

**Notice of Meeting:**

I hereby give notice that an ordinary Meeting of the Council will be held on:

**Date:** Thursday 7 September 2023  
**Time:** 9.30am  
**Meeting Room:** Council Chamber and Audio-Visual Link  
**Venue:** Municipal Building, Garden Place, Hamilton

Lance Vervoort  
Chief Executive

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## **Council *Kaunihera* OPEN AGENDA**

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**Membership**

**Chairperson** Mayor Paula Southgate  
*Heamana*

**Deputy Chairperson** Deputy Mayor Angela O'Leary  
*Heamana Tuarua*

<b>Members</b>	Cr Ryan Hamilton	Cr Geoff Taylor
	Cr Maxine van Oosten	Cr Sarah Thomson
	Cr Moko Tauariki	Cr Emma Pike
	Cr Ewan Wilson	Cr Melaina Huaki
	Cr Mark Donovan	Cr Anna Casey-Cox
	Cr Louise Hutt	Cr Kesh Naidoo-Rauf
	Cr Andrew Bydder	

**Quorum:** A majority of members (including vacancies)

**Meeting Frequency:** Monthly – or as required

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Amy Viggers  
*Mana Whakahaere*  
Governance Lead

**30 August 2023**

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## Purpose

The Council is responsible for:

1. Providing leadership to, and advocacy on behalf of, the people of Hamilton.
2. Ensuring that all functions and powers required of a local authority under legislation, and all decisions required by legislation to be made by local authority resolution, are carried out effectively and efficiently, either by the Council or through delegation.

## Terms of Reference

1. To exercise those powers and responsibilities which cannot legally be delegated by Council<sup>1</sup>:
  - a) The power to make a rate.
  - b) The power to make a bylaw.
  - c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan.
  - d) The power to adopt a Long Term Plan or Annual Plan, or Annual Report.
  - e) The power to appoint a Chief Executive.
  - f) The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan or developed for the purpose of the Council's Governance Statement.
  - g) The power to adopt a remuneration and employment policy.
  - h) The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.
  - i) The power to approve or amend the Council's Standing Orders.
  - j) The power to approve or amend the Code of Conduct for Elected Members.
  - k) The power to appoint and discharge members of committees.
  - l) The power to establish a joint committee with another local authority or other public body.
  - m) The power to make the final decision on a recommendation from the Parliamentary Ombudsman, where it is proposed that Council does not accept the recommendation.
  - n) The power to amend or replace the delegations in Council's *Delegations to Positions Policy*.
2. To exercise the following powers and responsibilities of Council, which the Council chooses to retain:
  - a) Resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer and reviewing representation arrangements.
  - b) Approval of any changes to Council's vision, and oversight of that vision by providing direction on strategic priorities and receiving regular reports on its overall achievement.
  - c) Approval of any changes to city boundaries under the Resource Management Act 1991.
  - d) Adoption of governance level strategies plans and policies which advance Council's vision and strategic goals.

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<sup>1</sup> [Clause 32, Schedule 7, Local Government Act 2002](#)



- e) Approval of the Triennial Agreement.
- f) Approval of the local governance statement required under the Local Government Act 2002.
- g) Approval of a proposal to the Remuneration Authority for the remuneration of Elected Members.
- h) Approval of any changes to the nature and delegations of the Committees.
- i) Approval or otherwise of any proposal to establish, wind-up or dispose of any holding in, a CCO, CCTO or CO.
- j) Approval of city boundary changes, including in respect of Strategic Boundary Land Use Agreements.
- k) Approval of Activity Management Plans.
- l) Sister City relationships.

**Oversight of Strategies, Plans and Reports:**

- Long Term Plan
- Annual Plan
- Annual Report
- Shaping Hamilton Kirikiriroa Together
- Our Climate Future
- He Pou Manawa Ora

**Oversight of Policies and Bylaws:**

- *Corporate Hospitality and Entertainment Policy*
- *Delegations to officers specific to the Resource Management Act 1991*
- *Delegations to Positions Policy*
- *Elected Members Support Policy*
- *Significance and Engagement Policy*
- *Climate Change Policy*
- *Any Community Engagement Policies*

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**1 Apologies – *Tono aroha***

**2 Confirmation of Agenda – *Whakatau raarangi take***

The Council to confirm the agenda.

**3 Declaration of Interest – *Tauaakii whaipanga***

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

**4 Public Forum – *Aatea koorero***

As per Hamilton City Council's Standing Orders, a period of up to 30 minutes has been set aside for a public forum. Each speaker during the public forum section of this meeting may speak for five minutes or longer at the discretion of the Mayor.

Please note that the public forum is to be confined to those items falling within the terms of the reference of this meeting.

Speakers will be put on a Public Forum speaking list on a first come first served basis in the Council Chamber prior to the start of the Meeting. A member of the Governance Team will be available to co-ordinate this. As many speakers as possible will be heard within the allocated time.

If you have any questions regarding Public Forum please contact Governance by telephoning 07 838 6727.

# Council Report

**Committee:** Council

**Date:** 07 September 2023

**Author:** Nicholas Hawtin

**Authoriser:** Michelle Hawthorne

**Position:** Governance Advisor

**Position:** Governance and Assurance  
Manager

**Report Name:** Confirmation of the Council Open Minutes - 3 August 2023

<b>Report Status</b>	<i>Open</i>
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## Staff Recommendation - *Tuutohu-aa-kaimahi*

That the Council confirm the Open Minutes of the Council Meeting held on 3 August 2023 as a true and correct record.

## Attachments - *Ngaa taapirihanga*

Attachment 1 - Council Unconfirmed Open Minutes - 3 August 2023.

## **Council Kaunihera OPEN MINUTES**

Minutes of a meeting of the Council held in the Council Chamber and via Audio Visual Link, Municipal Building, Garden Place, Hamilton on Thursday 3 August 2023 at 9.30am.

### **PRESENT**

**Chairperson** Mayor Paula Southgate  
**Heamana**

**Members:** Cr Moko Tauariki  
Cr Ewan Wilson (via Audio Visual Link)  
Cr Mark Donovan  
Cr Louise Hutt  
Cr Andrew Bydder  
Cr Geoff Taylor  
Cr Sarah Thomson  
Cr Emma Pike (via Audio Visual Link)  
Cr Anna Casey-Cox  
Cr Kesh Naidoo-Rauf

**In Attendance:** Sean Murray – General Manager, Venues, Tourism & Events  
Andrew Parsons – General Manager, Infrastructure and Assets  
Helen Paki – General Manager, Customer and Community  
Blair Bowcott – General Manager, Growth and Planning  
Julie Clausen – Acting General Manager, Partnerships, Communication and Maaori  
Michelle Hawthorne - Governance & Assurance Manager  
James Clarke - Unit Manager - Strategy and Planning  
Greg Morton - Policy and Bylaw Lead

**Governance Staff:** Amy Viggers – Governance Lead  
Nicholas Hawtin and Arnold Andrews – Governance Advisors

*Tame Pokaia opened the meeting with a karakia.*

### **1. Apologies – Tono aroha**

**Resolved:** (Cr Bydder/Cr Donovan)

That the apologies for absences from Cr Huaki, Cr van Oosten, and Deputy Mayor O’Leary, and for lateness from Cr Naidoo-Rauf and Cr Tauariki are accepted.

*Cr Hamilton’s Extended Leave of Absence was approved 6 July 2023.*

### **2. Confirmation of Agenda – Whakatau raarangi take**

**Resolved:** (Mayor Southgate/Cr Casey-Cox)

That the agenda is confirmed.

Council 3 AUGUST 2023 - OPEN

**3. Declarations of Interest – *Tauaakii whaipaaanga***

Mayor Southgate declared a conflict of interest in relation to Item 11 (Chief Executive Report). She noted she would not take part in the discussion or vote on the matter.

During the public excluded session of the meeting, Cr Wilson declared an conflict in relation to Item C4 (District Licensing Committee Appointments). He did not take part in the discussion or vote on the matter.

**4. Public Forum – *Aatea koorero***

**Peter Wilson** spoke to Item 8 (Confirmation of Community Outcomes for the 2023-34 Long-Term Plan), and highlighted his views in relation to the Long Term Plan and suggested a need for greater community engagement.

*Cr Tauariki joined the meeting (9:37am) during the discussion of the above item.*

**5. Confirmation of the Council Open Minutes - 29 June 2023**

**Resolved:** (Cr Wilson/Mayor Southgate)

That the Council confirm the Open Minutes of the Council Meeting held on 29 June 2023 as a true and correct record.

**6. Confirmation of the Council Open Minutes - 6 July 2023**

**Resolved:** (Mayor Southgate /Cr Casey-Cox)

That the Council confirm the Open Minutes of the Council Meeting held on 6 July 2023 as a true and correct record.

**7. Chair's Report 3 August 2023**

The Mayor introduced the report and noted the world class event management abilities of staff demonstrated during the FIFA event and learnings from the LGNZ conference in Christchurch.

**Resolved:** (Mayor Southgate /Cr Pike)

That the Council:

- a) receives the report; and
- b) approves the appointment of Deputy Mayor Angela O'Leary to Waikato-Tainui Hamilton City Council Co-Governance Forum as an alternative co-chair.

*Cr Naidoo-Rauf joined the meeting (9:49am) during the discussion of the above item. She was present the when matter was voted on.*

**8. Confirmation of Community Outcomes for the 2024-34 Long-Term Plan**

The Unit Manager Strategy and Planning outlined the Long-Term Plan process. Staff responded to questions from Members concerning the history of the development of the five proposed priorities.

**Resolved:** (Mayor Southgate /Cr Thomson)

That the Council:

- a) receives the report; and

- b) approves the five priorities to be adopted as the community outcomes for use in developing the 2024-34 Long-Term Plan:
- i. A city that's easy to live in | He taaone e ngaawari noa iho te noho
  - ii. A city where our people thrive | He taaone e tipu matomato ai te tangata
  - iii. A central city where people love to be | He pokapuu taaone e ngaakautia ana e te marea
  - iv. A fun city with lots to do | He taaone kua kikii ki ngaa tini kaupapa
  - v. A green city | He taaone tiaki taiao.

**9. Freedom camping legislation and amendments to associated bylaws**

The Governance & Assurance Manager and Policy and Bylaw Lead took the staff report as read. Staff responded to questions from Members concerning the legislative changes in particular the homelessness exemption, role of Council, the consultation exception and the definition of self-contained vehicle.

**Staff Action:** Staff undertook to organise a session for Members concerning freedom camping.

**Resolved:** (Mayor Southgate/ Cr Casey-Cox)  
That the Council:

- a) receives the report;
- b) approves the amendments to the Traffic Bylaw 2021 as outlined in **Attachment 2** of the staff report, and amendments to the Parks, Domains and Reserves Bylaw 2019 as outlined in **Attachment 4** of the staff report, to ensure alignment with the amended Freedom Camping Act 2011 and the amended Plumbers, Gasfitters and Drainlayers Act 2006; and
- c) notes that consultation is not required as the amendments are minor in nature.

**The meeting was adjourned from 10:45am to 11:00am.**

*Cr Wilson left the meeting during the above adjournment.*

*Cr Wilson returned re-joined the meeting (11:15am) during the discussion of the above item. He was present the when matter was voted on.*

**10. Dangerous and Insanitary Building Policy**

The Building Control Manager took the report as read.

**Resolved:** (Cr Donovan/Cr Tauariki)  
That the Council:

- a) receives the report; and
- b) approves the adoption of the amended Dangerous and Insanitary Building Policy (**Attachment 1**).

*Mayor Southgate left as Chair prior to the below item and did not take part in the discussion or vote on the matter. Cr Donovan assumed the role of Chair.*

**11. Chief Executive Report**

The General Manager, Venues, Tourism & Events introduced the report and highlighted the trip to leper and the importance of building relationships.

- Resolved:** (Cr Casey-Cox/Cr Naidoo-Rauf)  
That the Council:
- a) receives the report;
  - b) approves the visit to leper by the Mayor scheduled for April 2024; and
  - c) approves the proposed visit to leper to be funded by Council, at a cost of \$5500.00.

12. **Resolution to Exclude the Public**

**Resolved:** (Mayor Southgate/Cr Donovan)

**Section 48, Local Government Official Information and Meetings Act 1987**

The following motion is submitted for consideration:

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of the Council Public Excluded Minutes 6 July 2023	) Good reason to withhold information exists under Section 7 Local Government	Section 48(1)(a)
C2. Building Consent Matters - Update	) Official Information and Meetings Act 1987	
C3. Contract Approval – H3 Event Security and Customer Services		
C4. District Licensing Committee Appointments		

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item C1.	to protect the privacy of natural persons	Section 7 (2) (a)
Item C2.	to maintain legal professional privilege	Section 7 (2) (g)
Item C3.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
	to enable Council to carry out negotiations	Section 7 (2) (i)
Item C4.	to protect the privacy of natural persons	Section 7 (2) (a)

**The meeting was moved into public excluded session at 11:19am.**

**The meeting was declared closed at 12:17pm.**



# Council Report

Item 6

**Committee:** Council

**Date:** 07 September 2023

**Author:** Nicholas Hawtin

**Authoriser:** Michelle Hawthorne

**Position:** Governance Advisor

**Position:** Governance and Assurance  
Manager

**Report Name:** Confirmation of the Elected Member Open Briefing Notes - 2 August 2023

<b>Report Status</b>	<i>Open</i>
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## Staff Recommendation - *Tuutohu-aa-kaimahi*

That the Council confirm the Open Briefing Notes of the Elected Member Briefing held on 2 August 2023 as a true and correct record.

## Attachments - *Ngaa taapirihanga*

Attachment 1 - Elected Member Briefing Open Notes - 2 August 2023 .

## Briefing Notes – 2 August 2023 – Open

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**Time and date:** 10.05am, 2 August 2023

**Venue:** Committee Room 1, Hamilton City Council

### 1. **Hamilton Gateways Policy and Streetscape Beautification and Verge Maintenance Policy**

The Urban Transport Policy and Planning Manager, Urban Mobility Planner and the City Transport Unit Director introduced the topic and explained that the purpose of the presentation was to discuss the Streetscape Beautification and Verge Maintenance Policy including the legal advice concerning on planting on berms. Members asked questions in relation to the following matters:

- berm maintenance, plant/soil health and upkeep,
- legal implications of planting on berms,
- how to gain approval to plant on berms,
- nature in the city targets,
- beautification on roundabouts,
- how to prevent damage to berms,
- the number of berms currently being planted on around Hamilton.

# Council Report

Item 7

**Committee:** Council

**Date:** 07 September 2023

**Author:** Nicholas Hawtin

**Authoriser:** Michelle Hawthorne

**Position:** Governance Advisor

**Position:** Governance and Assurance  
Manager

**Report Name:** Chair's Report 7 September 2023

<b>Report Status</b>	<i>Open</i>
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## Chair's Recommendation

1. That the Council
  - a) receives the verbal report; and
  - b) appoints Cr Maxine van Oosten as Hamilton City Councils representative on the Waikato Regional Council Waikato Scheme Subcommittee.

## Attachments - *Ngaa taapirihanga*

Attachment 1 - Waikato Scheme Subcommittee letter from Waikato Regional Council

Document No: 26846011



Private Bag 3038  
Waikato Mail Centre  
Hamilton 3240  
New Zealand

waikatoregion.govt.nz  
0800 800 401

Tēnā koe

I am writing to let you know that you are invited to nominate an elected member or staff member and an alternate (also an elected member or staff member) to represent your entity on the new Waikato Regional Council Waikato Scheme Subcommittee. All meetings will be held in Hamilton at 160 Ward Street unless otherwise advised

Details of membership requirements, the purpose of the Subcommittee and other matters are included in the *Terms of Reference* and *Guide for appointed members of Waikato Regional Council committees and subcommittees* linked below:

Terms of Reference: <http://surl.li/jvkqn>

Please email your nomination for your member and alternate to the email address below by 31 August 2023.

If you have any questions, please contact [william.wilkinson@waikatoregion.govt.nz](mailto:william.wilkinson@waikatoregion.govt.nz)

Ngā mihi

He taiao mauriora ▲ Healthy environment

He hapori hihiri ▲ Vibrant communities

He ōhanga pakari ▲ Strong economy

# Council Report

Item 8

**Committee:** Council  
**Author:** Nicolas Wells  
**Position:** Strategic Property Manager  
**Date:** 07 September 2023  
**Authoriser:** Blair Bowcott  
**Position:** General Manager Strategy, Growth and Planning  
**Report Name:** Sonning Carpark - Application to Change Name

<b>Report Status</b>	Open
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## Purpose - *Take*

1. To inform the Council of an application to change the name of the Sonning Carpark at 191 – 197 River Road, Hamilton, to Opoia Paa, and approval that the carpark be renamed at a later time.

## Staff Recommendation - *Tuutohu-aa-kaimahi*

2. That the Council:
  - a) receives the report;
  - b) approves **Options Two and Three** of the staff report, to:
    - i. change the name of the Sonning Carpark (described first and second in the schedule) to Opoia Paa in recognition of the history and cultural importance of the site;
    - ii. defer implementation of the name change until a plan for enhancing and developing the Sonning Carpark site (described first and second in the schedule) has been considered and approved by the Council;
    - iii. partner with mana whenua to consider the next steps for enhancing and developing Sonning Carpark;
    - iv. investigate changing the name of Jesmond Park (described third in the schedule) to Opoia Paa in recognition of the history and cultural importance of the site, and report back to the Community and Natural Environment Committee with a recommendation;
  - c) notes that deferring implementation of the Sonning Carpark name change is intended to ensure that the name change is meaningful and dignifies the outcome for the site by integrating it with enhancement and development outcomes; and
  - d) notes that the high-level options for the future of the site will be considered by the Economic Development Committee on 14 September 2023.

## SCHEDULE

**First** All that land described as an Estate in Fee Simple comprising Allotment 465 Parish of Kirikiriroa contained in Computer Freehold Register Identifier SA50D/392 of 7,264 square metres more or less and physically located at **191 River Road**, Hamilton (**Attachment 1**).

**Second** All that land described as an Estate in Fee Simple comprising Lot 2 DPS 31617 contained in Computer Freehold Register Identifier SA30A/477 of 2,496 square metres more or less and physically located at **197 River Road**, Hamilton (**Attachment 2**).

**Third** All that land described as an Estate in Fee Simple comprising Lots 1-7 DP 14636 contained in Computer Freehold Register Identifier SA611/187 of 6,880 square metres more or less, known as **Jesmond Park** and physically located at Opoia Road, Hamilton (**Attachment 3**).

### **Executive Summary - *Whakaraapopototanga matua***

3. The Council owns the land at 191 – 197 River Road, Hamilton, known as the Sonning Carpark and described first and second in the Schedule above. Aerial photographs showing the location of the site are included as **Attachments 4 and 5**.
4. The Council has received an application to change the name of the Sonning Carpark to Opoia Paa.
5. The application (see **Attachment 6**) was submitted on behalf of Ngaati Wairere by Hekeiterangi Broadhurst, George Hopa and Wiremu Puke, and is accompanied by letters of support from:
  - i. Tukoroirangi Morgan, Chair, Waikato Tainui;
  - ii. Laura Kellaway, Architect and Heritage Consultant;
  - iii. Neil Curgenvin, President, Waikato Historical Society; and
  - iv. Gordon Chesterman, Guardians of Claudelands.
6. The application has been managed by staff in accordance with the Naming of Roads, Open Spaces and Facilities Policy – Version 4 (2022) which is included as **Attachment 7**.
7. The Sonning Carpark site currently operates as a paid public off-street carpark. However, the Council’s publicly-stated aspiration is for the site to be used for commercial development.
8. The Council has considered several development proposals over the past decade. Most recently it approved, *in principle*, utilising the site for an innovative affordable housing development. The site was included in Council’s Infrastructure Acceleration Fund Bid and is subject to a Housing Outcomes Agreement, with Council as developer. This commits Council to using “reasonable endeavours” to deliver the 262 affordable housing units committed to in the agreement. This commitment remains in place.
9. In addition to the name change application, Ngaati Wairere is preparing a legal claim in relation to the Sonning Carpark land. Tompkins Wake has consistently advised that there is no legal impediment to Council use, development or disposal of the Sonning Carpark land, and that there is no legal basis for a claim to the Waitangi Tribunal in respect of the land.
10. Staff support changing the name from Sonning Carpark to Opoia Paa because it is an appropriate way of recognising the cultural importance of the site to mana whenua.
11. However, staff recommend deferring implementation of the name change because:
  - i. it will allow the name to be integrated with the decision making about future use on the site, including open space and development options;
  - ii. it will allow partnership with mana whenua to ensure that the cultural and historical acknowledgement is appropriate;
  - iii. the site is likely to continue to operate as a paid public carpark in the short to medium term – renaming the carpark to Opoia Paa does not honour the spirit or intention of the decision with the mana and gravitas it deserves; and

- iv. Council has yet to decide on the best future use of the site. Deferring implementation of the name change will:
  - a) allow the name to be integrated with the decision making about future use on the site, including open space and development options;
  - b) allow partnership with mana whenua to ensure that the cultural and historical acknowledgement is appropriate; and
  - c) avoid the risk that cultural recognition is limited to the name change only. There is the potential for recognition to appear as tokenistic and devalued from the lack of other forms of recognition.
- 12. Jesmond Park is situated on the eastern bank of the Waikato River immediately to the south of the Claudelands Bridge and at the northern end of Opoia Road – and is shown shaded in green on **Attachment 8** and legally described third in the schedule.
- 13. The archaeological reports held by the Council identify Jesmond Park as the primary location of the Opoia Paa.
- 14. There has been no request to change the name of Jesmond Park but it is also included in the Opoia Paa archaeological area identified in **Attachments 8, 12, 13 and 15** and has been less severely modified than the Sonning Carpark site.
- 15. Staff recommend that renaming Jesmond Park should be investigated. The relative locations of Sonning Carpark, Jesmond Park and Opoia Paa archaeological site are shown on **Attachment 8**.
- 16. The Unit Directors of Parks and Recreation, City Transport and Amorangi Maaori have assisted in preparing this report.
- 17. The high-level options for the future of the site will be considered by the Economic Development Committee on 14 September 2023.
- 18. Staff consider the matters have a medium level of significance and that the recommendations comply with the Council's legal requirements.

