



Raukura Consultants

CULTURAL IMPACT REPORT  
PRINCE OF WALES PARK RESERVOIR



WELLINGTON TENTHS TRUST & PORT NICHOLSON BLOCK SETTLEMENT  
TRUST

**CULTURAL IMPACT REPORT  
PRINCE OF WALES PARK RESERVOIR**

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## EXECUTIVE SUMMARY OF CULTURAL IMPACT REPORT

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1. This report is endorsed by the Port Nicholson Block Settlement Trust (PNBST) and Wellington Tenth Trust (WTT), ‘The Trusts’ who are the iwi authorities in Wellington representing the tangata whenua as mandated iwi organisations. The Trusts have many interests with PNBST, being the Treaty of Waitangi Settlement entity with their takiwa or area of interest covering most of the areas of Wellington, Lower Hutt and Upper Hutt Cities. In this circumstance although the Town Belt being the property of Wellington City Council was not available to be used for the Settlement of Treaty of Waitangi Settlements, however the customary interests of the manawhenua persist. The PNBST manage many properties in the Settlement area which are a mix of cultural redress along with various commercial redress properties<sup>1</sup>. The Wellington Tenth Trust is a land owning Trust with interests defined initially in the awards of Colonel McCleverty in 1847 when the Crown grants for Wellington were determined.
2. The area where the water reservoir and its associated facilities is located with strong association with the Te Atiawa/Taranaki Whānui ki te Upoko o te Ika and the hapu of Ngāti Tupaia of Ngāti Ruanui and Ngāti Haumia of the Taranaki tribe along with their Te Atiawa kin who are all represented by the Port Nicholson Block Settlement Trust.
3. The report sets out the Māori cultural history and connection with this part of Wellington and how it fitted in the overall tribal situation around Te Whanganui a Tara. This indicates the traditional significance of these sites in the broader context of Te Whanganui a Tara. The context of the tribal situation and how the Waitangi Tribunal has seen this is explained to ensure that decision makers are dealing with the appropriate mana whenua groups.
4. The project to construct a 35 ML water reservoir in the vicinity of the Prince of Wales Park in the suburb of Mount Cook/PukeAhu. The reservoir will be buried in the

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<sup>1</sup> See Appendix VI – Settlement Area of Interest

landscape which would be restored after construction. The site is within the Wellington Town Belt and is an area used for recreation including walking paths and playing fields.

5. The area was closely associated with Puke Ahu which was a small hill which was removed to build the Mt Cook Barracks and later adjacent to the Old Dominion Museum. Puke Ahu was predominantly used by Māori as a garden site to supply to ancient Te Akatarewa Pa above where the Basin Reserve is located and later Te Aro Pa at the harbour end of what is now Taranaki Street. Close by was the Te Atiawa village of Moera or Moe-i te Ra near Central Park.
6. There were no known villages, burial ground or gardens on this particular site, however a stream that flowed into the Matapihi Stream has its origins in this part of the Town Belt.

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## **SCOPE OF THE PROJECT**

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7. This project is to construct a 35ML reservoir to supply Wellington CBD and provide emergency storage for the Wellington Regional Hospital. The new reservoir is required to have a top water level of 92 metres above sea level. The Prince of Wales Park site was chosen from a short list of four as the preferred site. It is noted that from the Maori cultural and social perspective this was also the preferred site.
8. The reservoir would be a 67 metre diameter post tensioned reinforced concrete structure with a side wall depth of 11 metres. The reservoir would be completely buried on the site with a complete restoration of the area at the completion of the construction work.
9. The area where the reservoir is to be located is part of the Wellington Town Belt and is used for recreational walking particularly for local residents. This is an area where water supply reservoirs have been located for many years.

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## **BACKGROUND TO THE CULTURAL IMPACTS OF THE DEVELOPMENT**

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### **MOE-I-RA**

10. The area to the west of this site was known as Moe-i-te-ra which was a Te Atiawa village and cultivations in the vicinity of Central Park and the north-facing slopes above the

Park and joining to the Prince of Wales Park. The area is eventually drained by the Waimapihi Stream which flowed to the Harbour just west of Te Aro Pa.

11. However the Maori name of this particular ridgeline leading towards Island Bay is not known although could be thought to be part of the ridgeline called Tawatawa which forms the western boundary of the suburb of Island Bay.



*1 View down to reservoir site with Wellington Hospital to right and Government House in the centre*

#### **TE ARO AND PUKEAHU**

12. The Te Aro flats which extended from the Pā on the old (pre-reclamation) foreshore up to the slopes of Pukeahu (Mount Cook) were bounded by the Waitangi swamp on the eastern side and the Waikoukou Stream on the western side.
13. Puke Ahu or Mount Cook area of Buckle Street has a long association with the Te Atiawa/Taranaki Whānui tangata whenua with traditional garden sites covering much of the hill slopes. Today the Wellington Tenth's Trust is a co-owner of the re-developed old Dominion Museum building with Massey University through the company, Capital Hill

Limited.

