirirākau connection 	<p>Pirirākau and Public access</p> <p>As agreed with landowners uninterrupted access provided under Takutai Moana will continue along easement which will be formally provided through a mown grass strip. Landscaping will not block seaward views from that access and larger species will be planted landward of the grass strip.</p>	<p>Provide for right of way through an easement.</p>
Rangatiratanga – assertion of authority, presence, influence, control	<ul style="list-style-type: none"> Protect culturally sensitive areas. Recognise and provide for cultural heritage. Actively plan ahead 	<p>Consenting Authority</p> <p>BOPRC refer to these cultural values when imposing conditions of consent.</p>	<p>Make assessment that provides for these cultural values as they are outlined</p>
		<p>Monitoring</p> <p>Landowner has agreed access will provided to Pirirākau to undertake biannual monitoring of the condition of the seawall.</p>	<p>Landowner to agree to provide Pirirākau with bi - annual opportunity to monitor the seawall as being sound and not creating any discharge or debris to Tauranga Moana</p>
		<p>Offset mitigation</p> <p>Pou has been agreed.</p>	<p>Pou as a heritage marker to be erected on publicly owned adjacent land. At the cost of the landowner.</p>

5 Next Steps

The values and sub-values are proposed as a guideline to the types of treatments Pirirākau are seeking to supply support for the retrospective resource consent. The Pirirākau rights and interests that are legally provided for require an appropriate response from the landowner/applicant and consenting authority. Pirirākau will not seek to have the landowners property or the appropriate privately owned area of seawall removed. If the provisions are made that are outlined in the table

of cultural values and assessment of cultural effects that recognise and provide for Pirirākau mana whenua.

As soon as the applicant has had time to consider this assessment and provided a written response to Pirirākau. Pirirākau would like to meet kanohi ki te kanohi (face to face) to discuss the proposed outcomes. Pirirākau request that the resource consent application remains on RMA section 92 hold until such time.

6 Pirirākau Final assessment of cultural values statements

A site meeting was held on the 4th of March 2021 and agreements were reached for Pirirākau to support the retention of the existing seawall. The cultural value statements that are agreed and presented in red text of this assessment of cultural effects should be reflected as conditions of consent where practicable. Pirirākau support the application for retrospective resource consent on this basis.