## Background - *Koorero whaimaarama*

### Site Overview

#### Location and Physical Setting

- 19. The Sonning carpark site comprises two adjoining allotments (described first and second in the schedule) with a combined area of 9,760m<sup>2</sup> and is located on the eastern side of the Waikato River on the corner of River Road and Claudelands Road, Hamilton.
- 20. The site is centrally located immediately adjacent to, and elevated above, the Waikato River with wide views over the river and back towards the Hamilton Central Business District (CBD) – approximately 300m to the east, and approximately 450m west from the Claudelands Events and Entertainment Centre.
- 21. The site is bordered to the west by the Waikato River and esplanade, to the north by established residential housing, to the east by River Road, and to the south by the East Coast Main Trunk Railway and Claudelands Road – both of which cross the Waikato River with their bridge abutments on the south-east corner of the Sonning Carpark site.
- 22. The contour of the site is generally flat apart from an approximate 495m<sup>2</sup> area of the north-western corner that falls approximately 10m to the boundary. The esplanade land on the western boundary has steep banks dropping to the Waikato River.

23. Vehicle access to the site is from River Road at a single point in the north-east corner. A pedestrian footpath follows the western side of River Road and the northern side of the railway with an overbridge linking the site to the Claudelands bridge and CBD (the pedestrian footpath adjoining the railway is not within the legal boundary of the site and sits on land owned by New Zealand Railways Corporation). In practice, most pedestrians cross the site diagonally between the two access points on the south-west and north-east corners.
24. A Property Summary Report is included as **Attachment 9**. The appendices to this report include:
  - i. WSP Archaeological Risk Assessment 17 November 2020;
  - ii. WSP Preliminary Geotechnical Assessment Report 1 December 2020.

#### **Land Status**

25. The land is legally described first and second in the schedule and Records of Title are attached (**Attachments 1 and 2**).
26. The title to Allotment 465 (197 River Road) has two memorials:
  - i. Section 11 Crown Minerals Act 1991;
  - ii. Part IVA Conservation Act 1987.
27. When land is disposed of by the Crown, that land becomes subject to the two restrictions (memorials) noted on the title:
  - i. Section 11 of the Crown Minerals Act applies in the event any mineral existing in its natural condition is located on, or under the land (other than pounamu), the Crown reserves the right of ownership of those minerals (in the event of pounamu, this becomes the property of Te Runanga O Ngai Tahu).
  - ii. Part IVA of the Conservation Act relates to marginal strips between land that shares a water boundary with a foreshore or lake. Land Information New Zealand (LINZ) has been asked to remove superfluous Part IVA memorials from titles when irrelevant. LINZ advises that *"the Part IVA memorial is added to all titles irrespective of whether it contains or abuts a water body. The memorial indicates that IF there is a qualifying water body then a marginal strip is automatically reserved."*
28. There are no memorials on the title to Lot 2 (191 River Road).
29. In 2008 Council commissioned Land and Mineral Status Reports for the land from an Accredited Crown Supplier. The reports confirmed that *"The land was purchased by Hamilton City Council as General Land and can be disposed of subject to HCC [Hamilton City Council] normal internal policies without any statutory and regulatory restriction."*
30. Tompkins Wake has advised that the Council has no obligations in respect of offer-back to previous owners. The land is held by Council as unencumbered freehold fee simple land. Council is free to develop, or dispose of the land.
31. The land is not subject to the Reserves Act and has never been a Recreation Reserve or any other form of public open space.

#### **District Plan**

##### **Zone** (refer **Attachment 9** clause 2.6)

32. The site is zoned Central City – Downtown Precinct in the Operative District Plan.



**Waikato Riverbank and Gully Hazard Area** (refer **Attachment 9** clause 2.8)

33. A small portion of Lot 2 (described second in the schedule) is included in the Waikato Riverbank and Gully Hazard Area – which includes the Waikato Bank Stability Line. This is an approximate 495m<sup>2</sup> area of the north-western corner that falls approximately 10m to the boundary.
34. The portion of Sonning Carpark (described first in the schedule and shown shaded blue on **Attachment 8**) included in the Opoia Paa Significant Archaeological Site (A19 shown bordered in red on **Attachment 8**) is not subject to the Waikato Riverbank and Gully Hazard Area overlay.

**Significant Natural Area (SNA)** (refer **Attachment 9** clause 2.9)

35. Plan Change 9 *Historic Heritage and Natural Environments* (PC9) features Significant Natural Areas (Schedule 9C). SNAs took legal effect on 22 July 2022. A small portion of Lot 2 (described second in the schedule) is included in the esplanade SNA (C67). This is an approximate 395m<sup>2</sup> area of the north-western corner that falls approximately 10m to the boundary.
36. The portion of Sonning Carpark (described first in the schedule and shown shaded blue on **Attachment 8**) included in the Opoia Paa Significant Archaeological Site (A19 shown bordered in red on **Attachment 8**) is not subject to the Significant Natural Area overlay.

**Notable Trees** (refer **Attachment 9** clause 2.7)

37. There are several mature trees on the land; however, these are not included on Schedule 9D (Significant Trees) of the Operative District Plan Register of Protected Trees.
38. Plan Change 9 – Historic Heritage and Natural Environments (PC9) features Notable Trees (Schedule 9D) and included three trees (T138, T139 and T140) on the southern boundary of the site.
39. Council's own submission recognises that these trees were included in error and recommended at the hearing (Reporting Officer section 42A report) that they be removed from PC9 Schedule 9D and the planning maps.
40. Unlike the other provisions of PC9, the Notable Trees component did not have immediate legal effect at notification.

**Significant Archaeological Site** (Refer **Attachment 9** clause 2.10 and Appendix 1)

41. Opoia Paa is listed in the Operative District Plan on Schedule 8B as a Group 1 Archaeological and Cultural Site (A19 shown bordered in red on **Attachments 8 and 12**).
42. Opoia Paa was omitted in error from Schedule 8B in PC9 but is correctly shown on the PC9 planning map.
43. Part of the Sonning Carpark (described first in the schedule and shown shaded blue on **Attachment 8**) is included in the Operative District Plan Opoia Paa Significant Archaeological Site (A19 shown bordered in red on **Attachment 8**).
44. WSP Opus completed an Archaeological Risk Assessment in November 2020 (**Attachment 9** appendix 1) and concluded that any modification of the ground has a risk of modifying archaeology. Heritage New Zealand Pouhere Taonga and the relevant tangata whenua should be contacted, and an active Archaeological Authority obtained from Heritage New Zealand Pouhere Taonga before any ground disturbance.

**Geotechnical Assessment** (Refer **Attachment 9** clause 2.12 and Appendix 2)

45. WSP Opus completed a Preliminary Geotechnical Assessment Report in December 2020. The report concluded that further engineering assessment and design would be required to reduce or mitigate the identified risks for the developing the site.

**Utilities** (Refer **Attachment 9** clauses 2.13 and 2.14)

46. Overhead power lines are located on River Road. The specific power requirements of any future development on the land will be determined through the detailed design process. It is likely that a transformer upgrade will be required for a comprehensive development.
47. A stormwater main, manhole, catchpits and catchpit leads are located on the land. A water main runs along River Road parallel to the land. A wastewater main runs along the western boundary and through part of the land. The waters infrastructure servicing any development on the land will require specific design during the detailed design stage.

**Flooding and Contamination** (Refer **Attachment 9** clause 2.11 and 2.15)

48. The land has been assessed and the recently released flood hazard mapping identifies the north-west corner of Lot 465 as subject to a low hazard of ponding in a 1/100 year event.
49. The land is not listed on the Hazardous Activities and Industries List (HAIL). No other contaminated land assessment has been undertaken at this stage.

**Site History**

**Maaori Settlement – c.1500 – 1863**

50. The date of first Maaori occupation of the Waikato Basin is uncertain but there is evidence indicating Maaori were established in the Cambridge area from mid-1600s. The Kirikiriroa (Hamilton) area was first settled by Ngaati Wairere around 1700, on the western side of the river although their rohe fluctuated over the years. The area had many Paa – including Kirikiriroa, Te Rapa, Waitewhiriwhiri, Whatanoa, Te Tahuki and Pukete on the west bank and Opoia, Miropiko, Waipahihi, Te Taraahi and Te Parapara on the east bank.
51. The site was settled for several centuries by Ngaati Wairere. Nga Tupuwae O Hotumaeua (**Appendix 15**) identifies that Opoia Paa was settled by Maramatutahi, the eldest son of Wairere from his third wife, Tukapua. They had a son who was named Karaka ki Opoia after a sacred Karaka tree at the Paa.
52. The Paa was later home to Poukawa, who led Ngaati Wairere against Ngaati Ruakawa in the battle of Hurimoana, near Otorohanga. In this battle, Poukawa captured and killed Te Rerenga, a Ngaati Wakatere Chief, and took his famous Patu Onewa (mere), Te Waimaori, which remains in the possession of Poukawa's descendents.
53. Poukawa signed the English translation of Te Tiriti o Waitangi at Port Waikato on 28 April 1840. In 1853, Poukawa gave his greenstone ear pendant to Governor Grey as a reminder of the obligations contained in Te Tiriti. This pendant is now in the British Museum in London.
54. During the 1850s, pressures regarding land were mounting, and disputes over land, law and sovereignty between Maaori and European settlers led to a full-scale Crown invasion of the Waikato Lands in 1863.
55. When the British soldiers came south along the Waikato River after 1864 the Maaori occupants withdrew from the area to avoid being killed.

### European Settlement – 1863 – 1972

56. The New Zealand Settlements Act was passed in 1863, which allowed the Crown to confiscate lands belonging to “Maori rebels”. After the Waikato invasion, the Crown confiscated land from many Waikato tribes, including Ngaati Wairere. The Crown confiscated the Opoia Paa land from Ngaati Wairere sometime after 1864 as punishment “*for being so-called rebels or Kingites.*”
57. In 1864 and 1865, Kirikiriroa was occupied by the 4<sup>th</sup> Waikato Military Regiment who established redoubts either side of the river.
58. The two sides of the river were connected in 1879 by the construction of the Union Bridge (Victoria Street Bridge). From the 1880s growth in the Waikato was facilitated by the construction of the railway – with the East Main Trunk constructed in 1883 running along the southern boundary of the site.
59. In 1909 a girls’ school was established on the site by Mrs May Whitehorn. The school was named after Sonning-on-Thames – a village in Berkshire, England, where Mrs Whitehorn’s family originated. Sonning Carpark was named after the Sonning School.
60. In 1928 the Waikato Board for Diocesan Schools leased Sonning from Mrs Whitehorn to establish an Anglican School for Girls and in 1930 the school moved to the current location on River Road. The lease was offered to the Hamilton High School.
61. Sonning was used as a girls’ hostel by the Hamilton High School until 1971, when the new Sonninghill Hostel opened in Marama Street. An aerial photograph from 1961 shows the construction of the new railway bridge. Based on photographs of the bridge construction, the Sonning School site was progressively cleared of buildings some time between 1964 and 1971.
62. More detailed historical information is contained in the following attachments to this report:
  - i. Name Change Application (**Attachment 6** (background))
  - ii. Veros Sonning Carpark Property Summary Report **Attachment 9** (Appendix 1 WSP Archaeological Risk Assessment (pp 2-3))
  - iii. Alexy Simmons Archaeological Assessment 2011 (pp 12-28) **Attachment 10**
  - iv. Te Huia Cultural Advice Report (pp 7-9) **Attachment 11.**

### Council Acquisition 1972 – 1992

63. The land now used as Sonning Carpark was acquired by Council from three separate vendors in four stages between 1972 and 1992.
64. Allotment 465 Parish of Kirikiriroa (191 River Road) was purchased from Landcorp Investments Limited via a Deferred Payment Licence issued in 1972 by the Crown with title to the land transferred to Hamilton City Council on 30 June 1992. Council paid \$40,500 for the land.
65. The balance of the land (197 River Road) was purchased in two ‘arm’s-length’ transactions from private owners:
  - i. Lot 2 DP 32041 and Part Allotment 218 Parish of Kirikiriroa (SA912/229) was purchased from Logan Fow on 19 September 1975. Council paid \$57,000 for this land.
  - ii. Lot 1 DP 32041 and Part Allotment 218 Parish of Kirikiriroa (SA912/230) was purchased from Edwin Hooper on 12 July 1978. Council paid \$30,639 for the land.
  - iii. Lots 1 (SA912/230) and 2 (SA912/229) DP 32041 and Part Allotment 218 Parish of Kirikiriroa were amalgamated on 19 July 1983 into Lot 2 DPS 31617.

### **Existing Carpark 1972 – present**

66. The site was developed as a carpark between 1971 and 1974. It has operated as a public carpark since then – originally free-to-park and now paid parking. The improvements consist of a flat asphalt surface, set out with painted lines and wheel stops, kerbing, lights, CCTV cameras, electric vehicle charger, pay-and-display kiosks and signage.
67. The land is a Transportation Unit asset. The Transportation Unit has operational jurisdiction and manages the carpark directly.

### **Development Aspirations 2013 – 2023**

68. Over the past decade, Council has consistently viewed the land as a strategic development site – specifically as a possible location for a new hotel. Council has publicly invited expressions of interest from qualified parties to develop the site. There has been reasonable general interest over that time with two specific proposals advancing to preliminary design.
69. Developer A proposed a mixed-use development incorporating a raised podium with vehicle parking and manoeuvring below, a hotel and promenade overlooking the river, high-end residential apartments on the northern boundary, a commercial office block in the south-west quadrant and associated landscaping. This proposal was abandoned by the developer.
70. Developer B proposed a comprehensive residential retirement village and associated facilities. This proposal was rejected on the basis that it did not align with Council’s vision for development of the site.
71. In 2021, Council approved a proposal *in principle* to utilise the site as an innovative mixed-use affordable housing development based on the successful [Nightingale](#) complexes in Melbourne and Sydney. The development was called *Project Korimako* and was made up of 262 apartments in eight buildings, grouped as four. The buildings were predominantly residential apartments with some ground level retail.
72. The building adjoining the established residential area on the northern boundary of the site was three storeys high while the other three buildings were six storeys high. The buildings included internal gardens providing natural light and ventilation, large entry foyers with bike storage facilities, and roof-top communal spaces with laundries, gardens, seating, and socialising areas.
73. The buildings were set in landscaped grounds with open communal space, the site layout being designed to encourage maximum pedestrian and cycle access. A limited number of on-site carparks would be available for car-share facilities, disability access and short-term visitors.
74. The 262 apartments ranged from:
  - i. studio units (33m<sup>2</sup> – 35m<sup>2</sup>);
  - ii. one-bedroom apartments (48m<sup>2</sup> – 72m<sup>2</sup>);
  - iii. two-bedroom apartments (65m<sup>2</sup> – 88m<sup>2</sup>); and
  - iv. three-bedroom apartments (92m<sup>2</sup> – 107m<sup>2</sup>).

The Total Gross Floor Area was 23,257m<sup>2</sup> – an average apartment area of 88m<sup>2</sup>.

75. *Project Korimako* had five key design attributes:
  - i. *Quality Materials*. “Enduring materials with low embodied energy will be employed to create a visually layered and porous façade softened by natural vegetation”;
  - ii. *Rooftop Community*. “Rooftop gardens and laundries are spaces designed within a shared community environment that feel connected with the natural landscape”;

- iii. *Through-Site Link*. “Located on a prominent entry point to Hamilton’s central city, the development offers a safe and clearly defined pedestrian and cycle path through the site. This pathway forms part of a key pedestrian and cycling link between the central city Centre and Claudelands Events Centre”;
  - iv. *Active Edges and Open Space*. “Ground level community spaces located along the central pathway are a vital element in ensuring residents can live well and contribute positively to the community”; and
  - v. *Less Car Dependence*. “A less car-centric way of living is fostered with secure cycle storage and convenient access to alternative modes of transport”.
76. The proposed value of the *Project Korimako* development was estimated at \$140M with a timeline of approximately five years. The developer has now withdrawn from the project and is exploring delivering a Nightingale-style development elsewhere in the city.
77. A consistent feature across all development proposals is:
- i. enhanced public spaces;
  - ii. enhanced interface with the esplanade and river;
  - iii. enhanced pedestrian access across the site; and
  - iv. enhanced amenity and public realm.
78. Developers have consistently suggested that the best use of the Sonning site is some form of high-density residential development.

#### **Current Development Status**

79. The Council approval, *in principle*, to utilise the site for the Project Korimako affordable housing development was a departure from Council’s previous aspirations for the site and recognised the need for both increased housing in the central city and the parallel need for increased in affordable housing.
80. Council supported this development *in principle*, to advance its objective of creating opportunities for people to own a home. However, it is still very much in the concept stage and there is a lot of work to be done before any further agreements are put in place. There is no set timeframe for this, and Council will take the time necessary to consider the best use of the site. Any decisions to sell the land for development would come back to full Council for approval.
81. The site is currently listed in the District Plan and is a recorded site by the New Zealand Archaeological Association. Consequently, any earthworks on the site require a resource consent issued and a developer would be required to engage with mana whenua and Heritage New Zealand Pouhere Taonga.
82. While the sale of Council-owned land does not require public consultation, Council is committed to open discussion and engagement with surrounding residents. In addition, Council would expect any developer to work with mana whenua, surrounding residents, other affected parties and Heritage New Zealand Pouhere Taonga throughout the process.
83. Because of commercial sensitivities, discussions like this are typically held in Public Excluded sessions with Elected Members, as has been done in this case.
84. Council approved the Project Korimako development in the belief that it would directly contribute towards reducing the affordable housing deficit, and in a direct response to the innovative quality of the development.

85. Accordingly, the site was included in Council's Infrastructure Acceleration Fund (IAF) Bid and is now subject to a Housing Outcomes Agreement (HOA) – with Council as developer. The Housing Outcomes Agreement commits Council to using “reasonable endeavours” to deliver the 262 affordable housing units committed to in the agreement. This commitment remains in place.
86. Now that Project Korimako has stalled, Council has an opportunity to reconsider the best future use for the site. Options include:
  - i. Status quo – continuing to use the site as a paid public carpark;
  - ii. Enhanced status quo – continuing to use the site as a paid public carpark but with improved pedestrian access and amenity;
  - iii. Open public space – convert the entire site to open public space;
  - iv. Open public space and mixed-use development – some form of mixed-use development on parts of the site with the balance of the land developed as open public space; and
  - v. Full development – continue to pursue full development of the site, either wholly as affordable housing, a mixture of housing sector types, or a combination of mixed-use commercial, residential and hotel accommodation and retail support.
87. Staff and consultants are currently exploring the range of development options considering the characteristics of the site, identifying a preferred option, and establishing a pathway forward. A “better business case” methodology will be adopted and each of the viable development options for the site will be assessed as part of a multi-criteria analysis, including alignment to mana whenua aspirations. The high-level options for the future of the site will be considered by the Economic Development Committee on 14 September 2023.
88. It is likely that Sonning Carpark will continue to operate as a paid public carpark in the short to medium term until matters relating to the development of the site are resolved.