14. Mt Cook/Puke Ahu and the environs of what is now Prince of Wales Park would have been forested in Māori times. The slopes would have featured, Pukatea, Totara, Rata, Rimu, Kohekohe, Tawa, Hinau, Manuka and many other species. The clearings for gardens or cultivations were located on the hill tops of Puke Ahu and up the sides of Mt Alfred where Akatarewa Pā was located.

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## MĀORI CULTURAL SITES AND INTERESTS

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### TRADITIONAL HISTORY

15. Much of this area was occupied by gardens/ngākinga for the ancient Te Akatarewa Pā built by Ngai Tara. Te Akatarewa Pā was located on the hillside above what is now Wellington College. The area now the Basin Reserve was known as Hauwai which was swamp land and a mahinga kai or food gathering area with habitat for eels/tuna, along with giant and banded kokopu. Puke Ahu was likely to have been used for settlement in ancient times as well as being used for the extensive clearing for gardens/ngākinga.
16. The many paths from the harbour ran through this area to the south coast at Island Bay. Māori from the earliest settlements would have cleared much of the elevated ground for gardens with much land being needed. Māori gardens used the process of fallowing the land. This requires leaving around 90% fallow with 10% in active use. This means a specific piece of cleared land would be left fallow for 9 years before being used. These garden clearings extended into the Aro Valley and were in active use when the New Zealand Company surveyors arrived in 1839 to divide the area up for 'town acres' under the New Zealand Company Deed of Purchase signed in September 1839. Māori also cleared areas of forest to encourage the growth of fern and so harvest the fern root called aruhe.

17. Charles Heaphy speaking in 1879 to the Wellington Philosophical Society, recalled that forty years earlier when he had arrived, Tinakori Hill was ‘densely timbered .... the rata being conspicuous’. Wellington Terrace was timbered with ‘high manuka some 40ft high.’<sup>2</sup> Te Aro, one of the Māori occupation areas, was covered in high fern and tutu, and beyond the Māori villages was an impassable swamp which the new settlers plan to turn into a boat harbour [Basin Reserve].

### MĀORI CULTURAL SITES OF SIGNIFICANCE

18. There are no Māori sites of significance at the site at the Prince of Wales Park, in Wellington, however there are many more in the vicinity which although largely unaffected by any proposed development have had an influence on the area. This site was close to major Maori cultivation at Moera, Te Aro valley and Pukeahu/Mt Cook. The area would have been significantly wooded and used for hunting and gathering.

19. **Moe-ra** was known as a kainga and cultivation area for Te Atiawa near Central Park. It was said by Mere Ngamai of Ngauranga that the name should be Moe-i-te-Ra meaning sleeping in the sun. The name was transferred to the Lower Hutt suburb in 1933.

20. **Hauwai** cultivation area was situated on the edge of what is now Basin Reserve up to the entrance to Wellington College. The cultivation area bordered the swamp/wetland area that is now the Basin Reserve. The cultivation area is connected to Ngāti Hinewai hapu of Ngai Tara who occupied Te Akatarewa.

21. **Te Akatarewa Pā** was located on the slopes of Mt Alfred above the Mt Victoria Tunnel and Wellington College. This was a major Pā for the Ngāti Hinewai hapu of Ngai Tara and had resources surrounding the Pā with garden sites as Hauwai, Puke Ahu, Nga Kumikumi all of which were also to be utilised by the Te Atiawa/Taranaki Whānui people from Te Aro Pā centuries later.

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<sup>2</sup> Heaphy , C. 1880 Notes on Port Nicholson and the Natives in 1839. Transactions and Proceedings of the New Zealand Institute XII.

**22. Huriwhenua** Flat included the Te Aro Flat and extended southwards back to the base of Tawatawa Ridge so included Newtown.

**23. Kaipapa** is the name for the area of Government House and the ridge on which it sits leading down to what was the Waitangi Stream running from around Wellington Hospital.

**24. Te Aro** was the Pā on the waterfront which was dissected by Taranaki Street to give access to the Taranaki Wharf. The people of Te Aro that followed Ngāti Mutunga were of the hapu of Ngāti Tupaia of Ngāti Ruanui and Ngāti Haumia. The people of Te Aro used Puke Ahu as one of their garden areas along with the Aro valley and Nga Kumikumi.

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#### EARLY MAORI HISTORY

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25. According to Best<sup>3</sup> and others the first people of this area could be called Maruiwi who were said to have originally landed in Taranaki and then moved to other places. Other used the term kāhui tipua or kāhui maunga for these early people. These people were less tribally organized and sometimes are referred to as moa hunters. Moa were likely to have been found in this area with bones found on the old Rongotai Airport site hence the name Moa Point.

26. The first of the tribal groups to settle this area was probably the Ngāi Tara peoples from the eponymous ancestor Tara (Tara-ika), son of Whātonga and Hotuwaipara. Around this area was the Ngāti Hinewai hapu of Ngai Tara who had the major Pā of Te Akatarewa.

27. These people were replaced over time with a related group of Ngāti Rangi who in turn were displaced by Ngāti Ira – the descendants of Ira-kai-putahi who resided in this area and in some place around Te Whanganui a Tara (Wellington Harbour).