## Discussion - *Matapaki*

### Name Change Application

89. On 1 January 2023, the Chief Executive received an email from Mr Wiremu Puke, on behalf of Ngaati Wairere, regarding several matters relating to Sonning Carpark and requesting that Council “*give immediate consideration to replacing the word SONNING with Opoia Pa on the sign at the entrance. Sonning has very limited historical connection with the site while being renamed Opoia Pa Car Park at least Opoia as a name reflects the real history with Poukawa who signed the Treaty of Waitangi on April 28<sup>th</sup>, 1840, at Port Waikato. who last occupied the Pa.*”
90. The Chief Executive advised Mr Puke that Council has a Naming of Roads, Open Spaces and Council Facilities Policy, provided copies of the policy, identified the relevant sections, and invited Mr Puke to submit a formal application.
91. On 3 April 2023 Council received a written application on behalf of Ngaati Wairere by Hekeiterangi Broadhurst, George Hopa and Wiremu Puke. The application comprises a cover letter, the completed Application Form for Road and Open Space Naming/Renaming, a two-page summary of the history of the land, and letters of support from:
  - i. Tukoroirangi Morgan, Chair, Waikato Tainui;
  - ii. Laura Kellaway, Architect and Heritage Consultant;
  - iii. Neil Curgenvin, President, Waikato Historical Society; and
  - iv. Gordon Chesterman, Guardians of Claudelands.

92. A copy of the application and its supporting documentation is included as **Attachment 6**.
93. The application seeks the renaming the Sonning Carpark to Opoia Paa because:
  - i. Opoia Paa is the historical name dating back centuries; and
  - ii. Chief of Opoia Paa, Poukawa, was a signatory to the signing of the English translation of Te Tiriti o Waitangi at Port Waikato in 1840.
94. The background information sheet included in the application provides a brief history of the site, describes several important taonga associated with the site, references public records registering the site, and acknowledges the Opoia Paa site as *"an important direct link to the Treaty of Waitangi, which has not been acknowledged until recent times."*
95. The application states that *"This is an opportunity for Council to approve the proposed name change under its Tiriti obligations."*

### **Naming of Roads, Open Spaces and Council Facilities Policy**

96. The Naming of Roads, Open Spaces and Council Facilities Policy (the Policy, see **Attachment 7**) is primarily intended to provide a policy framework for naming roads and open spaces – terms that are clearly defined in the policy and relevant legislation.
97. The general procedures set out in paragraphs 5 to 8 inclusive refer only to roads and open spaces – similarly the Application Form for Road and Open Space Naming/Renaming, which applicants are required to complete, refers only to roads and open spaces.
98. The provisions of the Policy applying to Council facilities are relatively brief, and provide a procedural framework rather than specific policy guidance:
  26. *Where a new council facility is to be named or an existing council facility renamed:*
    - i. *The Council Unit responsible for the council facility will propose names for the council facility to the Chief Executive that are in accordance with the principles of this policy;*
    - ii. *The Chief Executive will consider the proposed names and prepare a report for a Council meeting outlining the request; and making a recommendation;*
    - iii. *Council may, at its discretion, implement a bilingual name for any council facility; and*
    - iv. *The Council will consider the report and determine the facility name by Council Resolution.*
99. Council facilities are defined in the Policy but there is no specific reference to what is in effect a carpark intended for future redevelopment whose inclusion must therefore be considered as implied rather than expressed. Again, the application form for Road and Open Space Naming/Renaming, which applicants are required to complete, makes no reference to Council facilities.
100. The applicants' cover letter correctly states: *"there are some aspects of the application form that seem to be not fit for purpose for a mana whenua request."* Staff agree, but consider that the Policy provides an adequate framework and sufficient guidance for decision makers to consider the application. The application has been managed by staff in general accordance with the relevant principles of the Policy.
101. The application was addressed to the Director, Parks and Recreation. The Sonning Carpark is a City Transport Unit asset under the operational jurisdiction of the City Transport Unit Director. It is considered a strategic site given its size and location, connectivity with the CBD and Claudelands Events Centre, and its value and development potential – matters that fall within the responsibility of the Strategic Property Unit.
102. The Unit Directors of Parks and Recreation, City Transport and Amorangi Maaori have assisted in the preparation of this report.

## Opioa Paa

103. Opioa Paa is listed in the Operative District Plan in Schedule 8B as a Group 1 Archaeological and Cultural Site (A19) and is shown bordered in red on **Attachment 8**. The Opioa Paa site covers land currently utilised for:
  - i. most but not all the Sonning Carpark site (Allotment 465);
  - ii. Waikato River Esplanade;
  - iii. East Coast Main Trunk Railway corridor;
  - iv. Claudelands Road corridor;
  - v. private residential housing;
  - vi. an unformed portion of Opioa Road; and
  - vii. half of Jesmond Park.
104. The location of Opioa Paa, a river terrace paa, is recorded on the 1864 plan for Hamilton East as “Bend Pa” and described in the NZAA site record as being “at the eastern end of the approaches to the Hamilton Railway Bridge”.
105. The majority of the Sonning Carpark is within the recorded extent of Opioa Paa, and was described in the 1960s as once being a large area of Maaori cultivations, later used as a Chinese market garden and now almost completely destroyed.
106. The Sonning Carpark land associated with the Opioa Paa has been modified through major earthworks associated with multiple episodes of bridge construction, bridge renewal, insertion of a second bridge, and the construction of Sonning School and Sonning Carpark.
107. It is a legal requirement to have an active Archaeological Authority in place from Heritage New Zealand Pouhere Taonga prior to commencing any ground disturbance.
108. HCC Archaeological Site Inventory A19 **Attachment 13** summarises the significance of the Opioa Paa site: *“Small promontory pa site near Waikato River, but likely destroyed – area has been residential developed [sic] and no surface evidence of archaeology. Site of high cultural significance as a named pa site.”*
109. More detailed archaeological information is contained in the following attachments to this report:
  - i. Veros Sonning Carpark Property Summary Report **Attachment 9** (Appendix 1 WSP Archaeological Risk Assessment);
  - ii. Alexy Simmons Archaeological Assessment 2011 **Attachment 10**;
  - iii. HCC Archaeological Site Inventory A19 **Attachment 12**;
  - iv. New Zealand Archaeological Association (NZAA) Site Record Form **Attachment 13**; and
  - v. Nga Tapuwae O Hotumauea Maori Landmarks on Riverside Reserves Management Plan 2003 **Attachment 15**.

## Jesmond Park

110. Jesmond Park is situated on the eastern bank of the Waikato River immediately to the south of the Claudelands Bridge and at the northern end of Opioa Road – and is shown shaded in green on **Attachment 8** and legally described third in the schedule.
111. Jesmond Park was donated around 1929 by Dr Brewis and his family to the Borough of Hamilton for use as a public reserve.
112. The consensus of the reports is that while the Sonning Carpark portion of Opioa Paa has been extensively modified and almost totally destroyed, the parts located on Jesmond Park remain unaltered to a greater degree – with *“some sign of terracing on the southern side but this may be recent”*.



113. There has been no request to change the name of Jesmond Park. However, given the application to change the name of Sonning Carpark to recognise the importance of Opoia Paa it would seem appropriate to include those parts of the Opoia Paa site that remain least disturbed and currently private public open space protected by the Reserves Act 1977.
114. The Nga Tapuwae O Hotumauea Maori Landmarks on Riverside Reserves Management Plan 2003 (**Attachment 15** pp51-52) sets out six actions intended to appropriately recognise, and enhance the Jesmond Park site's history:
- i. Carved Pouwhakarae configured as main Pou, with manuka palisade fence surrounding the Pou and low growing plantings planted around the Pou, within the fence;
  - ii. Reconstruction of rampart over a small section of the reserve to replicate the topography that would have been prior to the obliteration of the site;
  - iii. Planting of kowhai trees – exotics should be removed from the riverside where appropriate (i.e. not to the detriment of bank stability);
  - iv. An interpretive panel in Te Reo Maaori and English describing the history and features of the site, the original name of the Paa site, and the conservational/management values;
  - v. Floodlight Pou; and
  - vi. Plantings of low growing native shrubs which have traditional medicinal and spiritual significance (e.g. ferns, kawakawa).
115. The The Nga Tapuwae O Hotumauea Maori Landmarks on Riverside Reserves Management Plan 2003 was prepared by Council in partnership with Nga Mana Toopu O Kirikiriroa Limited (NaMTOK). Nga Tapuwae O Hotumauea has been prepared to assist in the management of traditional Maaori landmarks and sites on reserves along the Waikato River within the Hamilton City Boundary.
116. Nga Tapuwae O Hotumauea provides the specificity required in the management of the culturally and historically significant Maaori landmarks administered under the Reserves Act 1977 and included by the Riverside Reserves Management Plan adopted by Council in 1977.
117. Nga Tapuwae O Hotumauea remains operative but the projects identified for Opoia Paa are currently unfunded.
118. The archaeological reports held by the Council identify Jesmond Park as the primary location of the Opoia Paa:
- i. Alexy Simmons Archaeological Assessment 2011 **Attachment 10**;
  - ii. HCC Archaeological Site Inventory A19 **Attachment 12**;
  - iii. New Zealand Archaeological Association (NZAA) Site Record Form **Attachment 13**; and
  - iv. Nga Tapuwae O Hotumauea Maori Landmarks on Riverside Reserves Management Plan 2003 **Attachment 15**.

### Waitangi Tribunal – Treaty Claim

119. On 7 July 2023 Council received a letter from Mr Haydn Solomon, Ngaati Wairere Negotiator, advising that Ngaati Wairere is preparing a legal claim in relation to the Sonning Carpark land.
120. Ngaati Wairere's position is that the land was the site of Opoia Paa prior to its confiscation from them in 1864 following the Waikato Land Wars. Despite its confiscation and subsequent transfer into private ownership of Hamilton City Council, the land remains a waahi tapu for Ngaati Wairere (a site of special cultural, spiritual and ancestral significance).

121. Ngaati Wairere has requested an undertaking from Hamilton City Council that it will give Ngaati Wairere prior notice to signing a sale and purchase agreement (or other document with the effect of transferring Council's interest) in respect of the Sonning Carpark land, or any part of it to a third party. This to provide Ngaati Wairere with sufficient time to consider, prepare and file an injunction restraining the Council from signing the document until such time as Ngaati Wairere's claims are resolved.
122. Ngaati Wairere advises that this request is reasonable and necessary in the light of the importance of the land to Ngaati Wairere, the complexity of the claim, Ngaati Wairere's limited resources to address an injunction at short notice, and Council's previous approach to dealing with the land.
123. Tompkins Wake has consistently advised that there is no legal impediment to Council use, development and/or disposal of the Sonning Carpark land, and that there is no legal basis for a claim to the Waitangi Tribunal in respect of the land. The legal advice is detailed in paragraphs 155-160 below.

### Consultation and Engagement

124. Included in the application to change the name of Sonning Carpark to Opoia Paa were letters supporting the name change from:
  - i. Tukoroirangi Morgan, Chair, Waikato Tainui;
  - ii. Laura Kellaway, Architect and Heritage Consultant;
  - iii. Neil Curgenvin, President, Waikato Historical Society; and
  - iv. Gordon Chesterman, Guardians of Claudelands.
125. To assist Council in evaluating the application, a Cultural Advice Report was prepared by Te Huia Natural Resources Limited (**Attachment 11**). Te Huia contacted representatives from Waikato Tainui and Ngaati Wairere who confirmed their support for the name change:
  - i. Taipu Paki, General Manager - Rights and Interests, Waikato Tainui;
  - ii. Haydn Solomon, Lead Negotiator, Ngaati Wairere; and
  - iii. Carolyn Hopa, Kaitiaki, Ngaati Wairere.
126. Te Haa O Te Whenua O Kirikiriroa (THaWK) supports the change of name itself, but does not support its adoption and implementation "*UNTIL all other matters regarding the Future long term use of the whenua and other identified hurdles are resolved by Council.*" (**Attachment 16**).
127. Reasons given by the applicants for changing the name from Sonning Carpark to Opoia Paa include the following:
  - i. Opoia Paa is the historical name dating back centuries;
  - ii. Chief of Opoia Paa, Poukawa, was a signatory to the signing of the English translation of Te Tiriti o Waitangi at Port Waikato in 1840;
  - iii. The designated area for development is a Waahi tapu or a site of special significance for Ngaati Wairere;
  - iv. It is unacceptable to impose a name of an English village over any of our Waahi tapu;
  - v. It is an important re-acknowledgement of the place and its traditional name; and
  - vi. The name of Opoia Paa reflects the recognised history of the site and the ownership by Ngaati Wairere before the 1864 confiscation.
128. There has been no further consultation or engagement at this stage.

### Options

129. Staff have assessed that there are four options for the Committee to consider.

**Option 1: Accept the name change application from Sonning to Opoia Paa with immediate effect**

130. The recommendation of this report acknowledges that changing the name of Sonning Carpark to Opoia Paa is an appropriate way of recognising the cultural importance of the site to mana whenua.
131. However, staff do not recommend giving immediate effect to the name change because:
- i. The site is likely to continue to operate as a paid public carpark in the short to medium term. Renaming a carpark to Opoia Paa does not honour the spirit or intention of the decision with the mana and gravitas it deserves;
  - ii. The ongoing presence of the carpark, paired with an acknowledgement of its cultural importance through the name change, could present a constant reminder of its modification or lack of action to address this;
  - iii. Council has yet to decide on the best future use of the site. Deferring implementation of the name change will:
    - a) allow the name to be integrated with the decision making about future use on the site, including open space and development options;
    - b) allow partnership with mana whenua to ensure that the cultural and historical acknowledgement is appropriate; and
    - c) avoid the risk that cultural recognition is limited to the name change only. There is the potential for recognition to appear as tokenistic and devalued from the lack of other forms of recognition.
132. Staff do not recommend **Option 1** for the reasons outlined in paragraph 130.

**Option 2: Accept the name change application to Opoia Paa but delay implementation until outstanding matters are resolved**

133. Deferring implementation of the name change will:
- i. allow the name to be integrated with the decision making about future use on the site, including open space and development options;
  - ii. allow partnership with mana whenua to ensure that the cultural and historical acknowledgement is appropriate; and
  - iii. Deferring implementation of the name change will avoid the detrimental risks listed immediately above.
134. The staff recommendation also supports the outcomes of He Pou Manawa Ora, in particular:
- i. Te Reo Maaori is seen, heard and celebrated in everyday throughout the city; and
  - ii. Maaori history and historical sites throughout the city are visible, protected and celebrated through storytelling as integral to the identity of the city.
135. Staff recommend **Option 2** for the reasons outlined in paragraphs 132 and 133.

**Option 3: Investigate changing the name of Jesmond Park to Opoia Paa**

136. Staff recommend this option because Jesmond Park is also included in the Opoia Paa archaeological area identified in Council's planning documents.
137. Nga Tupawae O Hotumauea Maori Landmarks on Riverside Reserves Management Plan 2003 (**Attachment 15**), which was prepared by Council in partnership with Nga Mana Toopu O Kirikiriroa Limited (NaMTOK), recognises Jesmond Park as the primary location of Opoia Paa.
138. The Jesmond Park site has been less severely modified than the Sonning Carpark site.
139. Staff recommend **Option 3** for the reasons outlined in paragraphs 136-138.

### Next Steps - *Hipanga Panuku*

140. If Council approves **Options 2 and 3**, staff will:

- i. consult with mana whenua to agree an appropriate forum for ongoing discussion about the options for the enhancement and redevelopment of Sonning Carpark (described first and second in the schedule), the adjoining esplanade and broader cultural recognition;
- ii. investigate changing the name of Jesmond Park (described third in the schedule) to Opoia Paa in recognition of the history and cultural importance of the site, and report back to the Community and Natural Environment Committee with a recommendation;
- iii. Present to the Economic Development Committee on 14 September 2023 a report which recommend approving, in principal, development to provide a mixture of land uses, delivering a combination of open space, enhanced public realm, and residential or commercial development, and;
  - a) engaging with mana whenua to ensure that development of the land aligns with their aspirations for the site and its cultural significance;
  - b) partnering with mana whenua to confirm the development outcomes and parameters being sought;
  - c) developing a high-level masterplan or bulk and location document set, for the land; and
  - d) reporting back to the Economic Development Committee with recommendations when this is done.

### Financial Considerations - *Whaiwhakaaro Puutea*

141. The public off-street carpark operating on the land generates a net income of \$240,000 per annum as part of the parking activity of the Transport Unit.
142. The land is valued annually by an independent registered valuer. The estimated current market value of the land (at 30 June 2021) is \$6.9 million (plus GST if any). This valuation is based on highest and best use as a development site.
143. Advice from an independent registered valuer suggests that changing the name from Sonning Carpark to Opoia Paa is unlikely to have a quantifiable detrimental effect on the value of the land.
144. Currently, there is only minimal signage at Sonning Carpark. Costs associated with changing the signage, and any directional and wayfaring signage, would be approximately \$1,000. If the Council chose to install additional standard interpretation signage, there would be a one-off capital cost of approximately \$5,000.
145. Jesmond Park has two wooden park name signs, which would cost approximately \$5,000 to replace. If Council chose to install additional standard interpretation signage there would be a one-off capital cost of approximately \$5,000.

### Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

146. Staff confirm that **Options 2 and 3** comply with Council's legal and policy requirements.

#### Legal

147. Tompkins Wake has advised that there are no legal impediments to Council to changing the name of the Sonning Carpark site. The legal process to change the name of Jesmond Park is set out in The Reserves Act 1977.

### Central City Transformation Plan (CCTP)

148. Council's intention to develop the land aligns with the river and public realm activation objectives sought within the Central City Transformation Plan. The CCTP emphasises increasing the number of residential dwellings and residential population living in the central city. It encourages increased housing supply to support mixed inner-city living options with a variety of housing types and affordability levels, and for these neighbourhoods to be designed in a way that is welcoming, feels safe and is easy to navigate.

### He Pou Manawa Ora – Pillars of Wellbeing

149. The staff recommendation supports the outcomes of He Pou Manawa Ora, in particular that Te Reo Maaori is seen, heard and celebrated in everyday throughout the city and Maaori history and historical sites throughout the city are visible, protected and celebrated through storytelling as integral to the identity of the city.

### Public Works Act 1981

150. The land for Sonning Carpark was acquired at 'arm's length' for general commercial purposes and was not, at the time of its acquisition, intended or required to be subject to the offer-back provisions of the Public Works Act 1981.
151. All parcels of land were owned by Council prior to the 1981 Act coming into force in 1982. At that date, the land was not held subject to the Public Works Act, and as it was held for general purposes the provisions of the Act do not apply.

### Local Government Act 1974

152. Under the LGA 1974, and in prior legislation, Council had clear rights to develop, sell, and lease, for a commercial or industrial purpose, both lands purchased by agreement, or any land or building owned by Council for the general purposes of the district, and not held for a particular purpose.
153. Changes made to the Local Government Act in 2002 provide councils with much broader but non-specific powers to acquire and hold land.

### Waikato Raupatu Claims Settlement Act 1995

154. The land was acquired by Council from the Crown for valuable consideration before the Waikato Raupatu Claims Settlement Act 1995 came into force. Tompkins Wake advises that there is no obligation under that Act for the land to be offered back to Waikato Tainui.