28. Ngāti Ira were in turn displaced by the Taranaki iwi of Te Atiawa Nui Tonu firstly by Ngāti Mutunga and later those of the hapū of Ngāti Tupaia of Ngāti Ruanui and Ngāti Haumia of

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<sup>3</sup> Best, Elsdon, Journal of the Polynesian Society, *The Land of Tara and they who settled it*, Vol 26 & 27, 1917 – 1919

the Taranaki tribe. This particular area was probably vacant at the time of the arrival of the Taranaki iwi. The move into the area of the Taranaki people was prompted by the forays of a taua lead by the musket tribes of Ngāti Whātua and Ngā Puhī along with Ngāti Toa and Taranaki warriors. These fast moving taua moved through the area in 1818/1819 and 1820/21 leaving many areas almost vacant in their wake. This was followed by waves of migrations coming first to the Waikanae area and then dispersing around the region with Te Whanganui a Tara and this region being one of the later areas settled.

29. Te Aro Pā on Wellington's waterfront was first occupied by Ngāti Mutunga but vacated by them in 1835 as they left to settle in the Chatham Islands leaving their interests to Te Atiawa/Taranaki Whānui. At Te Aro the settlement was occupied by Ngāti Tupaia hapu of Ngāti Ruanui along with Ngāti Haumia of the Taranaki tribe along with their Te Atiawa kin.
30. Te Atiawa hapū occupied much of Te Whanganui a Tara with coastal settlements at Paekawakawa (Island Bay), Owhiro, Waiariki, and Oterongo, on Wellington's south and west coasts. They also were located at Kumutoto,
31. To identify who are the tangata whenua in Wellington this report relies in part on the expert knowledge of the Waitangi Tribunal who sought to clarify this matter particularly with respect to who is able to claim an interest against the Crown<sup>4</sup>. Today, the descendants of the original inhabitants of Pipitea Pā are represented by the Wellington Tenth's Trust and more recently by the Port Nicholson Block Settlement (Taranaki Whānui ki te Upoko o te Ika) Trust (PNBST) (the Trusts).
32. The Port Nicholson Block Settlement Trust has the responsibility of receiving and managing the settlement assets from the Crown including cultural and commercial assets.

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**WAITANGI TRIBUNAL REPORT AND TRADITIONAL HISTORY**

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33. In its report the Waitangi Tribunal made the following statement with respect of the tangata whenua status in the part of Wellington:

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<sup>4</sup> Waitangi Tribunal, *Te Whanganui a Tara me Ōna Takiwā*: Report on the Wellington District, 2003, p 479

At 1840, Māori groups with ahi kā rights within the Port Nicholson block (as extended in 1844 to the south-west coast) were Te Atiawa at Te Whanganui a Tara and parts of the south-west coast; Taranaki and Ngāti Ruanui at Te Aro; Ngāti Tama at Kaiwharawhara and environs and parts of the south west coast; and Ngāti Toa at Heretaunga and parts of the south-west coast. These groups also had take raupatu over the remainder of the Port Nicholson block.<sup>5</sup>

34. The main tangata whenua group around the harbour today are from various hapū of Te Atiawa. They originate largely from Ngā Motu (New Plymouth) in Taranaki. At Pipitea however the people were predominantly from the Te Matehou/Ngāti Hamua hapū of Te Atiawa iwi. These peoples' descendants are beneficial owners in the Wellington Tenths Trust and are generally represented by the Trusts today.

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#### TOWN BELT – WAITANGI TRIBUNAL FINDINGS

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35. Because this reservoir will be located on the Town Belt it is important to background the origins of the Town Belt with respect to the Crown Grants in the Port Nicholson Block. The Waitangi Tribunal looked at this and the Treaty claims in relation to the Town Belt. It is also noted that the Town Belt Management Plan and Legislation is currently being reviewed by the Wellington City Council however the outcomes of that review are not yet available.

36. The Waitangi Tribunal examined claims around the town belt and how it came into the ownership of the City of Wellington and other related issues to town belt land. The following excerpts are from the Waitangi Tribunal Report: *Te Whanganui a Tara me Ōna Takivā*: Report on the Wellington District, 2003.

## 6.2 History of the Town Belt and Public Reserves

In August 1839, New Zealand Company secretary John Ward instructed the company's surveyor, William Mein Smith, that 'the whole outside of the Town, inland, should be separated from the country sections by a broad belt of land which you will declare that the company intends to be public property on condition that no buildings be ever erected on it'.

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<sup>5</sup> Waitangi Tribunal, *Te Whanganui a Tara me Ōna Takivā*: Report on the Wellington District, 2003, p 479

Smith duly laid out a town belt surrounding the 1100 town acres in his August 1840 plan of the town of Wellington. His plan showed a clear exterior boundary to the belt, and this exterior boundary also marked the start of the country district. Duncan Moore has calculated the area of this original town belt, before any land was taken from it for other purposes, as 1562 acres 36 perches. Smith's plan also marked out a number of other areas within the town which were to be used for public purposes.