### Treaty of Waitangi Act 1975

155. The powers of the Waitangi Tribunal are set out in the Treaty of Waitangi Act 1975 ("Act"). Under s6 of the Act, the Waitangi Tribunal has an obligation to enquire into every claim properly submitted to it.
156. If the Tribunal finds that the claim submitted to it is well-founded, it may, if it thinks fit having regard to all the circumstances of the case, recommend to the Crown that action be taken to compensate or remove the prejudice to the claimant or prevent other persons from being similarly affected in the future.
157. Section 4A of the Act states that the Waitangi Tribunal may not recommend the return to Maaori ownership of any private land, or the acquisition by the Crown of any private land.
158. Applying the definitions contained in the Act, the Sonning Carpark is clearly private land. Tompkins Wake advises that *"it would not be possible for the Waitangi Tribunal to recommend to the Crown that title to the Sonning Carpark be transferred to Ngaati Wairere, nor that the Crown acquire the Sonning Carpark land to make it available to Ngaati Wairere."*

159. If Ngaati Wairere's Tribunal claim does seek a recommendation that the land be returned to it, then Council should be given a right to be heard and would be able to make submissions as to the basis on which it holds the land, and as to the Tribunal's lack of jurisdiction.
160. Tompkins Wake advises that *"the Tribunal has no ability to make a recommendation in relation to the land, the fact that Ngaati Wairere have made or may make a claim would not prevent Council from proceeding to sell the land. An attempt to stop this pending the Treaty claim (e.g. by way of an injunction application to preserve the position) would be unlikely to succeed."*

#### **Reserves Act 1977**

161. The Sonning Carpark land (described first and second in the schedule) is not subject to the Reserves Act and has never been a Recreation Reserve or any other form of public open space.
162. Jesmond Park (described third in the schedule) was classified as Recreation Reserve on 18 November 1993 and is subject to the Reserves Act 1997.
163. Reserves must be named or renamed by resolution of Council in accordance with the Reserves Act 1977.

#### **Climate Change Impact Statement**

164. Staff have used the climate adaptation assessment guidance and determined there are no known climate risks or adaptation opportunities associated with this option.
165. Staff have used the climate emissions assessment guidance and determined there is no change in greenhouse gas emissions associated with this option.

#### **Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga***

166. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
167. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
168. The recommendations set out in this report are consistent with that purpose.

#### **Economic**

169. Changing the name of the Sonning site will have no direct impact on economic wellbeing.

#### **Environmental**

170. Changing the name of the Sonning site will have no direct impact environmental wellbeing.

#### **Social**

171. The staff recommendation would help social wellbeing by helping create a broader sense of identity for the Hamilton East area, supporting a sense belonging and social inclusion by ensuring Maaori place names are recognised and the significance of the area is understood in a more inclusive way.

#### **Cultural Considerations**

172. The proposed name change would contribute to the cultural wellbeing of Hamilton Kirikiroroa by ensuring Te Reo Maaori is seen, heard and celebrated and that Maaori history and historical sites throughout the city are visible and celebrated.
173. The report recommends partnering with mana whenua to consider the next steps following the options study for the enhancement and redevelopment of Sonning Carpark, and the appropriate timeframes for the name change.

174. Deferring implementation of the Sonning Carpark name change is intended to ensure that the name change is meaningful, and enhances the outcome for the site by integrating it with enhancement and development options.

### **Risks - *Tuuraru***

175. The site is likely to continue to operate as a paid public off-street carpark in the short to medium term. Renaming a carpark to Opoia Paa may create a public perception that it is, or is intended to become, a reserve or some form of public space.
176. Renaming the site Opoia Paa may create an expectation that the land can only be used as open public space, and could consequently prevent consideration of other options beneficial options.
177. Placing the spotlight on the importance of the site to mana whenua, may discourage potential developers from seeking to partner with them to deliver possible affordable residential, or commercial outcomes that may benefit mana whenua.
178. There is a risk that renaming the site to Opoia Paa will create a perception that the land is a reserve – it may be difficult to continue operating the carpark.
179. The site is a strategic and valuable property. Council is yet to determine the best future use of the land. On 14 September 2023 the Economic Development Committee will consider a report which recommends, *in principle*, development to provide a mixture of land uses, delivering a combination of open space, enhanced public realm, and residential or commercial development.

### **Significance & Engagement Policy - *Kaupapa here whakahira/anganui***

#### **Significance**

180. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matters in this report have a medium level of significance.

#### **Engagement**

181. Given the medium level of significance determined, the engagement level is medium. No further engagement is required.
182. Mana whenua views and preferences are known to the Council through the application process.

### **Attachments - *Ngaa taapirihanga***

- Attachment 1 - 191 River Road - Sonning Carpark - Record of Title
- Attachment 2 - 197 River Road - Sonning Carpark - Record of Title
- Attachment 3 - Jesmond Park - Record of Title
- Attachment 4 - 191-197 River Road - Sonning Carpark - Aerial Photograph
- Attachment 5 - 191-197 River Road - Sonning Carpark - Aerial and Lots
- Attachment 6 - 191-197 River Road - Sonning Carpark - Application to Change Name
- Attachment 7 - HCC Naming of Road, Open Spaces and Council Facilities Policy
- Attachment 8 - Opoia Paa A19 - Sonning Carpark and Jesmond Park
- Attachment 9 - Veros - Sonning Carpark Property Summary Report - October 2021
- Attachment 10 - Te Huia Natural Resources - Cultural Advice Report

## Item 8

Attachment 11 - Simmons - Archaeological Assessment - 2011

Attachment 12 - Opoia Paa (S14/41) Archaeological Site Inventory A19

Attachment 13 - New Zealand Archaeological Association Site Record Form S14/41

Attachment 14 - Opoia Paa - National Library Reference

Attachment 15 - Nga Tupawae O Hotumauea Riverside Reserves Management Plan 2003

Attachment 16 - THaWK - Email 7 August 2023





**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** SA50D/392  
**Land Registration District** South Auckland  
**Date Issued** 07 July 1992

**Prior References**  
SA20D/79

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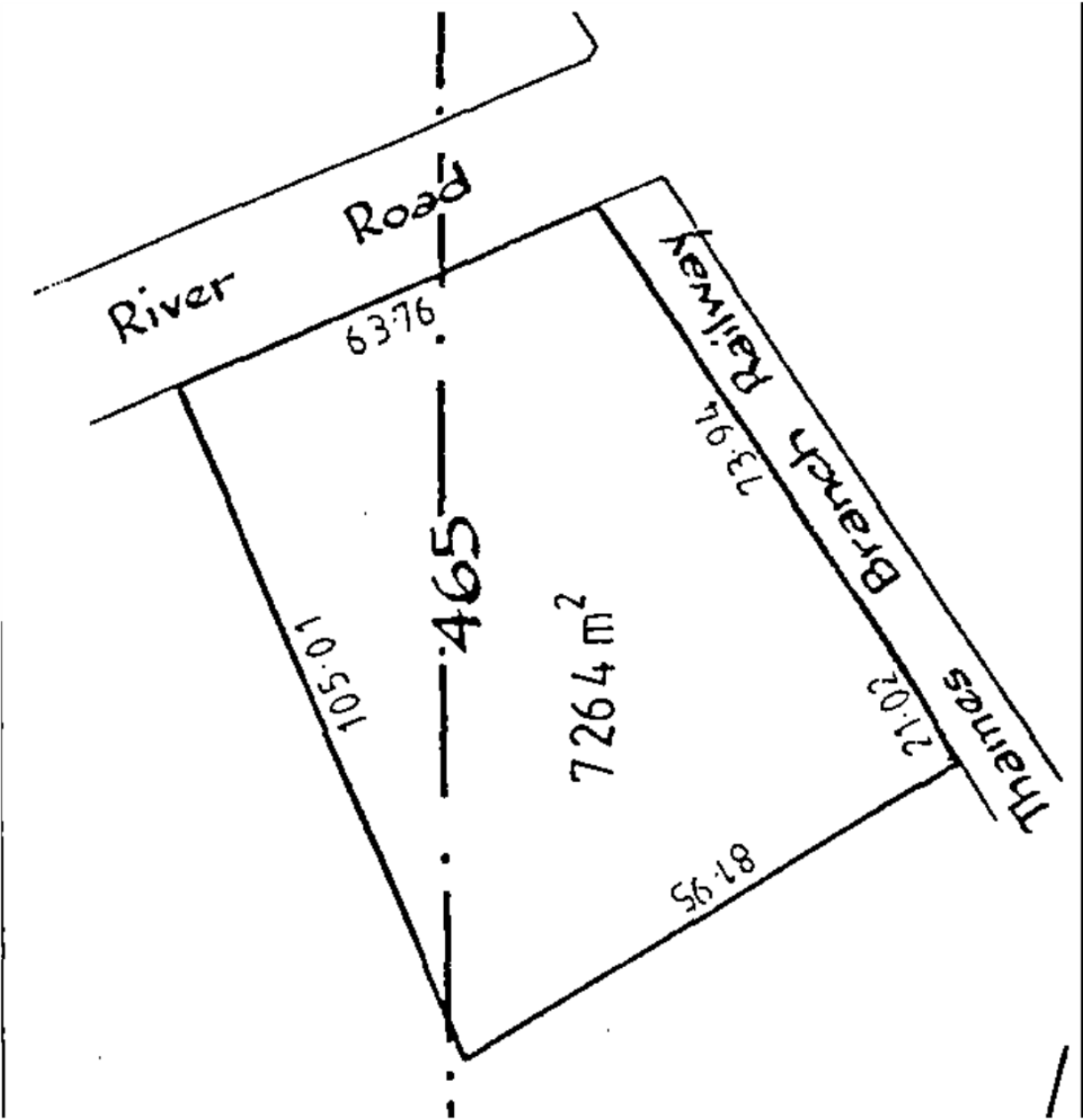
**Estate** Fee Simple  
**Area** 7264 square metres more or less  
**Legal Description** Allotment 465 Parish of Kirikiriroa  
**Registered Owners**  
Hamilton City Council

---

**Interests**  
Subject to Section 11 Crown Minerals Act 1991  
Subject to Part IV A Conservation Act 1987

Item 8

Attachment 1





**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** SA30A/477  
**Land Registration District** South Auckland  
**Date Issued** 19 July 1983

**Prior References**  
SA912/229 SA912/230

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**Estate** Fee Simple  
**Area** 2496 square metres more or less  
**Legal Description** Lot 2 Deposited Plan South Auckland  
31617

**Registered Owners**  
Hamilton City Council

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**Interests**

Item 8

Attachment 2

6.8 EUR/M 0.7



COMPUTER FREEHOLD REGISTER  
UNDER LAND TRANSFER ACT 1952

Historical Search Copy



Identifier **SA611/187**  
Land Registration District **South Auckland**  
Date Issued 30 May 1930

Prior References  
SA428/191

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Estate	Fee Simple
Area	6880 square metres more or less
Legal Description	Lot 1-7 Deposited Plan 14636
Purpose	Recreation reserve

Original Proprietors  
The Hamilton Borough Council

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Interests  
SUBJECT TO THE RESERVES ACT 1977

JESMOND PARK

Transaction Id 21541544  
Client Reference tharris001

Historical Search Copy Dated 13/05/08 12:15 pm, Page 1 of 2

Item 8

Attachment 3

Identifier

SA611/187

REGISTER

NEW ZEALAND.

(Land and Deeds—d.)  
**SOUTH**  
**S**

References: Vol. 428, Folio 191  
Transfer No. 240592  
Application No.  
Order for N/O No.

Register-book,  
Vol. 611, folio 187

**CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT.**

This Certificate, dated the thirtieth day of May one thousand nine hundred and thirty  
under the hand and seal of the District Land Registrar of the Land Registration District of AUCKLAND Witnesseth that  
THE MAYOR COUNCILLORS AND BURGOESS OF THE BOROUGH OF  
HAMILTON is seized of an estate in fee simple for the purposes of a public park  
situated in the Borough of Hamilton being Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6) and  
Seven (7) on a plan deposited in the Land Registry Office at Auckland as No. 14636 and being portion of  
Allotment 219 of the Parish of Kiriakira.


AUCKLAND DISTRICT LAND REGISTRY OFFICE  
REGISTERED

*[Signature]*  
Assistant District Land Registrar.

THIS REPRODUCTION ON A REDUCED SCALE  
CERTIFIED TO BE A TRUE COPY OF THE  
ORIGINAL REGISTER FOR THE PURPOSES OF  
SECTION 218A LAND TRANSFER ACT 1952  
*[Signature]* **DLR**

B.173733 Gazette Notice classifying the  
within land as a recreation reserve subject  
to the Reserves Act 1977 - 26.11.1993 at  
40.30 o/c  
*[Signature]*  
A.L.R.

METRIC AREA IS 0.6878 ha.  
Total Area: 1' E. 32  
Scale: 2 Chains to an inch



**NEW ZEALAND.** Office.

Vol. 347, Folio 7

Transfer No.

Application No.

Order for N/C No. C. 7376.

**SOUTHERN**

Register-book,

Vol. 428, folio 191

**CANCELLED**

*Canceled*

**CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT.**


This Certificate, dated the twenty-second day of January, one thousand nine hundred and twenty-six under the hand and seal of the District Land-Registrar of the Land Registration District of AUCKLAND Witnesseth that

ANDREW SEYMOUR BREWIS of Hamilton, doctor of medicine,

is seized of an estate in fee-simple (subject to such reservations, restrictions, incumbrances, liens, and interests as are notified by memorial under written or endorsed hereon, subject also to any existing right of the Crown to take and lay off roads under the provisions of any Act of the General Assembly of New Zealand) in the land hereinafter described, as the same is delineated by the plan hereon bordered green, be the several admeasurements a little more or less, that is to say: All that parcel of land containing together four acres eleven perches and seven tenths of a perch more or less situated in the Borough of Hamilton being Lots One, Two, Three, Four, Twenty-one, Forty-four, Forty-five, Forty-six, Forty-nine and Fifty, and part of lots Forty-seven and Forty-eight on a plan deposited in the Land Registry Office at Auckland as No. 5171 and being parts of Allotments 218 and 219 of the Parish of Kirikiriroa.

Total Area: 4.0 - 11.7

Scale 3 Chains to an Inch  
A.M. 20th



*Andrew S. Brewis*  
District Land Registrar.

Transfer No 199446 Andrew Seymour Brewis to Daisy Beatrice Marama Brown, married woman, Violet Ethel Marama Swales married woman, Annie Rice Margarita Brewis spinster, all of Hamilton, and Seymour Graham Rauwhiti Brewis of Tahuna, farmers, as tenants in common in equal shares, produced 20/3/1926 at 11/10/26

Transfer No 201815 The Registered Proprietors being George Stephen Bayes of lots plan 15951 together with right of way over the parts of lots and the claimed red surface 15951, produced 1/10/1926 at 12/30/1926

Transfer No 2211522 The Registered Proprietors to Daisy Beatrice Marama Brown, Annie Rice Margarita Brewis and Seymour Graham Rauwhiti Brewis of lots 2, 3, 4, 5 and 6 plan 18921 as tenants in common in equal shares produced 28-8-28 at 11/10/26

*H. C. F. Y.*  
*W. H. H. H.*

*Continued over*

**CANCELLED**

















April 3, 2023

Maria Barrie,  
Director  
Parks and Recreation,  
Community Group  
Hamilton City Council  
Email: [parksandopenspaces@hcc.govt.nz](mailto:parksandopenspaces@hcc.govt.nz)

Morena Maria,

**CHANGE OF NAME FOR OPEN SPACE/SONNING CAR PARK TO OPOIA PAA**

On behalf of Ngaati Wairere we would like to submit an application for the renaming of a Hamilton City Council owned open space.

We seek to change the name of Sonning Car Park to Opoia Paa.

As you are aware, Sonning Car Park is located at 191 to 197 River Road, Claudelands.

We have attached the NAME CHANGE TO OPEN SPACE application form.

However, as mana whenua, and the second largest of the 33 haapu of Waikato-Tainui, there are some aspects of the application form that seem to be not fit for purpose for a manawhenua request.

For example, we are advised in the application form we must, prior to making the application, consult Council's Amorangi Maaori to provide guidance as to the appropriate Tangata Whenua of an area.

**As manawhenua, this is not necessary as we know who we are.**

Applicants are to provide each Tangata Whenua group with at least 10 working days to identify if the area has cultural significance and provide feedback to the applicant.

**Again, as manawhenua we know the history and consider it unnecessary to provide feedback to ourselves.**

The application form is required to have evidence that Tangata Whenua have had the opportunity to provide feedback.

**Again, as manawhenua, we see little point in providing feedback on our application because of our traditional tribal authority over our lands.**

But in this instance, we have provided a letter of support from Tukoroirangi Morgan, chair of Waikato-Tainui's governing body, Te Arataura.

A further letter of support is from the chair of Guardians of Claudelands, Gordon Chesterman, MNZM, Freedom Holder of the City of Hamilton, and former Deputy Mayor. Guardians is a community advocacy group formed in October 2022 to protect and enhance the historic area of Claudelands.

The Waikato Historical Society has also written with its support of the name change.

The application form also seeks two names being proposed per open space.

**We are unable to provide a second naming option as there is no other name that would take precedence over Opoia Paa.**

In a communication from council dated March 15, 2023, from Nicky Swan explained renaming must include:

- a. The identity of Hamilton and/or local identity
- b. The historical significance of the location.
- c. The cultural significance of the area to tangata whenua
- d. People important in the history of an area.
- e. Events, people and places significant to a community or community or communities locally, nationally or internationally.
- f. Flora and fauna significant or important to the history of the area.

Ngaaiti Wairere believes it has addressed all of the points in its application.

There are two compelling arguments to changing Sonning Car Park to Opoia Paa:

1. Opoia Paa is the historical name dating back centuries.
2. Chief of Opoia Paa, Poukawa, was a signatory to the signing of the English translation of Te Tiriti o Waitangi at Port Waikato in 1840.

Paimarire

Hekeiterangi Broadhurst

Hukanui Marae

Senior kuia

George Hopa

Tauhei Marae kaumatua

Wiremu Puke

Puna korero

Ngaati Wairere



## Application Form for Road and Open Space Naming/Renaming

### General Information

#### When should this form be used?

- Naming of New Roads
- Renaming of Existing Roads
- Naming of Open Spaces
- Renaming of Existing Open Spaces

#### What is a road or open space?

- A road is as defined in section 315 of Local Government Act 1974, and includes access ways and service lanes as defined in section 315, any square and any public place intended for the use of the public.
- An open space is defined as any park or reserve administered by Council.

#### Where should I submit this form to?

- For new road names as a result of a subdivision or development, this form should accompany your application for resource consent.
- For road re-namings submit this form to the Planning Guidance.
- For naming and renaming of open spaces, submit this form to Parks and Open Spaces.

#### What other general information do I need to know?

- Two names should be proposed per road or open space.
- You must include evidence that the name(s) reflect one or more of the following:
  - The identity of Hamilton and/or local identity.
  - The historical significance of particular locations.
  - The cultural significance of the area to Tangata Whenua.
  - People who were important in the history of an area.
  - Events, people and places significant to a community or communities locally, nationally or internationally.
  - Flora and Fauna significant or important to the history of an area.
- Prior to making an application, you must consult Council's Amorangi Maaori to provide guidance as to the appropriate Tangata Whenua of an area. Applicants are to provide each Tangata Whenua group with at least 10 working days to identify if the area has cultural significance and provide feedback to the applicant. The purpose of the feedback is to provide non-binding advice to the applicant as to how culturally significant an area is to Tangata Whenua. This application form must have attached to it evidence that Tangata Whenua have had the opportunity to provide feedback.