On 10 September 1841, Governor Hobson proclaimed the boundaries of the town of Wellington (which were also the interior boundaries of the town belt). On the same day, the Governor directed that a notice be placed in the *New Zealand Gazette* requiring all persons occupying public or native reserves to vacate those sites, and declaring that 'all persons are warned not to clear, fence, cultivate, or build in or upon any portion of the belt of reserved land surrounding the town'.<sup>6</sup>

### **6.2.3 Town belt vested in Wellington City Council**

In June 1861, the Governor, under the authority of the Public Reserves Act 1854, granted the town belt to the superintendent of Wellington province 'for purposes of Public Utility to the Town of Wellington and its inhabitants'. This grant comprised 1234 acres 2 roods 18 perches, the area of the town belt having been reduced mainly by the award of town belt land to Māori, but also by some other takings for various purposes. The superintendent tried almost immediately to have the town belt vested in a local body, but first such a body had to be created. Legislation establishing a Wellington town board passed through the Provincial Council in tandem with the Wellington City Reserves Act in mid-1862. The town board commissioners then set about surveying the town belt and dividing it into allotments, many of which were leased. Title to the town belt remained with the superintendent of Wellington, however, until 17 March 1873, when the land was granted upon trust to the city of Wellington, 'to be forever hereafter used and appreciated as a public recreation ground for the inhabitants of the City of Wellington'. The area granted was 1061 acres 1 rood 2 perches, a further reduction of 173 acres from the 1861 grant. This reduction was apparently due mainly to the granting of town belt land to Wellington Hospital, and for the Governor-

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<sup>6</sup> Waitangi Tribunal, *Te Whanganui a Tara me Ōna Takiwā*: Report on the Wellington District, 2003, pp 103-104

General's present residence. The remaining town belt land has been held and managed by the Wellington City Council ever since.<sup>7</sup>

### **6.3.1 The Crown's acquisition of the town belt**

The town belt was originally set aside out of land included in the Port Nicholson deed of purchase, a deed which the Tribunal has found to be invalid. Thus, the land had not been validly purchased when the town belt was made a Crown reserve by Governor Hobson in 1841. The town belt was not included in the lands in the schedule to the 1844 deeds of release, nor was it included in Fitzroy's or Grey's Crown grants to the New Zealand Company (see chs 8, 10).

Although McCleverty considered the town belt to be waste land belonging to the Crown, the Tribunal rejects this assertion (see s 10.7.5). Following the McCleverty awards, Māori retained only 219 acres, or about 14 per cent, of the original 1562 acres of the town belt. The remainder was lost to them, even though this land had never been purchased either by the company or by the Crown, and Māori received no compensation for the taking of this land. Nor is there any evidence that Māori were consulted or that they consented to the taking of this valuable land, part of which they were cultivating.

### **6.3.2 Tribunal finding of Treaty breach**

The Tribunal finds that the Crown, in taking most of the town belt land from Māori without their consent or any consultation, and without making any payment, acted in breach of article 2 of the Treaty and failed to respect the rangatiratanga of Māori in and over their land. As a consequence, Te Atiawa, Ngāti Tama, Taranaki, and Ngāti Ruanui were prejudiced thereby<sup>8</sup>.

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<sup>7</sup> Ibid p 106

<sup>8</sup> Ibid P 108

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**PORT NICHOLSON BLOCK SETTLEMENT**

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37. The Taranaki Whānui ki Te Upoko o Te Ika Settlement is the final settlement of all Taranaki Whānui ki Te Upoko o Te Ika historical claims resulting from acts or omissions by the Crown prior to 21 September 1992 and is made up of a package that includes:
- An agreed historical account and Crown acknowledgements, which form the basis for a Crown Apology to Taranaki Whānui ki Te Upoko o Te Ika, as well as a Statement of Forgiveness from Taranaki Whānui ki Te Upoko o Te Ika to the Crown;
  - Cultural redress; and
  - Financial and commercial redress.
38. Taranaki Whānui ki Te Upoko o Te Ika is a collective that comprises people of Te Atiawa, Taranaki, Ngāti Ruanui, Ngāti Tama and others including Ngāti Mutunga from a number of Taranaki iwi whose ancestors migrated to Wellington in the 1820s and 30s and who signed the Port Nicholson Block Deed of Purchase in 1839. The Port Nicholson Block runs from the Rimutaka Summit to the South Coast at Pipinui Point (Boomrock) around the coastline to Turakirae in the east and up the Rimutaka ridgeline to the summit. Taranaki Whānui ki Te Upoko o Te Ika, represented by the Port Nicholson Block Claims Team, have over 17,000 registered beneficiaries.
39. The history of the interaction between Taranaki Whānui ki Te Upoko o Te Ika and the Crown has been outlined in The Waitangi Tribunal's *Te Whanganui a Tara Me ōna Takiwā report on the Wellington District Inquiry*, published in 2003. The claims of Taranaki Whānui ki Te Upoko o Te Ika relate to breaches by the Crown of its obligations under the Treaty of Waitangi, particularly the Crown's dealings over, and eventual acquisition of, the Port Nicholson Block, long delays in ensuring there was appropriate administration of the lands reserved for Taranaki Whānui ki Te Upoko o Te Ika in the Port Nicholson Block, and the Crown's compulsory acquisition and endowment of Taranaki Whānui ki Te Upoko o Te Ika lands for public purposes.

40. An account of the historical background agreed between the Crown and Taranaki Whānui ki Te Upoko o Te Ika is included in the Deed of Settlement, along with acknowledgments of Crown breaches of the Treaty of Waitangi, a Crown Apology for those breaches, and a statement of forgiveness by Taranaki Whānui ki Te Upoko o Te Ika.
41. On 28 January 2004, the Crown recognised the mandate of the Port Nicholson Block Claims Team to negotiate the settlement of the historical claims of Taranaki Whānui ki Te Upoko o Te Ika. Negotiations on the settlement package commenced with the signing of Terms of Negotiation on 27 July 2004. On 13 December 2007 the Crown and Taranaki Whānui ki Te Upoko o Te Ika signed an Agreement in Principle. A Deed of Settlement based on this agreement was initialled on 26 June 2008.
42. The Deed was then ratified by members of Taranaki Whānui ki Te Upoko o Te Ika and signed on 19 August 2008. The Deed of Settlement will be implemented following the passage of legislation which was completed on 4 August 2009.
43. There are no particular requirements from the Port Nicholson Block (Taranaki Whānui ki te Upoko o Te Ika) Claims Settlement Act 2009 pertaining to this area.

#### **“TOWN BELT AND RESERVES”**

2.13 The New Zealand Company’s initial settlement plan provided for a public reserve of 1,562 acres around the town that would separate it from the Company’s rural district. In October 1841, the Governor proclaimed that the town belt and the other reserves provided for in the Company’s plans were to become Crown lands. Taranaki Whānui ki Te Upoko o Te Ika regarded this as one of their food gathering and mahinga kai areas. The reserves included a number of promontories around the harbour (Jerningham, Halswell and Waddell Points as well as Pencarrow and Baring Heads). This was done without consultation with or compensation to Taranaki Whānui ki Te Upoko o Te Ika.

2.14 Parts of these public reserves were re-allocated by way of grants in the town belt for Wellington Hospital and other public purposes, including the land that became the site of the Governor-General’s residence and grounds after 1911. In March 1873, 1,061 acres in the town belt were granted to the Wellington City in trust forever as a public recreation ground.”

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<sup>9</sup> Port Nicholson Block (Taranaki Whānui ki te Upoko o te Ika) Deed of Settlement, 2009 p 9

#### **RIGHT OF FIRST REFUSAL (RFR)**

44. The right of first refusal relates to land held in fee simple by the Crown or a Crown body. If the Crown wished to dispose of the land it must be firstly offered to the Trustees of the Port Nicholson Block Settlement Trust.
45. In this situation it is not yet possible to identify any particular parcels for which the RFR would apply. Much of the land involved is either town belt or Wellington City Council.

#### **CULTURAL REDRESS**

46. The Deed of Settlement provides for various instruments to provide cultural redress. These instruments extend from the transfer of the fee simple of various Crown properties for which there is a direct connection with the claimants to areas where a statutory acknowledgement applies. There are no settlement properties within the scheme area and there are no statutory acknowledgement lands in this area.

#### **TOWN BELT AND THE SETTLEMENT**

47. As the bulk of the Town Belt remains in the ownership of Wellington City Council and Local Government land, for Treaty of Waitangi purposes, is generally regarded as private land that is not available for the settlement of Treaty claims. It is of note that some of the Town Belt is now in Crown Ownership, however from a brief inspection it appears that the land involved is in the ownership of Wellington City Council. A more detailed examination would be required when more specific plans are available. If that examination indicates that there are no properties within the project area then the right of first refusal mechanism would not apply.
48. Nonetheless the Port Nicholson Block Settlement Trust has an ongoing interest in the Town Belt and areas in the Town Belt (outside the project area) which come into their right of first refusal and other interests.

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#### **TOWN BELT MANAGEMENT PLAN**

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The Town Belt legislation and policy is currently under review by the Wellington City Council with consultation on a set of Guiding Principles. In early 2010, a high level analysis of the legislative and policy framework for the Town Belt indicated that there was:

- A need for clearer “Statement of Purpose’ or ‘guiding principles’ in the Town Belt Management Plan to help ensure that community aspirations were reflected in the policies and, through that, the operational practice.
- A need to clarify how the Council’s ongoing relationship with *mana whenua* with respect to the ‘Town Belt’ should be incorporated in the Town Belt Management Plan.

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#### ISSUES FOR TE ATIWA/TARANAKI WHĀNUI

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49. Although there are not Māori sites of significant on this site it is close to many places of significance for the mana whenua. The construction of the water reservoir is unlikely to unearth any Māori cultural however with an accidental discovery process in place if such material is found then it can be dealt with.
50. The Town Belt issues from this area trigger a consultation process. This report is one of the outcomes from that process. It is recognised that infrastructure particularly for the City’s water supply requires access to parts of the Town Belt. It is important that these projects do not significantly affect access in the Town Belt after the project is completed and that limits to access are minimised during construction.
51. There are no Crown-owned properties aside from roads perhaps. The right of first refusal process does not come into play with this project.

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#### CONCLUSIONS AND RECOMMENDATIONS

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- a. The Wellington Tenths Trust and Port Nicholson Settlement Trust do not believe there is a need for an archaeological examination of the site prior to the commencement of work from the perspective of Māori. This does not include any assessment of European archaeology.
- b. There is a need for an accidental discovery protocol for this development and a draft version of this is attached at Appendix I.