#### Where can I get more information?

Refer to Council's Naming of Roads, Open Spaces and Council Facilities Policy

#### Speak to us:

**Roads** - Planning Guidance Unit

Phone: 078386699

Email: [planning.guidance@hcc.govt.nz](mailto:planning.guidance@hcc.govt.nz)

**Open Spaces** - Parks and Open Spaces

Phone: 078386699

Email: [parksopenspaces@hcc.govt.nz](mailto:parksopenspaces@hcc.govt.nz)

**Amorangi Maaori** – Strategy and Research

Phone: 078386779

Email: [muna.wharawhara@hcc.govt.nz](mailto:muna.wharawhara@hcc.govt.nz)

Specific Information
<b>Roads</b>
<ul style="list-style-type: none"> <li>For road naming and renaming the proposed name must meet the following criteria: <ul style="list-style-type: none"> <li>Not be duplicated in Hamilton or in the Waipa or Waikato Districts.</li> <li>Preferably be short (generally not longer than 12 characters).</li> <li>Be single words to avoid cartographic problems.</li> <li>Be easy to spell and pronounce.</li> <li>Not sound similar, or be similar in spelling, to an existing road name.</li> <li>Not include a preposition, e.g. Avenue of the Allies.</li> <li>Not be abbreviated or contain an abbreviation excepting that "St" can be used for "saint" and 'Mt' can be used for "mount".</li> <li>Not be in poor taste or likely to cause offence.</li> <li>Not lead with 'The'.</li> <li>Include a proposed road type which complies with the Naming of Roads, Open Spaces and Council Facilities Policy (a full list of road types are available in Schedule 1 of the Policy).</li> </ul> </li> <li>Council's Planning Guidance Manager will consider and determine road renaming applications originated due to the following: <ul style="list-style-type: none"> <li>To avoid confusion, duplication or ambiguity caused by the existing road name.</li> <li>To avoid confusion and duplication of addresses associated with road name.</li> <li>Following a change in layout.</li> <li>To address a spelling correction.</li> <li>To address geographical corrections.</li> <li>Where Council is requested to do so by emergency services.</li> <li>Where an infrastructure change necessitates the renaming of part of a road, e.g. an existing road is severed by a new road.</li> </ul> </li> <li>Council will consider and determine road renaming applications originated due to the following: <ul style="list-style-type: none"> <li>Where 90 percent of the property owners on the road are in agreement to the change.</li> <li>For issues of cultural sensitivity.</li> <li>Where there is a demonstrated community desire.</li> <li>By an elected member.</li> </ul> </li> </ul>
<b>Open Spaces</b>
<ul style="list-style-type: none"> <li>Applications for naming and renaming open spaces must be made to the Parks and Open Spaces Unit.</li> <li>Council's Park and Open Spaces Unit Manager will consider the application, prepare a report outlining the request and make a recommendation to Council.</li> </ul>

[illegible]



<p><b>Documentation to provide</b></p> <p><i>Please ensure you attach the following to this form upon submitting:</i></p> <p><b>For all applications</b></p> <p><input checked="" type="checkbox"/> Evidence that Tangata Whenua have had the opportunity to provide feedback.</p> <p><input checked="" type="checkbox"/> Any further documentation which supports the proposed name(s) (optional).</p> <p><b>For Roads</b></p> <p><input type="checkbox"/> A site plan which clearly delineates the new road name(s), along with existing road names in the immediate neighbourhood. Existing roads that lead into and out of the subject site must be delineated on the site plan.</p> <p><input type="checkbox"/> Where 90 percent of the property owners on the road are in agreement to a change, evidence of approval for the proposed road name (e.g. Signatures from property owners).</p> <p><input type="checkbox"/> Evidence from Waipa and Waikato District Council that the proposed name is not a duplicate of existing road names. (e.g. email from each District Council confirming this).</p>
--

### Background

This land block was owned and occupied as a paa for several centuries by Ngaati Wairere.

When the British soldiers came south along the Waikato River, after August 1864 the occupants withdrew to avoid being killed.

The land was subsequently confiscated by the Crown.

Prior to this, however, the Chief of the time, Poukawa signed the English translation of Te Tiriti of Waitangi at Port Waikato in April 28, 1840.

This makes the site an important direct link to the Treaty of Waitangi, which has not been acknowledged until recent times.

In a further significant link to the Treaty, Poukawa gifted his greenstone ear pendant to Governor Grey in 1853 as a reminder of the obligations contained within the Tiriti.

This pendant is now part of the British Museum collection in London.

A significant double-sided Heitiki was discovered at the Paa site and that is now held in the Waikato Museum's collection.

The Heitiki was included in the internationally acclaimed Te Māori Exhibition which opened in New York in 1984.

The Hamilton City Council's District Plan has an overlay which recognises the significance and heritage of the site.

In addition, Opoia Paa is recorded, registered and protected under the Heritage New Zealand Act.

The site is also recorded (s14/ 42 ) on the file records of the New Zealand Archaeological Association of New Zealand.

As well, the site is recognised in the city council District Plan, and Opoia Paa is noted in the Nga Tapuwae o hotumauea Maaori Landmarks on Riverside Reserves Paa Sites Management Plan, Parks and Gardens 2003.

The Crown confiscated the land from Ngaati Wairere after 1864 under the New Zealand Land Settlement Act 1865 as punishment for being so-called rebels or Kingites.

It is believed subsequent occupiers obtained licences to occupy, or leases.

The Whitehorn family from England in the early 1900s is believed to have obtained a licence to occupy to start a small private school in River Road.

This school was given the name Sonning, after Sonning-on-Thames, a town in Berkshire, from which the Whitehorn family came.

In 1929, the site was leased to the Waikato Board for Diocesan Schools as the Anglican Bishop at the time, Cecil Cherrington, wanted to establish an Anglican girls' school in Hamilton.

The school was subsequently moved further north on River Road and became Waikato Diocesan School for Girls where it remains today.

Around 1930, Hamilton High School (before it was split into a girls' and a boys' school in the mid 1950's) took over the site for its boarders, retaining the Sonning name.

In 1971 boarders moved to a new boarding facility, called Sonning-hill, which opened in Marama Street, Frankton, to bring the boarders much closer to Hamilton Girls' High School.

Therefore, it is somewhat unusual for the name SONNING to be recognised in two places in Hamilton that identifies with a village in England.

The site, as the Sonning Car Park, currently provides parking spaces for around 300 vehicles.

Now rezoned as CBD, the site came into council's control/ownership between 1972 and 1992 when it is understood council purchased from the Crown or another Crown entity both the licence to occupy/lease along with the freehold for \$128,139.00.

It is the view of Ngaati Wairere that the current name of SONNING has no significant historic and cultural relevance to Kiirikiroa Hamilton.

This is an opportunity for council to approve the proposed name change under its Tiriti obligations.

Tuesday, March 28, 2023 at 16:22:44 New Zealand Daylight Time

---

**Subject:** Change of place name

**Date:** Tuesday, 28 March 2023 at 4:13:31 PM New Zealand Daylight Time

**From:** Tuku and Carolyn Morgan

**To:** gordon@chesterman.co.nz

Maria Barrie  
Director  
Parks and Open Spaces  
Hamilton City Council.

Tena koe e te Rangatira Maria,

This is a formal acknowledgement of my support for Ngati Wairere's request to replace Sonning Park with the original name, Opoia Paa. The designated area for development is a Waahi tapu or a site of special significance for Ngati Wairere.

It is unacceptable to impose a name of an English village over any of our Waahi tapu.

I would like to make a personal submission when the opportunity arises

Aku tino mihi  
Tukoroirangi Morgan  
Chair, Waikato TAINUI

Sent from my iPhone

Sent from my iPhone



### Laura Kellaway: Architect & Heritage Consultant

10 Taniwha Street • Frankton • Hamilton 3204 • M: 027 4751715 • e: laurakellaway121@gmail.com

Maria Barrie  
Director, Parks and Recreation,  
Community Group,  
Hamilton City Council.

26 02 2023

Dear Maria

#### Opoia paa, Kirikiroroa

As an acknowledged heritage architect, and Hamilton/Kirikiroroa historian, I am pleased to support Ngaati Wairere in their application to return Sonning Car Park to its traditional name Opoia Paa. Kaitiakitanga and Matauranga of Ngaati Wairere and history supports its traditional name.

Supporting this return of the paa's name is the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value (ICOMOS New Zealand Charter 2010) on traditional sites and sacred places which states:

New Zealand retains a unique assemblage of places of cultural heritage value relating to its indigenous and more recent peoples. These areas, cultural landscapes and features, buildings and structures, gardens, archaeological sites, traditional sites, monuments, and sacred places are treasures of distinctive value that have accrued meanings over time. New Zealand shares a general responsibility with the rest of humanity to safeguard its cultural heritage places for present and future generations. More specifically, the people of New Zealand have particular ways of perceiving, relating to, and conserving their cultural heritage places.

Conservation of a place should be based on an understanding and appreciation of all aspects of its cultural heritage value, both tangible and intangible. All available forms of knowledge and evidence provide the means of understanding a place and its cultural heritage value and cultural heritage significance. Cultural heritage value should be understood through consultation with connected people, systematic documentary and oral research, physical investigation and recording of the place, and other relevant methods. All relevant cultural heritage values should be recognised.

Hamilton City Council as guardians of this place have guidance in the Hamilton City Heritage Plan which states:

Ka whakamiri noa au i ngā taonga tuku iho; kia tūhononono ai te pito o nehe ki te pito o nāiane

The vision is to recognise the contribution heritage makes to Hamilton's identity, sense of place and belonging. The city celebrates its past by identifying, protecting and showcasing its heritage for future generations.





### Laura Kellaway: Architect & Heritage Consultant

10 Taniwha Street • Frankton • Hamilton 3204 • M:027 4751715 e: laurakellaway121@gmail.com

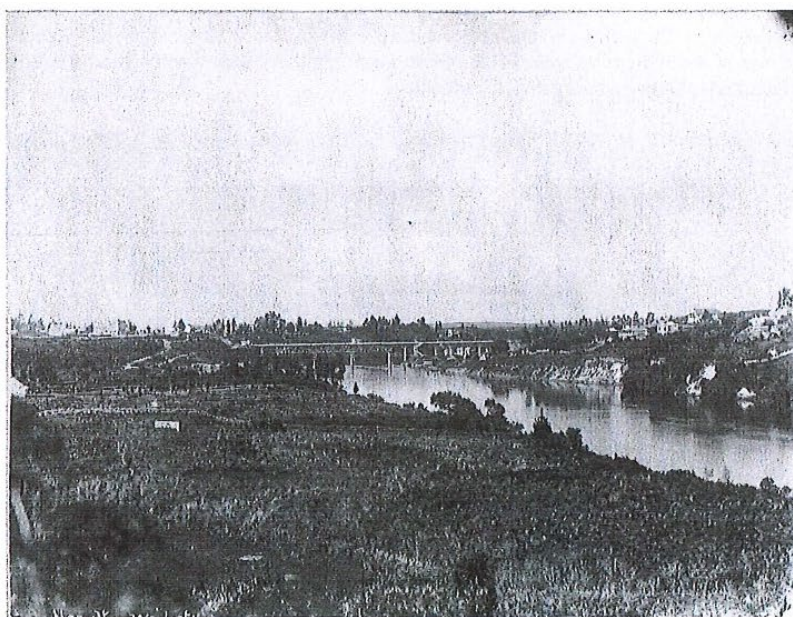
Ngaati Wairere under Kaitiakitanga and Matauranga seek reinstatement of the paa's name. This is supported and an important re-acknowledgement of the place and its traditional name.

Ngaa mihi

Laura Kellaway  
Architect and Heritage Consultant

*Registered Architect 2476  
Member of ICOMOS New Zealand*

*M. Architecture (Auckland)  
Fellow New Zealand Institute of Architects*



Kirikiriroa circa 1880s

Union Bridge Hamilton and view East, Looking south from Opoia Pa, Hamilton East, the Union Bridge, and the west ferry bank . Accession number HCL\_09274 <https://heritage.hamiltonlibraries.co.nz/objects/5841/union-bridge-hamilton>



Laura Kellaway: Architect & Heritage Consultant

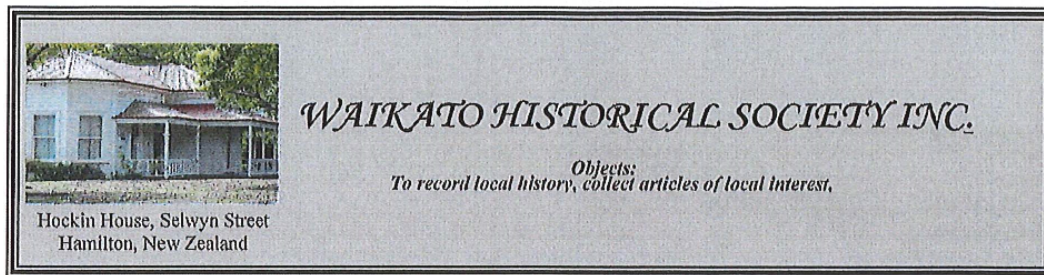
10 Taniwha Street • Frankton • Hamilton 3204 • M:027 4751715 e: laurakellaway121@gmail.com



**Sonning Car park in the 1970s**

This car park on the east side of the river near the Claudelands Road traffic bridge was named after a private school which used to be on the site. The school was run by a lady from the village Sonning-on-Thames in Berkshire, England. The building in the background is the State Advances Corporation (S.A.C.) building while the crane is being used in the construction of the Government Life building on Ward Street. Part of the Ngati Wairere Opoia Pa is said to be buried beneath this car park.

Accession number HCL\_M00277.3 <https://heritage.hamiltonlibraries.co.nz/objects/1568/sonning-car-park-on-river-road>



24 March 2023

Marie Barrie  
Director  
Parks and Reserves  
Community Group  
Hamilton City Council

Good Morning Maria,

#### **NAME CHANGE SONNING CAR PARK**

The Waikato Historical Society supports the application per se of Ngaati Wairere to change the name of the Sonning Car Park on River Road, Claudelands to Opoia Paa.

We believe the name of Opoia Paa reflects the recognised history of the site and the ownership by Ngaati Wairere before the 1864 confiscation.

As the application from Ngaati Wairere indicates, Opoia Paa has a direct link to the Treaty of Waitangi with Chief Poukawa signing the English version of the Treaty at Port Waikato in 1840.

Yours faithfully

Neil Curgenven  
President  
Waikato Historical Society  
ncurgenven@gmail.com  
0272441348

*PS Ull Lees*  
*Vice President*



March 23, 2023.

GUARDIANS OF CLAUDELANDS  
PO BOX 932,  
HAMILTON 3240.

Maria Barrie,  
Director,  
Parks and Recreation,  
Community Group,  
Hamilton City.

Good morning Maria,

The Guardians of Claudelands supports Ngaati Wairere's application to change the name of Sonning Car Park to Opoia Paa.

We have read the application and agreed fully with the content.

You will be aware that Guardians was established from a public meeting in October, 2022 to oppose the intensification project on Sonning with 262 apartments and no car parks.

The Guardians have an additional role in protecting and enhancing the historic area of Claudelands.

This is a unique opportunity to name the site Opoia Paa and to recognised the direct links, through Chief Poukawa, to the signing of the Treaty of Waitangi.

Please contact me if you have any questions.

Kind regards

Gordon Chesterman  
243 River Road,  
Claudelands 3140.

Telephone 021 922927  
gordon@chesterman.co.nz



First adopted:	24 May 2012
Revision dates/version:	Version 4 (14 June 2022)
Next review date:	June 2025
Engagement required:	Non-SCP
Document number:	D-4255030
Associated documents:	He Pou Manawa Ora: Pillars of Wellbeing strategy
Sponsor/Group:	General Manager, Growth

## Naming of Roads, Open Spaces and Council Facilities Policy

### Purpose and scope

1. The purpose of this policy is to provide a process for naming roads, open spaces and council facilities in Hamilton City.
2. This policy applies to the naming (and renaming) of roads (including private roads and private ways), open spaces and council facilities.

### Definitions

Definition	Detail
Applicant	An individual or entity which is making an application. This may include council, a consent holder or the party developing the infrastructure including but not limited to a developer.
Area	One-kilometre radius from the centre of a road, open space or council facility.
Council	Hamilton City Council.
Council facility	A council owned facility that is provided for public amenities including artistic, social or cultural facilities. Such facilities may include but are not limited to community halls, civic spaces and centres as well as major sport, recreation and entertainment facilities.
Culturally significant	Ancestral land, water, waahi tapu, valued flora and fauna, and other taonga significant to Mana Whenua.
Mana Whenua	The indigenous people (Māori) who have historic and territorial rights over the land (including but not limited to Te Haa o te whenua o Kirikiriroa and Waikato-Tainui)
Name	The word used to identify a road, open space or council facility. Name excludes the road type (see definition: road types).
Open space	Includes all parks and reserves administered by council.
Park	Land owned by council with a primary recreation function, not held under the Reserves Act 1977.
Private roads and private ways	Roads and accessways as defined under section 315(1) of the Local Government Act 1974 and includes right-of-ways, common access lots, retirement village roads. Also included is common property within a Unit Development as defined under section 5 of the Unit Titles Act 2010.
Register of naming recommendations	A list, catalogue, inventory or similar provided by Mana Whenua to an applicant setting out names in te reo Māori that are appropriate for an area. The purpose is to provide a selection of culturally and historically appropriate names for roads, open spaces or developments which may not yet have been approved for development.
Reserve	As defined under s 2 of the Reserves Act 1977.
Road	Road as defined in section 315 of the Local Government Act 1974 and includes access ways and service lanes as defined in section 315, any square and any public place intended for the use of the public generally.
Road types	Road types in accordance with The Australian/New Zealand Standard on Rural and urban addressing AS/NZS 4819:2011 (outlined in Schedule 1 below).

## Principles

3. Council ensures:
  - that the city's history, local identity and local culture is recognised and maintained; and
  - that decisions contribute to the outcomes of *He Pou Manawa Ora*.
4. Council shall provide a consistent approach to determining appropriate names for roads, open spaces and council facilities.

## General Procedure

*[Explanatory Note: all applications to name or rename a road or open space must follow this general procedure as well as specific steps set out in the applicable sections of this policy].*

5. To name or rename a road or open space, an applicant must make an application to the council by completing the application form for Road and Open Space Naming/Renaming.
6. An application to name or rename a road or open space must explain and provide evidence that the proposed name(s) reflect one or more of the following:
  - a. The identity of Hamilton and/or local identity.
  - b. The historical significance of the location.
  - c. The cultural significance of the area to Mana Whenua.
  - d. People important in the history of an area.
  - e. Events, people and places significant to a community or communities locally, nationally or internationally.
  - f. Flora and Fauna significant or important to the history of an area.
7. An application to name or rename a public road or open space must also include an assessment of how the proposed names meet outcomes under the four pou (pillars) in *He Pou Manawa Ora: Pillars of Wellbeing* strategy. The relevant outcomes are summarised in the table below:

Pou	Pillar	Outcomes
He pou manawa koorero	History:	<ul style="list-style-type: none"> <li>• Maaori art, literature, and culture is actively supported as a key part of the city's cultural scene and a source of pride for all Hamiltonians.</li> <li>• Te Reo Maaori is seen, heard and celebrated in everyday Council practice and throughout the city.</li> <li>• Maaori history and historical sites throughout the city are visible, protected and celebrated through storytelling as integral to the identity of the city.</li> </ul>
He pou toorangapuu maaori	Unity:	<ul style="list-style-type: none"> <li>• Increased understanding and application of Maatauranga Maaori (Maaori knowledge) to inform infrastructure, community and organisational development with support from iwi, mana whenua and maataawaka.</li> <li>• Maaori in the community are better supported to understand and be represented in Council decision-making processes in a way that is appropriate for them.</li> </ul>
He pou manawa taurikura	Prosperity:	<ul style="list-style-type: none"> <li>• Increased understanding of what wellbeing means to Maaori in Kirikiriroa/Hamilton.</li> <li>• Increased collaboration with existing community groups, iwi, maataa waaka and social service entities working to enable improved wellbeing outcomes and reduce inequity.</li> </ul>
He pou manawa taiao	Restoration:	<ul style="list-style-type: none"> <li>• Council practices, regulation and policy design support an increase in behaviour in the community that addresses climate change. 5 Increased application of Maatauranga Maaori (Maaori knowledge) with support from iwi, mana whenua and maataawaka, to develop environmental enhancement solutions and mitigations to infrastructure growth challenges.</li> <li>• Increased co-management arrangements with iwi and mana whenua to deliver best environmental practices and results.</li> </ul>

8. Where there is a theme or grouping of names in an area, names submitted should have an appropriate association with other names in the area.