- c. At the early stages of the development the Port Nicholson Block Settlement Trust can arrange the appropriate cultural blessing before work commences.



*2 Reservoir site looking towards Brooklyn*

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## BIBLIOGRAPHY

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- i. Adkin, G Leslie, *The Great Harbour of Tara, Traditional Māori Place-names and Sites of Wellington Harbour and Environs*, Whitcombe and Tombs Ltd 1959
- ii. Best, E, Journal of the Polynesian Society, *Te Whanga-nui-a-Tara Wellington in Pre-Pakeha Days*, Vol 10, 1901
- iii. Best, Journal of the Polynesian Society, *The Land of Tara and they who settled it*, Vol 26 & 27, 1917 – 1919.
- iv. Jellicoe, Roland L, *The New Zealand Company's Native Reserves*, Government Printer, Wellington, 1930
- v. Ward, Louis E. *Early Wellington*, Whitcombe and Tombs Ltd, 1928,
- vi. Māori Land Court Minute Book 1C
- vii. Mulgan, Alan, 1939 *The City of the Strait*, A H Reed Wellington
- viii. Waitangi Tribunal, *Te Whanganui a Tara me Ōna Takimā: Report on the Wellington District*, 2003
- ix. Smith, S Percy. *History and Traditions of the Māoris of the West Coast*, Memoirs of the Polynesian Society, 1910. pp 406 - 411
- x. Wellington Tenth's Trust, *GIS Map Book 2004*, Neville Gilmore, Ritihia Hailwood and Liz Mellish, November 2004.
- xi. Turton, H Hanson, *An Epitome of Official Documents relative to Native Affairs and Land Purchases in the North Island of New Zealand*, Government Printer, 1883.

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**APPENDIX I – DRAFT ACCIDENTAL DISCOVERY PROTOCOL**

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If any archaeological site(s) are uncovered during physical works, the Project Manager will require the contractor to adopt the following protocol.

Evidence of archaeological sites can include oven stones, charcoal, shell middens, ditches, banks, pits, and old building foundations, artifacts of Māori and European origin or human burials.

1. Work shall cease immediately at that place.
2. The contractor must shut down all machinery, secure the site and advise the Project Manager.
3. The Project Manager shall advise the Project Archaeologist, representatives of Port Nicholson Block Settlement Trust and the New Zealand Historic Places Trust (see below for contact details).
4. If skeletal remains are uncovered, the Project Manager will also advise the Police.
5. Port Nicholson Block Settlement Trust or their representatives will organise a site inspection by the appropriate tangata whenua advisors.
6. If as a result of this initial investigation there is a need for an appropriate ceremony the Iwi Authority representatives will arrange for that process at the Project's expense.
7. Materials discovered will be removed by the Iwi responsible for the tikanga appropriate to their removal and preservation, or re-interment.
8. Works affecting the archaeological site shall not resume until the NZ Historic Places Trust, the Police (if skeletal remains are involved) and Iwi Authority representatives have each given the appropriate approval for work to continue.

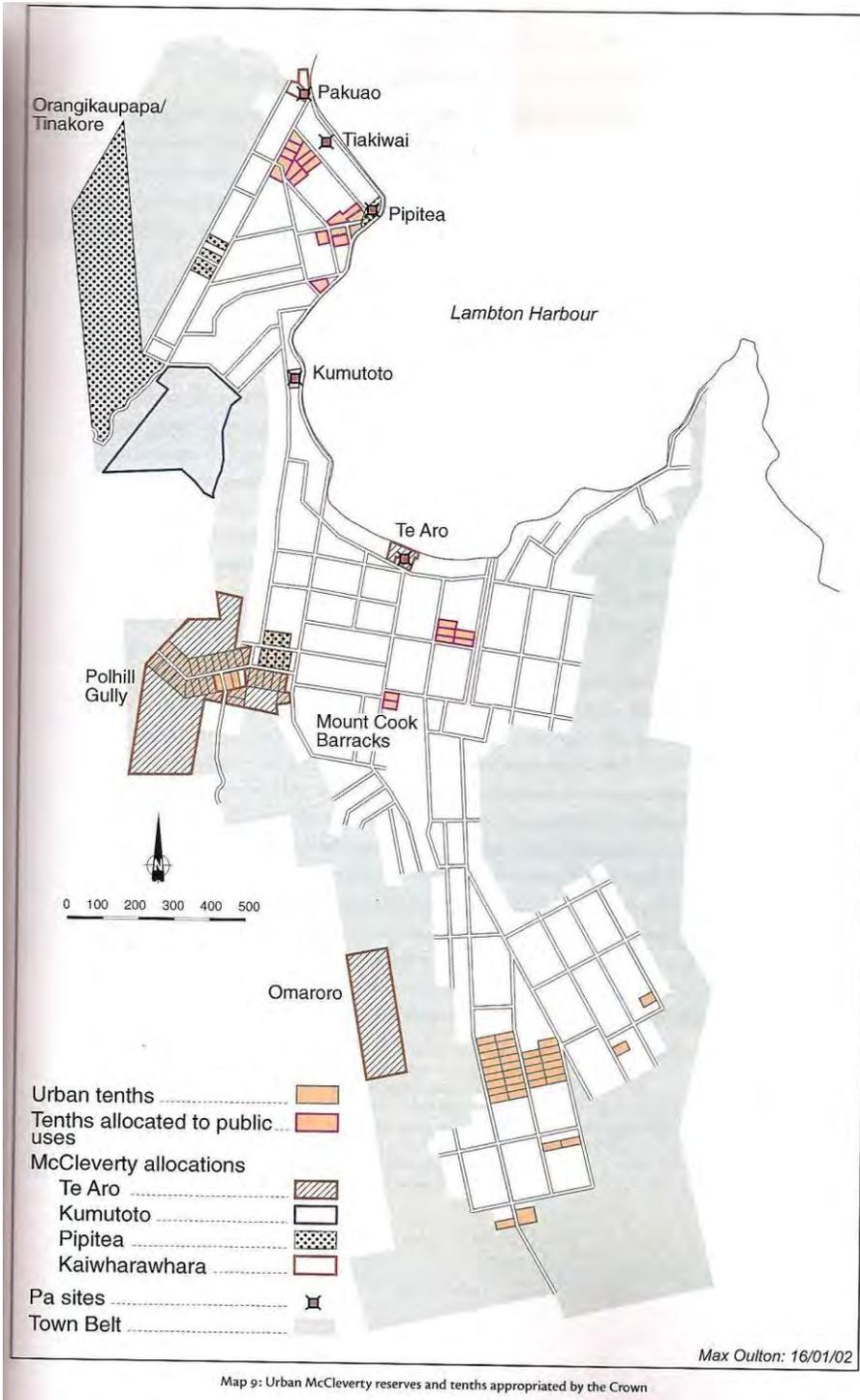
NZTA will allow the iwi authority representative(s) and the archaeologist(s) access to the site to carry out the responsibilities of this protocol. NZTA is responsible for on site safety and may from time to time need to restrict access to ensure the safety of the Iwi Authority representative(s) and archaeologists.