## Criteria for all road names

9. All road names shall meet the technical requirements set out in Schedule 1.

## Naming or Renaming Public or Private Roads

### Mana Whenua consultation is required for naming or renaming public roads

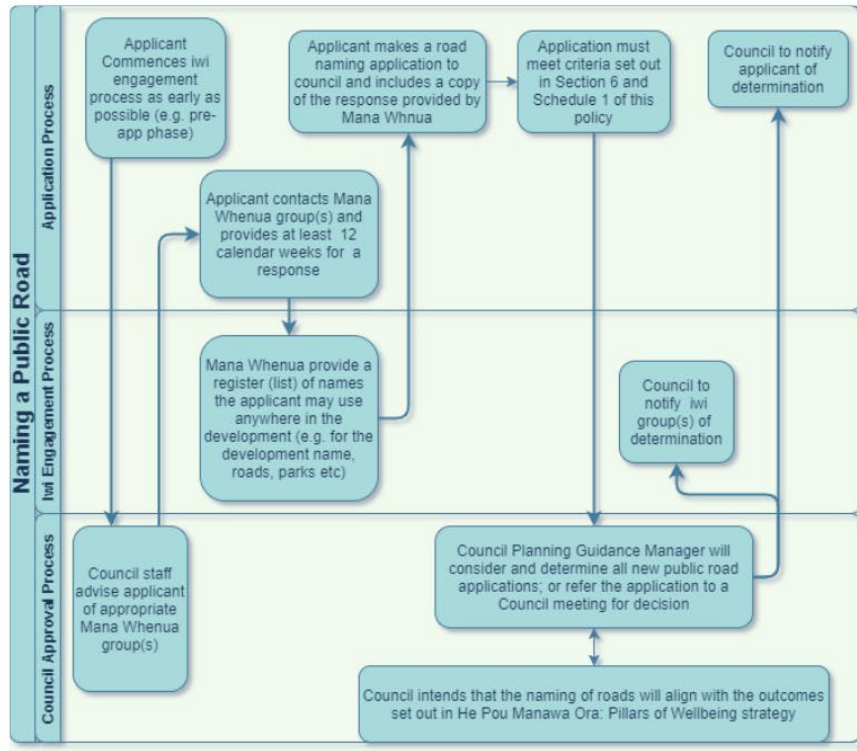
10. Prior to making an application to name or rename a public road, applicants must consult council staff, who will provide guidance as to the appropriate Mana Whenua group(s) in relation to the relevant area.
11. Applicants must provide an opportunity for each identified Mana Whenua group to:
  - identify if the area has cultural significance, and
  - provide a 'register of naming recommendations' suitable for the geographical area, or specified parts of the geographical area; and
  - offer any related feedback to the applicant.
12. Applicants must provide each identified Mana Whenua group with at least 12 calendar weeks to provide a response to the opportunity set out in section 11. Applicants are encouraged to contact Mana Whenua early in the process.
13. Applicants may provide council with up to three options for the naming or renaming of a public road. Applicants must demonstrate how the suite of options for the naming or renaming of a road or overall group of roads reflects the outcomes of engagement with mana whenua. A copy of the response provided to the applicant by Mana Whenua must be included in the application.
14. The naming and renaming of public roads will reflect council's commitment to the outcomes of *He Pou Manawa Ora: Pillars of Wellbeing* strategy.
15. The determination will be communicated to the applicant and appropriate Mana Whenua of the area by council.

### Naming a new road (public or private)

16. Council's Planning Guidance Manager will consider and determine all new road name applications, in accordance with the principles of this policy. For public roads this will include ensuring compliance with the requirements for iwi consultation.
17. At the Planning Guidance Manager's discretion, applications may be referred to a council meeting for decision.
18. Council's Planning Guidance Unit will maintain an archive of the new road names and the reasons for selection of such names.

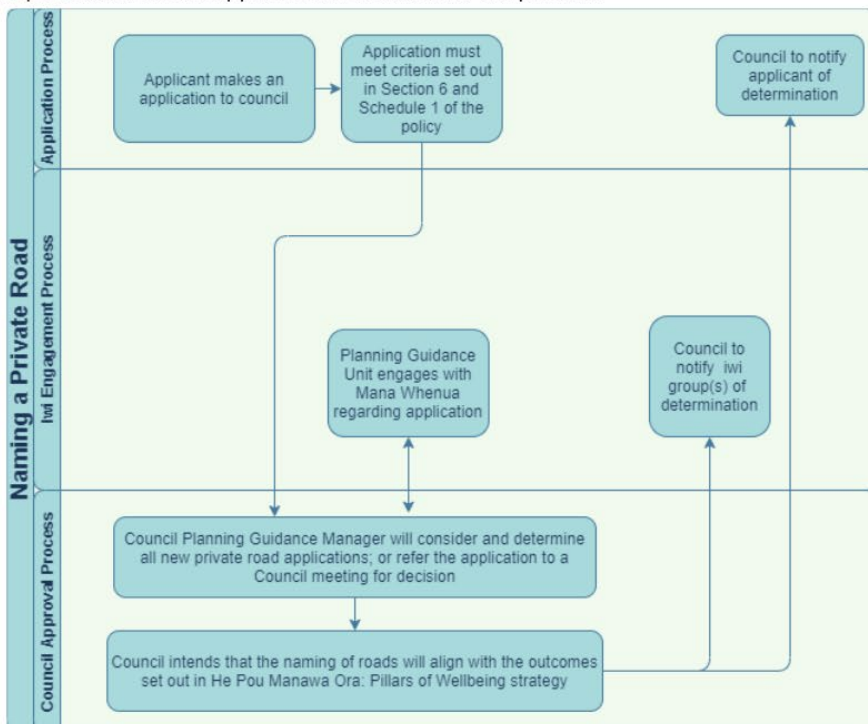
### Process for naming a new public road

19. The diagram below visually depicts the process for naming a public road as set out in this policy and is provided to assist applicants to understand the process.



**Process for naming a new private road**

20. The diagram below visually depicts the process for naming a private road as set out in this policy and is provided to assist applicants to understand the process.





## Renaming a public or private road

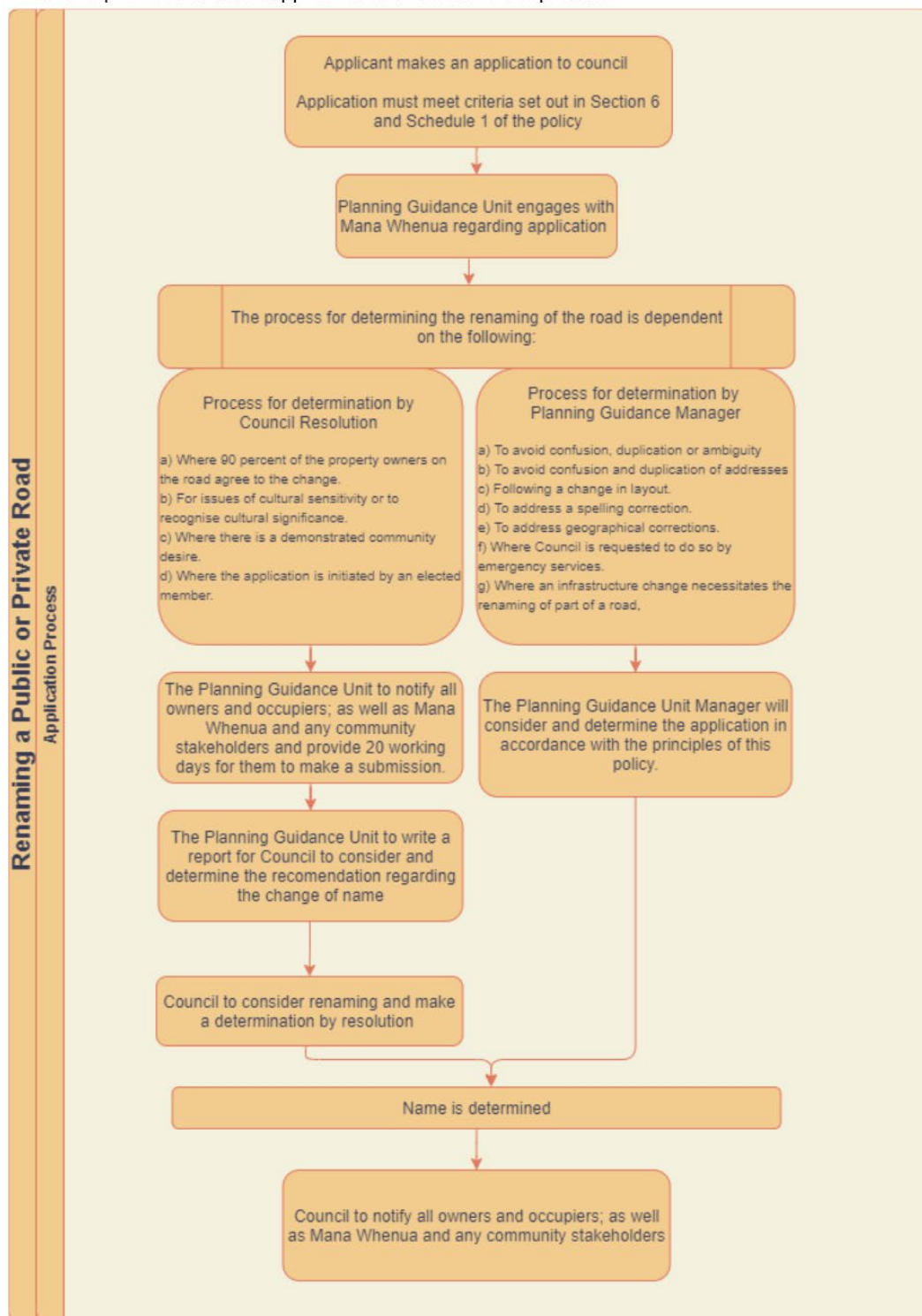
21. The approval process for renaming a road is set out in the table below.

Approval by: Council Resolution	Approval by: Planning Guidance Manager
Rationale	Rationale
a) Where 90 percent of the property owners on the road agree to the change. b) For issues of cultural sensitivity or to recognise cultural significance. c) Where there is a demonstrated community desire. d) Where the application is initiated by an elected member.	e) To avoid confusion, duplication or ambiguity caused by the existing road name. f) To avoid confusion and duplication of addresses associated with road name. g) Following a change in layout. h) To address a spelling correction. i) To address geographical corrections. j) Where Council is requested to do so by emergency services. k) Where an infrastructure change necessitates the renaming of part of a road, e.g. an existing road is severed by a new road.
Process	Process
<ul style="list-style-type: none"> <li>The Planning Guidance Unit will notify all owners and occupiers in the road of the proposed change, as well as Mana Whenua and any community stakeholders who may have an interest in the name change.</li> <li>Submissions on the proposed name change may be made to the Planning Guidance Unit within twenty (20) working days.</li> <li>The Planning Guidance Unit will prepare a report for the Council meeting that outlines:               <ol style="list-style-type: none"> <li>the request</li> <li>the reason for the change</li> <li>confirmation of Mana Whenua consultation if required</li> <li>the response from Mana Whenua, affected owners/occupiers on the road, and other submitters; and</li> <li>a recommendation to Council.</li> </ol> </li> <li>Council will consider and determine the recommendation regarding the change of name.</li> <li>The Planning Guidance Unit will notify the applicant, all owners and occupiers in the road, Mana Whenua and all other submitters of the decision and if applicable, the new name.</li> </ul>	<ul style="list-style-type: none"> <li>The Planning Guidance Unit Manager will consider and determine the application in accordance with the principles and requirements in this policy.</li> <li>The Planning Guidance Unit will notify Mana Whenua and all owners and occupiers on the road of the decision and, if applicable, the new name.</li> </ul>

22. The costs associated with a name change (such as changing street signs) must be met in full by the applicant(s) except where the name change is initiated by Council resolution. These costs do not include the costs to businesses or residents on an affected street to e.g. change business signs or business cards.

### Process for renaming public or private roads

23. The diagram below visually depicts the process for renaming a public road as set out in this policy and is provided to assist applicants to understand the process.



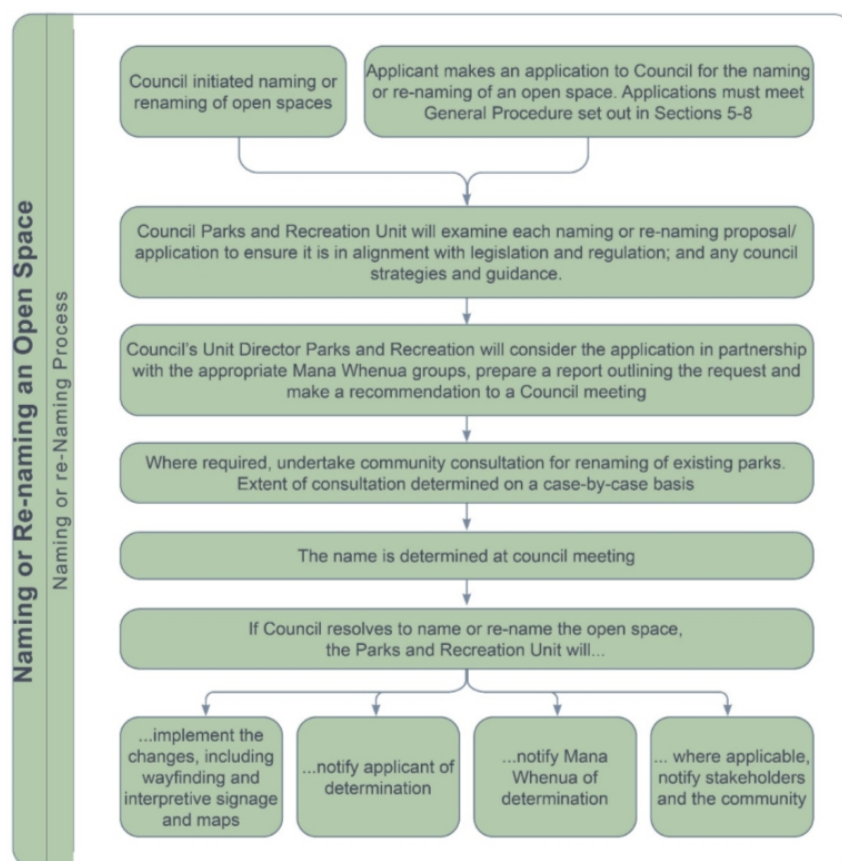
## Open spaces

24. The naming or renaming of any open space must align with the principles of this policy, follow the general procedure identified in sections 5-8; and meet the following requirements:

- Any naming or renaming of open spaces must consider the obligations set out in Part 6 of the Local Government Act 2002.
- Reserves must be named or renamed by Council resolution and in accordance with the Reserves Act 1977.
- Any naming or renaming of open spaces must be in alignment with the objectives of *He Pou Manawa Ora: Pillars of Wellbeing* strategy.
- If naming a new open space, Council's Unit Director Parks and Recreation will consider the application in partnership with the appropriate Mana Whenua groups, prepare a report outlining the request and make a recommendation to a Council meeting.
- If renaming an existing open space, Council's Unit Director Parks and Recreation will consider the application in partnership with the appropriate Mana Whenua groups, undertake wider consultation where required, undertake additional heritage reviews and will implement the changes, including the installation of interpretive signage.
- Council may, at its discretion, implement a bi-lingual name for any Open Space

### Process for naming or renaming open spaces

25. The diagram below visually depicts the process for renaming an open space as set out in this policy and is provided to assist applicants to understand the process.





## Council facilities

26. Where a new council facility is to be named or an existing council facility renamed:

- The Council Unit responsible for the council facility will propose names for the council facility to the Chief Executive that are in accordance with the principles of this policy.
- The Chief Executive will consider the proposed names and prepare a report for a Council meeting outlining the request; and making a recommendation.
- Council may, at its discretion, implement a bi-lingual name for any council facility.
- The Council will consider the report and determine the facility name by Council Resolution.

## Naming rights and sponsorship

27. Council can grant naming rights for an open space or council facility or parts of an open space or council facility.

28. All requests to grant naming rights or sponsorship opportunities, whether permanent or for a fixed period, will be determined by Council resolution.

## Monitoring and implementation

29. The implementation of this policy will be monitored by the General Manager City Growth.

30. The policy will be reviewed every three years or at the request of council or in response to changed legislative and statutory requirements or in response to any issues that may arise.

## References

- This Policy complies with The Australian/New Zealand Standard on Rural and Urban Addressing AS/NZS 4819:2011.
- Sections 319(1)(j), 319A and 319B of the Local Government Act 1974 apply to the Naming of Roads.
- Council may name or alter the name of any road under Section 319 Local Government Act 1974.
- Section 5 of the Unit Titles Act 2010 applies only to provide a meaning of common property.
- Where a reserve is vested in Council, the Minister of Conservation or Council may specify or change the name of a reserve by notice in the Gazette (Section 16(10) Reserves Act 1977).
- This policy aligns with *He Pou Manawa Ora: Pillars of Wellbeing* strategy.

## Schedule 1 – AS/NZS 4819 – Types of roads

The National Standards for road naming (AS/NZS 4819:2011), must be adhered to when developing proposed road names for consideration. These include the following requirements:

- Not be duplicated in Hamilton or in the Waipa or Waikato Districts.
- Preferably be short (generally not longer than 12 characters). An exception to this is the use of Te Reo Maaori names, where longer names may be suitable, balanced with the physical limitations for signs such as strength of bracket attachments, wind loading and risk of being hit by vehicles).
- Be single words to avoid cartographic problems.
- Be easy to spell and pronounce.
- Not sound similar, or be similar in spelling, to an existing road name.
- Not include a preposition, e.g. Avenue of the Allies.
- Not be abbreviated or contain an abbreviation excepting that “St” can be used for “saint” and ‘Mt’ can be used for “mount”. ‘Maunga’ must not be abbreviated or combined with ‘Mt’ e.g. Maungawhau’ not ‘Mt Maungawhau’.
- Not be in poor taste or likely to cause offense.
- Not lead with ‘The’. An exception to this is the use of ‘Te’ in Te Reo Maaori names.
- Road types must comply with AS/NZS 4819 – Types of roads below:

Road type	Abbreviation	Description	Open ended	Cul-de-sac	Pedestrian only
<b>Alley</b>	Aly	Usually narrow roadway in a city or towns.	✓	✓	
<b>Ara<sup>1</sup></b>	Ara	Road –option to be used as a prefix for Te Reo Maaori or Moriori road names <sup>2</sup>	✓	✓	✓
<b>Arcade</b>	Arc	Covered walkway with shops along the sides			✓
<b>Avenue</b>	Ave	Broad roadway, usually planted on each side with trees.	✓		
<b>Boulevard</b>	Blvd	Wide roadway, well paved, usually ornamented with trees and grass plots.	✓		
<b>Circle</b>	Cir	Roadway that generally forms a circle; or a short enclosed roadway bounded by a circle.	✓	✓	
<b>Close</b>	Cl	Short enclosed roadway.		✓	
<b>Court</b>	Crt	Short enclosed roadway, usually surrounded by buildings.		✓	
<b>Crescent</b>	Cres	Crescent shaped roadway, especially where both ends join the same thoroughfare.	✓		
<b>Drive</b>	Dr	Wide main roadway without many cross-streets.	✓		
<b>Esplanade</b>	Esp	Level roadway along the seaside, lake, or a river.	✓		
<b>Glade</b>	Gld	Roadway usually in a valley of trees.	✓	✓	

Road type	Abbreviation	Description	Open ended	Cul-de-sac	Pedestrian only
<b>Green</b>	Grn	Roadway often leading to a grassed public recreation area.		✓	
<b>Grove</b>	Grv	Roadway that features a group of trees standing together.		✓	
<b>Highway</b>	Hwy	Main thoroughfare between major destinations.	✓		
<b>Lane</b>	Lane	Narrow roadway between walls, buildings or a narrow country roadway.	✓	✓	✓
<b>Loop</b>	Loop	Roadway that diverges from and rejoins the main thoroughfare.	✓		
<b>Mall</b>	Mall	Wide walkway, usually with shops along the sides			✓
<b>Mews</b>	Mews	Roadway in a group of houses.		✓	
<b>Parade</b>	Pde	Public roadway or promenade that has good pedestrian facilities along the side.	✓		
<b>Place</b>	Pl	Short, sometimes narrow, enclosed roadway.		✓	
<b>Promenade</b>	Prom	Wide flat walkway, usually along the water's edge.			✓
<b>Quay</b>	Qy	Roadway alongside or projecting into the water.	✓	✓	
<b>Rise</b>	Rise	Roadway going to a higher place or position.	✓	✓	
<b>Road</b>	Rd	Open roadway primarily for vehicles.	✓		
<b>Square</b>	Sq	Roadway which generally forms a square shape, or an area of roadway bounded by four sides.	✓	✓	
<b>Steps</b>	Stps	Walkway consisting mainly of steps.			✓
<b>Street</b>	St	Public roadway in an urban area, especially where paved with footpaths and buildings along one or both sides.	✓		
<b>Terrace</b>	Tce	Roadway on a hilly area that is mainly flat.	✓	✓	
<b>Track</b>	Trk	Walkway in natural setting.			✓
<b>Walk</b>	Walk	Thoroughfare for pedestrians.			✓
<b>Way</b>	Way	Short enclosed roadway.		✓	✓
<b>Wharf</b>	Whrf	A roadway on a wharf or pier.	✓	✓	✓

## Footnotes:

1. If a Te Reo Maaori or Moriori road name is used it should be endorsed by local representatives with relevant cultural connections, such as Mana Whenua, local iwi or iwi organisations.
2. Ara and Te Ara are the only road types that are to be used as a prefix to the road name e.g. Ara Moana, not Ara Moana Road





Print Size: A4 Portrait

LocalMaps Print



Scale: 1:1,128

5 10 20 30 40 50 60 70 80 90 100 110 Meters

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Print Date: 14-08-2023





# Sonning Car Park

## 191 River Road, Hamilton

### Property Summary Report

**Veros**

 **Hamilton City Council**  
Te kaunihera o Kirikiriroa

## Sonning Car Property Summary Report

191 River Road, Hamilton



## STATEMENT OF LIMITATION

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## PREPARED FOR:



## PREPARED BY:



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## 1 Introduction

Hamilton City Council owns the property at 191 River Road, Hamilton commonly referred to as Sonning Car Park. The property is located on the Eastern side of the Waikato River between the Claudelands Events and Entertainment Centre and the Hamilton central business district. The site has been identified as a key through-site link due to its location between the CBD and Claudelands. The Council has indicated that this site would be sold if a reputable developer expressed interest in purchasing the site. Accordingly, Veros have been engaged to prepare a Property Summary Report outlining the key information for the site. The following tasks were undertaken:

- Review all existing property information.
- Collate findings into a report.