**Contact details are:**

<p><u>Port Nicholson Block Settlement Trust</u> P O Box 12164, Wellington Liz Mellish Phone: 04 473 2502 Cell: 027 4403989</p>
<p><u>NZ Historic Places Trust</u> PO Box 19 173 Wellington Phone: 04 802 0003 Cell:</p>



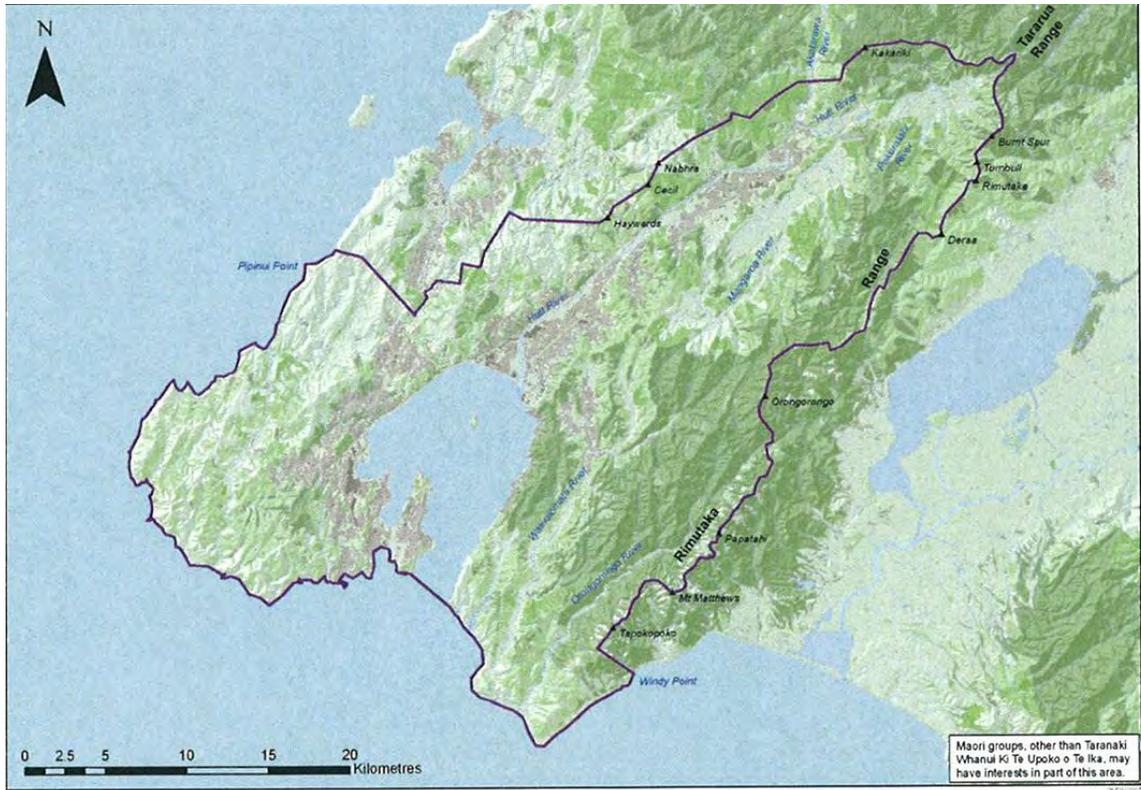
APPENDIX III – WELLINGTON TENTHS, PĀ SITES AND TOWN BELT



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APPENDIX VI - PORT NICHOLSON BLOCK SETTLEMENT AREA

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**Subject:** Ngāti Toa Approval - Cultural Impact Report