This report comprises a collocation of existing information for the property and is provided for information only. This report does not comprise a due diligence review of the property or provide advice on the suitability of the property for redevelopment.

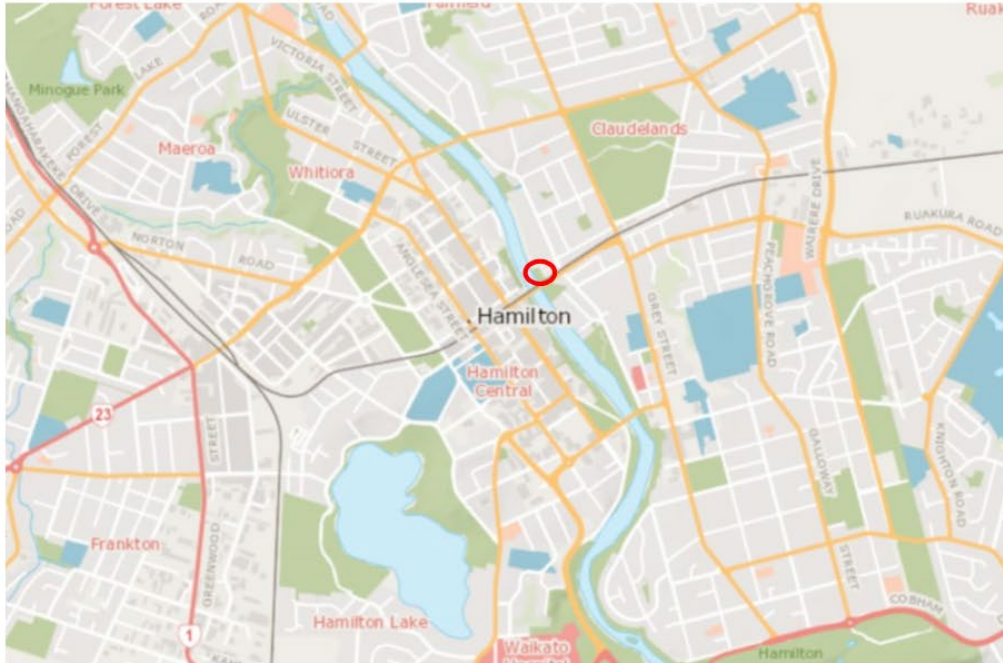
Any aspects of the property identified within this report will need to be investigated further as part of prudent due diligence.

## 2 Property Overview

### 2.1 LOCATION

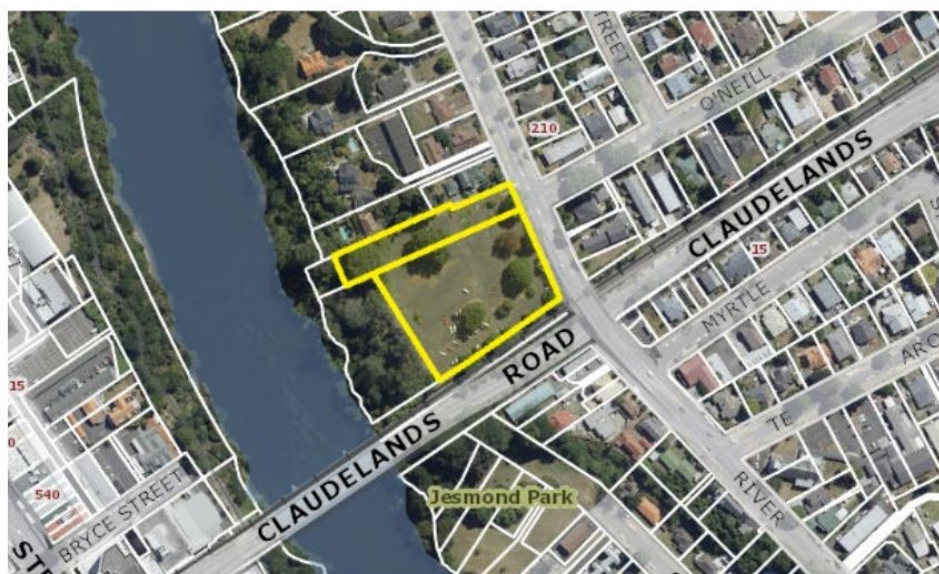
The property is located on the Eastern side of the Waikato River on the corner of River Road and Claudelands Road (Claudelands Bridge), Hamilton. The site is immediately adjacent to and elevated above the Waikato River with wide views over the river and back towards the Hamilton CBD. The property is in a central location, approximately 300m east of Hamilton's central business district, and approximately 450m west from the Claudelands Events and Entertainment Centre.





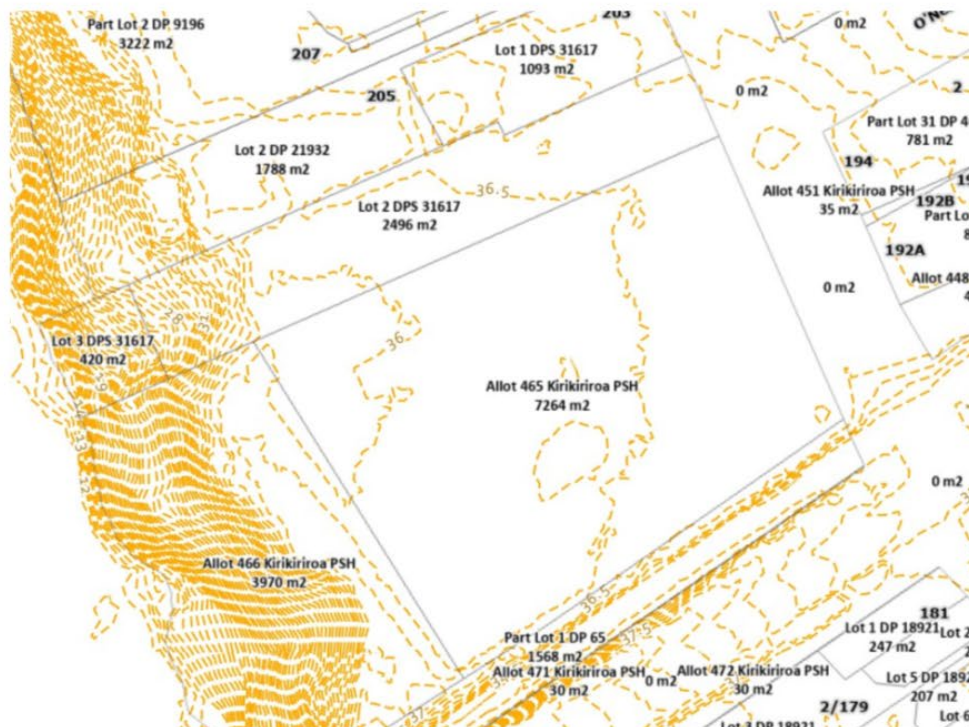
## 2.2 THE SITE

The property comprises two adjoining allotments with a combined area of 9,760m<sup>2</sup> and 82m of frontage to River Road. The East Coast Main Trunk railway sits between the site and Claudelands Road. A pedestrian overbridge links the site to the footpath on the northern side of Claudelands Road, leading into the CBD. The contour of the site is generally flat apart from an approximately 495m<sup>2</sup> area of the North-Western corner that falls approximately 10m to the boundary. The site has not been assessed as part of the Hamilton City Council's 1 in 100-year flood hazard mapping.



## Sonning Car Property Summary Report

191 River Road, Hamilton



## 2.3 LEGAL OVERVIEW

### 2.3.1 Titles

An overview of the legal details of each of the properties is shown as follows:

	191 River Road	197 River Road
<b>Identifier</b>	SA50D/392	SA30A/477
<b>Legal Description</b>	Allot 465 Parish of Kirikiriroa	Lot 2 DPS 31617
<b>Registered Owner</b>	Hamilton City Council	Hamilton City Council
<b>Estate</b>	Fee Simple	Fee Simple
<b>Area</b>	7,264m <sup>2</sup> more or less	2,496m <sup>2</sup> more or less
<b>Registered Interests</b>	Subject to Section 11 Crown Minerals Act 1991 Subject to Part IV A Conservation Act 1987	Nil.

### 2.3.2 Legislation for Disposal

Tompkins Wake have assessed the property to determine any potential buy-back rights that may impact the ability of Council to dispose of the properties on the open market. They have advised the Council has no obligations in respect of offer-back to previous owners. The Council is free to dispose of the property.



## 2.4 EXISTING IMPROVEMENTS

The site currently comprises a paid parking facility. Site improvements consist of a flat asphaltic surface carpark yard as well as other minimal curb and channel improvements. Lighting, as part of the carpark, make up the only other improvements on site.



## 2.5 EXISTING LEASE

Secure Parking operate the car park under a management agreement where Council earn an income based on performance of the parking facility. This agreement contains a termination right in favour of HCC and therefore this can be terminated to facilitate redevelopment. The current income received from Secure Parking is approximately \$240,000 plus GST, noting this fluctuates based on performance.

## 2.6 TREES

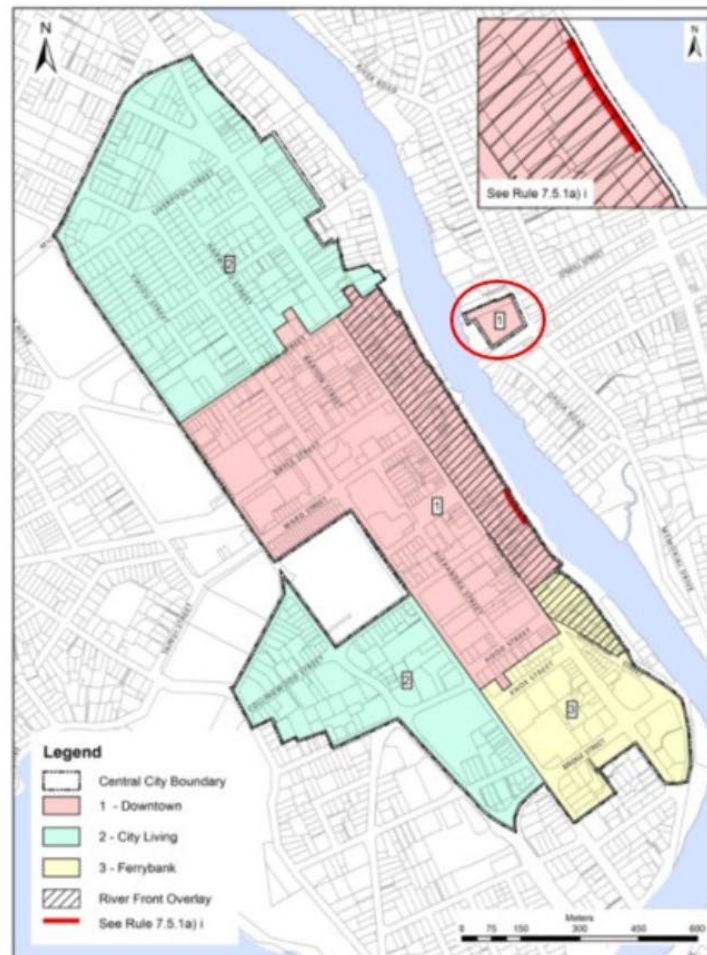
Hamilton has over 350 protected specimen trees which have significant heritage value. The trees – a mix of exotic and native species – are often more than 100 years old and are among the most striking features of the city's natural landscapes. Many of these specimens are planted in the city's more historic neighbourhoods, particularly Hamilton East and Claudelands.

There are several mature trees on the site as seen in the image below. Hamilton City Council's list of Protected Trees "Schedule 9D: Significant Trees" has been checked and this site is not named as an area having protected trees present.



## 2.7 DISTRICT PLAN ZONING

The site is zoned Central City Zone - Precinct 1 - Downtown Precinct in the Hamilton City Council Operative District Plan. Whilst situated outside of the CBD, this property is considered a strategic site given its connectivity to the CBD and the Claudelands Events and Entertainment Centre.



The Downtown Precinct zone will provide for the largest proportion of the region's commercial growth over the next 30 years. In order to achieve both commercial growth and higher residential densities within this precinct, taller building height is encouraged, providing buildings are well designed, adverse effects are mitigated, are appropriate to their setting and achieve public amenity bonuses to safeguard pedestrian amenities at ground level.

At street level, there will be a requirement for active building frontages, including retail, dining and entertainment. Above ground level, high-density commercial offices and residential use will be encouraged.

The table below provides a breakdown of the activities and their status under the District Plan relative to the site. An overview of the key terms referenced in the table is outlined below, including the activity status of each land use, how they relate to the Resource Management Act and how Council will process any required resource consent application.

- P: Permitted Activity
  - Can establish onsite without the need for planning permissions

## Sonning Car Property Summary Report

191 River Road, Hamilton



- C: Controlled Activity
  - Anticipated on site but requires planning permission.
  - Council and must approve the application.
- RD: Restricted Discretionary Activity
  - Mostly anticipated to occur on site but requires planning permission.
  - Council has restricted discretion when assessing an application to specific matters and may impose conditions of consent.
- D: Discretionary Activity
  - Requires planning permission and could establish if any actual or potential adverse effects can be appropriately mitigated.
  - Council may approve or decline or application and may impose conditions of consent.
- NC: Non-Complying
  - Requires planning permission and generally not supported within the zone.
  - Council may approve or decline or application, and may impose conditions of consent.

Activity	Status
<b>Industry</b>	
Light industry	NC
Service industry	P
Transport depot	NC
Emergency service facilities	D
<b>Offices</b>	
Offices <1000m <sup>2</sup> GFA per site	P
Offices >1,000m <sup>2</sup> GFA per site	P
Home-based business	P
Ancillary office	P
<b>Retail / Commercial</b>	
Ancillary retail	P
Retail < or equal to 250m <sup>2</sup> GFA per tenancy	P
Retail >250m <sup>2</sup> GFA (per tenancy)	P
Supermarkets	P
Tourism ventures and information centres	P
Yard-based retail < or equal to 400m <sup>2</sup>	NC
Restaurants, cafes, licensed premises	P
Places of assembly	P
Drive-through services	
i. excluding automotive fuel retailing	NC
ii. including automotive fuel retailing	NC



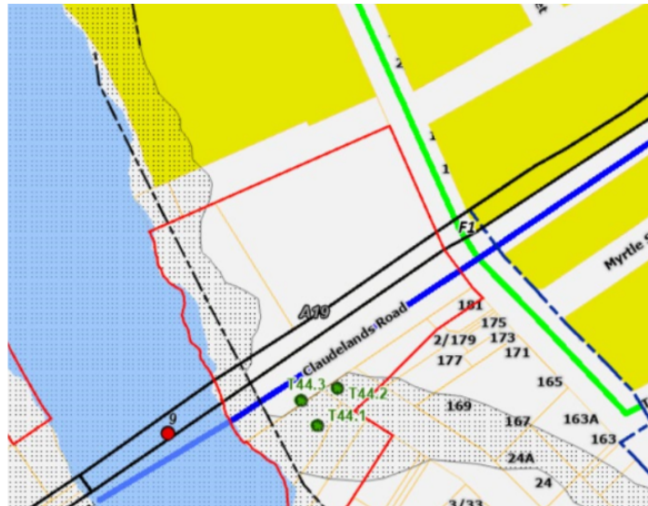
Parking buildings	RD*
Parking lots	
i. operating for twelve months or less	RD*
ii. operating for more than twelve months	NC
Passenger transport facilities	PD
<b>Community</b>	
Health care services	
i. at ground floor < or equal to 250m <sup>2</sup> GFA	P
ii. at ground floor > 250m <sup>2</sup> GFA	RD
iii. above ground floor	P
Childcare facilities	
i. at ground floor < or equal to 250m <sup>2</sup> GFA	P
ii. at ground floor > 250m <sup>2</sup> GFA	RD
iii. above ground floor	P
Community centres	
i. at ground floor < or equal to 250m <sup>2</sup> GFA	P
ii. at ground floor > 250m <sup>2</sup> GFA	RD
iii. above ground floor	P
Tertiary education and specialised training facilities	
i. at ground floor < or equal to 250m <sup>2</sup> GFA	P
ii. at ground floor > 250m <sup>2</sup> GFA	RD
iii. above ground floor	P
Public art	P
<b>Residential</b>	
Apartments at ground floor	RD*
Apartments above ground floor	P
Single dwellings	NC
Residential centres	NC
Visitor accommodation	P
Ancillary residential units above ground floor	P

#### Rules - General Standard

- Maximum Height = 20m
- Maximum site coverage = 100%
- Building Setbacks. A building setback of 6m applies to the Waikato Riverbank and Gully Hazard Area, otherwise boundary setbacks are 0m. Note the Waikato Riverbank and Gully Hazard Area the is shown in the figure below in the 2.9 Archaeological section as the black shaded area. This does not consider building setbacks required as part of geotechnical restrictions.
- Minimum permeable surface area = Nil
- Any new wholesale redevelopment in excess of 5,000m<sup>2</sup> at ground level shall provide a ground level through-site link. A through-site link generally described as a public pedestrian walkway traversing the site of a minimum width of 2.8m.

## 2.8 ARCHAEOLOGICAL

Part of the site (7,264m<sup>2</sup> of Allot 465 Parish of Kirikiriroa) is classified as a Significant Archaeological Site – Group 1. See below image with Red Border outlining the Significant Archaeological Site Group 1 boundary. Note the Red area shown also includes neighbouring properties.



An Archaeological Risk Assessment was completed by WSP in November 2020, see Appendix 1. The Archaeological Risk Assessment concluded that any modification of open ground or below the carpark has risk of modifying archaeology. It will be a legal requirement to have an active Archaeological Authority in place from Heritage New Zealand Pouhere Taonga prior to commencing any ground disturbance. It is recommended that any future development should avoid the more intact high archaeology risk areas identified during the site visit, refer image (Figure 3) below. Heritage New Zealand Pouhere Taonga and the relevant tangata whenua should also be contacted in advance to discuss the impact of any development proposals.

The following recommendations are made in this report:

- An Archaeological Authority should be sought for any proposed ground disturbance in the car park because of the potential for encountering buried archaeological remains.
- Development proposals should take into account avoiding the more intact high-risk areas identified in the site visit where there is a high expectation of encountering intact archaeological remains.
- Heritage New Zealand Pouhere Taonga and the relevant tangata whenua groups should be contacted in advance to discuss any development proposals.

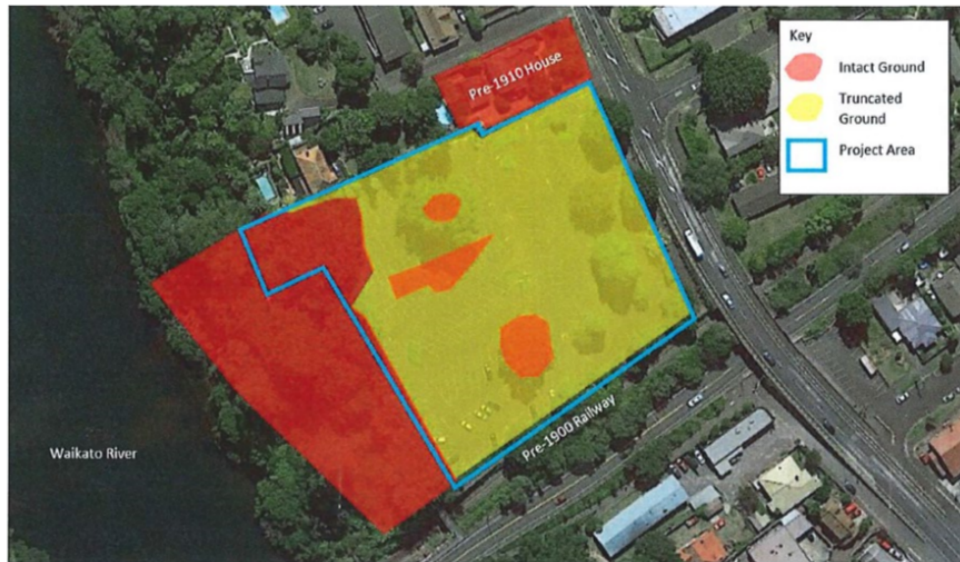


Figure 3. Results of site visit 23/11/2020, showing areas of high archaeology risk (red), where intact archaeological remains are highly likely and moderate archaeological risk (yellow), where the archaeology is likely to have been disturbed.