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**From:** Ulvi Salayev  
**Sent:** Friday, 18 November 2016 3:07 p.m.  
**To:** Leana Barriball; Lee Rauhina-August  
**Cc:** Jonathan Gulland  
**Subject:** RE: Info for the POWR

Hi Leana,

Thanks for your response. I will definitely include Ngati Toa as the organisation to contact if anything does get found.

Thanks again

Ulvi

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**From:** Leana Barriball [leana.barriball@ngatittoa.iwi.nz]  
**Sent:** Friday, 18 November 2016 2:43 p.m.  
**To:** Ulvi Salayev; Lee Rauhina-August  
**Cc:** Jonathan Gulland  
**Subject:** RE: Info for the POWR

Kia ora Ulvi

I have taken a quick look at the documentation and other than an accidental discovery protocol, Ngāti Toa don't have any other concerns. We would just like to be included as the organisation to contact if anything does get found.

Ngā mihi

*Leana Barriball*  
*Manager, Resource Management and Communications*  
*Te Rūnanga o Toa Rangatira*  
*Waea: (04) 238 4952*  
*Waea pūkoro: 022 618 2440*



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**From:** Ulvi Salayev [<mailto:Ulvi.Salayev@wellingtonwater.co.nz>]  
**Sent:** Thursday, 10 November 2016 11:06 a.m.  
**To:** Lee Rauhina-August <[Lee@portnicholson.org.nz](mailto:Lee@portnicholson.org.nz)>  
**Cc:** Jonathan Gulland <[Jonathan.Gulland@wellingtonwater.co.nz](mailto:Jonathan.Gulland@wellingtonwater.co.nz)>; Leana Barriball <[leana.barriball@ngatittoa.iwi.nz](mailto:leana.barriball@ngatittoa.iwi.nz)>  
**Subject:** Info for the POWR  
**Importance:** High

Hi Lee,

As discussed pls see attached the historical (2013) CIA that Morrie Love has generated for the project.

I have also attached the Info sheet and the location map of the reservoir

Let me know if any questions

Regards

Ulvi

P.S. Leana, the info attached might be helpful for the meeting tomorrow (catch up with Jono that I am joining as well)

**Ulvi Salayev** Project Director



Tel 04 912 4400 Mob 021 242 1720

Private Bag 39804, Wellington Mail Centre 5045  
Level 4, IBM House, 25 Victoria Street, Petone, Lower Hutt

[www.wellingtonwater.co.nz](http://www.wellingtonwater.co.nz)

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**Subject:** Port Nicholson Approval - Cultural Impact Report

**Importance:** High

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**From:** Lee Rauhina-August [<mailto:Lee@portnicholson.org.nz>]

**Sent:** Tuesday, 20 December 2016 9:47 p.m.

**To:** Ulvi Salayev

**Cc:** Aaria Dobson-Waitere; Jonathan Gulland

**Subject:** Info for POWR

**Importance:** High

Tēnā koe Ulvi

Thank you for the opportunity to assess and respond to the proposal to construct the Prince of Wales Reservoir.

We have taken time to review the assessment by Raukura Consultants and are satisfied that it continues to reflect our cultural values for this significant site. We have considered the extensive use of this site by our tūpuna, and of those iwi before us primarily as a maara kai or shared gardens, and as an important vantage point to the surrounding land and sea. Given this information as discussed this site will require an Accidental Discovery Protocol noting the chance that archaeological discoveries may be unearthed during earthworks and construction of the reservoir. Recognising this is part of the Town Belt, we acknowledge our Ngāti Toa relations as partners to Wellington City Council however we require that Taranaki Whānui Taiao Team remain the primary contact in the event of a discovery. We would also like recognition of our traditional name Omāroro, which could occur in the naming of the reservoir and an information board agreed to by both parties. This will ensure that the name and historical context of the site are not lost in the construction of this reservoir. We would also expect to advise on and deliver any appropriate cultural services ahead of the work commencing and at the conclusion. Finally as discussed we would like to respect the family of 'Dudley' and ensure that his remains and memorial bench are appropriately honoured.

In considering this proposal Taranaki Whānui supports the construction of the Omāroro Reservoir (quite a nice ring to it) and the work of Wellington Water Limited in this regard.

We would like to wish the Wellington Water team all the best for the festive season and look forward to working with you in the new year.

He mihi mahana (warm regards)

Lee and Aaria

**Lee Rauhina-August** taiwhakahaere Taiao me Tono | Environmental and Cultural Services Manager  
**Taranaki Whānui**



Tramways Building  
1-3 Thorndon Quay  
Wellington 6011  
PO Box 12164

**Wellington 6144**

Phone: (04) 472 3872  
Mobile: (027) 600 6951

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