The archaeology report indicates that redevelopment will need to closely consider the heritage and cultural aspects of the property. Council have made no further investigations or undertaken any consultation with Iwi. Any party looking to undertake substantial redevelopment of the site will need to consider these heritage and cultural aspects as part of their full due diligence of the property and its suitability for redevelopment.

## 2.9 GEOTECHNICAL

A Preliminary Geotechnical Assessment Report was completed by WSP in December 2020, see Appendix 2. The WSP report concluded that further engineering assessment and design will be required to reduce or mitigate the identified risks for the development of the site. Foundation options for the development may include the following:

- Shallow foundations will be suitable for buildings located at least 25m east of the crest of the riverbank slope.;
- The adoption of geo grid reinforced gravel rafts, strengthened floor slabs or 'waffle' slabs to reduce the risk of damage due to differential settlements.;
- Benching of the riverbank slope incorporating a retaining wall to support the development footprint to the east;
- The use of a piled shear wall (or similar) within the slope;
- Piled foundation options for buildings located less than 25m from the slope crest could include the use of ground anchors or soil nails for the stabilisation of the slope in combination with piled foundations for the buildings;
- For larger multi storey buildings, piled foundations may be required extending through the very soft to soft cohesive soils into the underlying dense and weakly cemented cohesionless soils at depth.



The report also concluded that due to the variability of the subsoils across the whole of the site, further geotechnical investigations are recommended in advance of the detailed design of foundations.

## 2.10 POWER

Overhead power lines are located within the road reserve (River Road) adjacent to site. The overhead lines run parallel with River Road, and the site boundary from the North, for approximately 25.5m before they cross eastwards over River Road away from the site. No investigations have been made into the power available within the property itself.

Any future development on site will have its own specific power requirements that will be determined by an electrical engineer through detailed design. For a comprehensive development, it is likely that a transformer upgrade will be required.

## 2.11 THREE WATERS

We provide as follows, an overview of the three waters as outlined in Hamilton City Council's 3 Waters Viewer. We note that we have not investigated capacity of existing infrastructure and suitability of a new development.



### Stormwater

A stormwater main is located on the property as shown above with the green dotted line with arrows showing direction of flow towards the river. Three stormwater catchpits, and catchpit leads are also present within the property leading to an outlet structure into the Waikato River. A manhole is also present represented by the green circle symbol. This stormwater infrastructure appears to service the property only and does not appear to service a wider catchment. Capacity of this infrastructure is unknown however any comprehensive development of the property will need to consider treatment of stormwater albeit the existing site is almost fully impervious.

### Water

A water main exists along the River Road frontage of the property, with only one connection to the larger Allot 465 Kirikiriroa site. Redevelopment will be able to connect into this existing supply, albeit backflow devices and water meters will need to be installed.

### Wastewater

A wastewater main, indicated by the red dotted line, exists along the neighbouring property to the west, and through part of the site. A wastewater service line (red solid line) and manhole (red circle) are also located on site. This site appears to be at the top end of the main, with an abandoned line connected that runs to the south of the site. Therefore this infrastructure could be relocated to accommodate redevelopment without affecting wider catchment. This is likely to have capacity however development may need to consider low flow measures to be installed to reduce impact on existing infrastructure.

## 2.12 CONTAMINATION

The property is not listed on the Hazardous Activities & Industries List (HAIL) as advised by the Hamilton City Council's Contaminated Land Officer, see appendix 3. No other contaminated land assessment has been undertaken for the site.

## 2.13 FLOODING

Hamilton City Council has an ongoing programme to understand what would happen in areas of Hamilton if there was a very large, and rare amount of rain. The measure used is an event which would happen, on average, once in 100 years. Statistically, this means there is a 1% chance of this happening in any given year.

This is referred to as a 'one-in-100-year event' and it provides a consistent measure for Councils to use across the district. Mapping of potential flooding in a one-in-100-year event is developed with computer modelling that uses land contours, climate change information and known and predicted rainfall and water flow patterns. This information has been identified for around one third of Hamilton so far.

The Hamilton City Council's Flood Hazard Information system "Floodviewer" the site has not been assessed and no flood information is available.

## 2.14 RAILWAY LINE

The East Coast Main Trunk Railway line sits immediately adjacent the site to the South. The Railway is position approximately 2m below the level of the majority of the site.

Any future development on site will need to consider the affects of the Railway line and should include design and materials to reduce interior noise and vibration to acceptable levels.

## 3 Summary

The property presents a strong development opportunity having regard to the underlying zoning, proximity to the CBD and the Claudelands Events and Entertainment Centre. Notwithstanding, the site has characteristics that will need further investigation, primarily relating to ground conditions and site archaeology. These aspects could have significant impact on redevelopment and need to be further investigated as part of prudent due diligence.

## 4 Appendices

Please refer Appendices for the following:

- **Appendix 1** – Archaeological Risk Assessment
- **Appendix 2** – Preliminary Geotechnical Assessment Report
- **Appendix 3** – Hazardous Activities & Industries List (HAIL) Record



## Appendix 1: Archaeological Risk Assessment



27 November 2020

Wendy O'Neill  
Strategic Team Lead  
Hamilton City Council

## SONNING CAR PARK ARCHAEOLOGICAL RISK ASSESSMENT

2-WLASS.BL

Dear Wendy,

The following assessment advice is provided for the purposes of determining if there are pre-1900 archaeological risks to be addressed in regard to future development options for the Sonning Car Park in Hamilton East. All recommendations are made in accordance with statutory requirements.

Please note, the following information is provided for information purposes and does not constitute a full archaeological assessment for the purposes of applying for an archaeological authority. An Assessment of Archaeological Effects (AAE) specific to actual developments is recommended once proposed development plans are confirmed.

The information contained in this letter is based on a review of publicly available information and the results of a brief site visit and the accuracy of whether there are archaeological remains present on the property cannot be guaranteed. The buried nature of archaeological sites means that they may often only be found once excavation commences, even if documentary research suggests that a property is low risk. WSP accepts no liability if unanticipated remains are found.

An archaeological site is defined under the *Heritage New Zealand Pouhere Taonga Act 2014* as any place in New Zealand, including any building or structure (or part of a building or structure), that was associated with human activity prior to 1900 and may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand.

There are no statements on the cultural values of the project area nor are the view of tangata whenua represented in this assessment.

### Disclaimer

This report ('Report') has been prepared by WSP exclusively for Hamilton City Council ('Client') in relation to Sonning Car Park ('Purpose') and in accordance with the IFS signed 9/11/2020. The findings in this Report are based on and are subject to the assumptions specified in the Report and IFS. WSP accepts no liability whatsoever for any reliance on or use of this Report, in whole or in part, for any use or purpose other than the Purpose or any use or reliance on the Report by any third party.

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### Physical Setting

The Sonning Car Park is located on the eastern bank of the Waikato River, on north side of the Claudelands Bridge in Hamilton. The Waikato River is the major geographical feature of the landscape and, for both Māori and early Europeans, was an important source of fresh water, food, and also provided a transport route. The car park area itself is asphalted and relatively flat with steep banks dropping to the river immediately to the west. The East Coast Main Trunk Railway line runs along the southern border of the project area.

A single soil type is recorded extending across the car park, comprising of Horotiu soils (Bruce 1979). Horotiu soils were often modified by pre-European Māori for gardening purposes (Gumbley and Hutchinson 2013:4-5).

### Historic Background

The date of first Māori occupation of the Waikato Basin is not certain and while there is currently limited dating evidence for settlement within the Project area, investigations are beginning to build a picture of occupation for the Waikato region. Recent dates from archaeological investigations at Burns Block, Cambridge, indicate Māori occupied the site from the middle of the 15th century (Gumbley and Laumea 2017:70).

The Kirikiriroa area, in which the Project area is located, was first settled by Ngati Wairere around 1700, on the western side of the river although the boundaries of their rohe fluctuated over the years. The area had many pa including Kirikiriroa (located between London and Bryce Street), Te Rapa, Waitewhiriwhiri, Whatanoa, Te Tahuki and Pukete on the west side; Opoia, Miropiko, Waipahihi, Te Taraahi and Te Parapara on the east side (Gibbons 1977:26).

Fortified settlements (pā) have traditionally dominated the recorded archaeological landscape throughout the region with under-recording of often less visible archaeological sites associated with day-to-day living activities, for example garden areas, undefended settlements and food storage locations (Cable 2012). However, this situation has changed in recent decades with more recent development-led archaeological survey and investigations, including those undertaken as a part of the wider Waikato Expressway development.

Prior to the military settlement of the 1860s, early European settlement in the Waikato was generally confined to flax traders and mission stations. Reports from the early 1800s, particularly from the 1820s onwards, describe European goods entering the Waikato region in the form of muskets; crops such as potatoes, kūmara, maize, melons, pumpkins and marrows; as well as animals such as pigs. Descriptions from European travellers passing through the inland Waikato in the 1850s and 1860s mention crops such as maize, wheat, potatoes and kūmara growing (Gumbley and Higham 2000:6; Keith 2015). Māori became proficient and productive growers, selling their surplus to the Auckland market, transporting goods via canoes along the Waikato and Waipa Rivers (Stowers and Field 2014; O'Malley 2016).

During the 1850s, Māori became increasingly disenfranchised due to the ongoing disregard of the principals of the Treaty of Waitangi by the Government. Consequently, the King Movement (Kingitanga) began within the Waikato to protect Māori interests by Māori. By the late 1850s pressures regarding land were mounting, and disputes over land, law and sovereignty led to a full-scale Crown invasion of the Waikato lands in 1863 (O'Malley 2016).





In 1864 and 1865, Kirikiriroa was occupied by soldiers and the 4th Waikato Military regiment was sent to establish a settlement. Two main redoubts were established on each side of the Waikato River south of the Project area at Bridge Street. In 1867 the military structures were transferred to the Armed Constabulary and by the end of the decade, the administrative centre was on the western side of the river. The two sides of the river, Hamilton East and Hamilton West, were connected by punt and the outside world via government steamer, then by commercial companies. The divide between the developing settlements was eased with the 1879 construction of Union Bridge (Victoria Street) (Gibbons 1977).

From the 1880s growth in the Waikato district was facilitated by the opening of railway lines, including from Auckland to Wellington and the East Main Trunk to Tauranga. The latter of these, the East Main Trunk, first constructed in 1883, crosses the Waikato River and runs along the southern boundary of the car park. Previously reliant on a river steamer service these new transport routes allowed the easier transport of goods to markets in Auckland, Hamilton and Thames (Stowers and Field 2014; Keith 2015).

### Site History of the Car Park

The earliest identified survey plan covering the car park is SO 201 (1864). The plan is annotated with "[?] Pah" in the approximate location of the car park, although there is no mention of the pa site in subsequent plans. An 1884 plan (SO 2378) shows the project area in the ownership of "Kennedy Hill". By 1905 (DP 3487), the project area is shown as being owned by E. de. C. Drury. A 1965 plan of railway realignment (SO 42918) indicates the project area as containing a student's hostel owned by H.M. the Queen.

The earliest identified aerial photograph from 1943 shows the project area to be primarily open space with a number of buildings at the river end. This continues to be the case into the 1960s. An aerial photograph from 1961 shows the construction of the new railway bridge and tie in along the southern border of the Project area. It also shows the student's hostel, as well as a couple of additional buildings and what appears to be gardens (Figure 1). Aerial plans indicate little change until the site was razed and a carpark developed between 1971 and 1974.

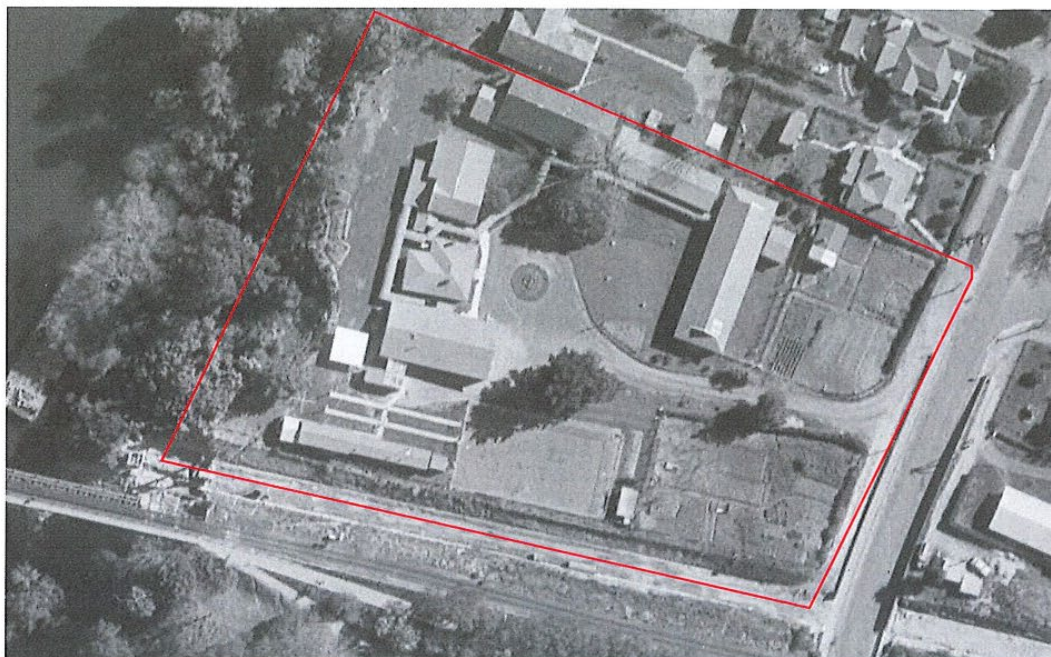


Figure 1: Aerial photograph, dated 1961, of the Project area (red box). Source: Retrolens

### Previous Archaeological Work

The car park falls within the recorded extent of archaeological site S14/41, Opoia Pā, a river terrace pā at the eastern end of and bisected by the Claudelands Bridge. The site was recorded in the 1960s and described as once being a large area of Māori cultivations, later used as a Chinese market garden and now almost completely destroyed by modern developments and the construction of Claudelands Road and the railway bridge. "Old residents can remember signs of fortifications which have since disappeared" (NZAA Site Record S14/41). The area is described as that being owned partly by the railway and partly by the Girls High School Hostel.

The pa is also scheduled as a protected heritage site in the Hamilton City Operative District Plan, although the schedule refers to a location further to the south-east of the Claudelands Bridge.

Nga Tapuwae O Hotumauea (2003) identifies that Opoia Pā was settled by Maramatutahi, the eldest son of Wairere from his third wife, Tukapua. They had a son who was named Karaka ki Opoia after a sacred Karaka tree at the pā. The pā was later home to Poukawa, who led Ngati Wairere against Ngati Raukawa in the battle of Hurimoana, near Otorohonga. In this battle, Poukawa captured and killed Te Rerenga, a Ngati Wakatere Chef, and took his famous Patu Onewa.

A 2000 archaeological and cultural assessment of the Central City Riverside area by Opus International Consultants and Cultural Interface Solutions mapped the extent of Opoia Pā on both sides of Claudelands Road (Figure 2).



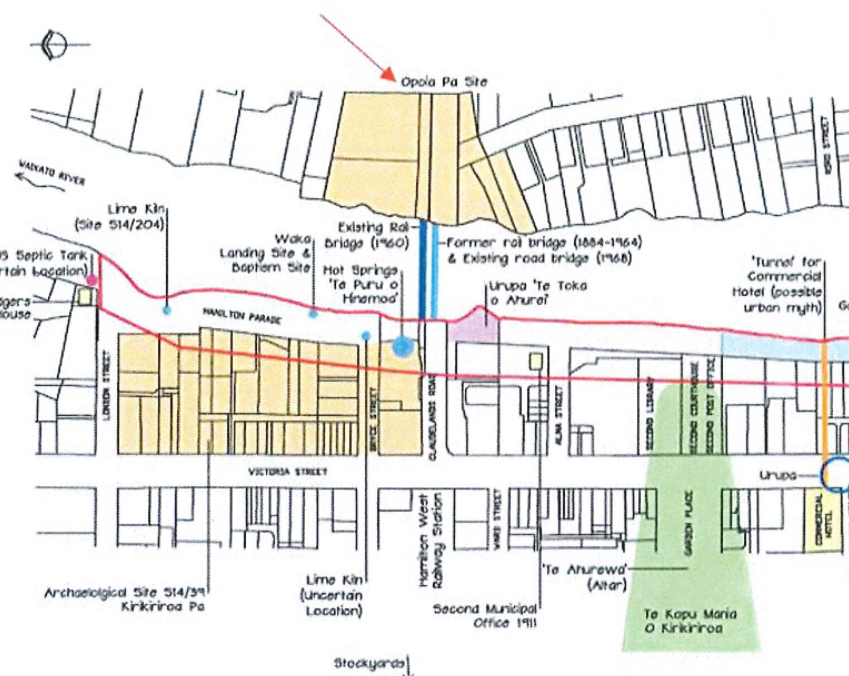


Figure 2. Portion of Summary Plans from Opus & Cultural Interface Solutions (2000) showings sites of archaeological and cultural sites.

### Site Visit

A field visit was undertaken on 23rd of November 2020, by WSP Archaeologist Kirsty Potts, to assess the area of proposed work. A visual inspection of the Project area was undertaken. The majority of the Project area was unable to be fully assessed due to it being under the asphalt carpark. Exposed sections included a strip of grass alongside the western side of the property and the various garden areas within the carpark.

It appears that the methodology for the installation of the carpark was to remove 200 – 300 mm of topsoil and overlay at that level with gravel and asphalt. The older trees on the property are visible in the 1940s and 1960s aerial photographs. These trees with grass surrounds and the grass strip to the west appear to be the original ground level. Inclusions of sand, gravel and charcoal were noted within an exposed topsoil across the property. These soils were consistent with culturally modified soils / pre-European Maori gardening soils. A pre-1910 house was also noted next door to the Project area and attests to the historic use of the wider area.

These observations indicate that there is risk of intact archaeological material along the western edge of the project area and in the grassed garden areas (Figure 3). It is likely that the development of the carpark has truncated the site across the remainder of the Project area. However, there remains risk that deeper archaeological features remain intact below the carpark.





Figure 3. Results of site visit 23/11/2020, showing areas of high archaeology risk (red), where intact archaeological remains are highly likely and moderate archaeological risk (yellow), where the archaeology is likely to have been disturbed.

### Discussion and Recommendations

Any modification of open ground or below the carpark has risk of modifying archaeology. It will be a legal requirement to have an active Archaeological Authority in place from Heritage New Zealand Pouhere Taonga prior to commencing any ground disturbance. It is recommended that any future development should avoid the more intact high archaeology risk areas identified during the site visit. Heritage New Zealand Pouhere Taonga and the relevant tangata whenua should also be contacted in advance to discuss the impact of any development proposals.

The following recommendations are made in this report:

- An Archaeological Authority should be sought for any proposed ground disturbance in the car park because of the potential for encountering buried archaeological remains.
- Development proposals should take into account avoiding the more intact high risk areas identified in the site visit where there is a high expectation of encountering intact archaeological remains.
- Heritage New Zealand Pouhere Taonga and the relevant tangata whenua groups should be contacted in advance to discuss any development proposals.



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Regards,

Kirsty Sykes  
Archaeologist  
021 243 2899



### Documentary History and Status

	NAME	DATE	SIGNATURE
Prepared by:	Kirsty Sykes	20/11/2020	
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Item 8

Attachment 9

Sonning Car Property Summary Report

191 River Road, Hamilton



## Appendix 2: Preliminary Geotechnical Assessment Report



Project Number: 2-WLASS.BN

# Sonning Carpark Development

## Preliminary Geotechnical Assessment Report

1 December 2020

CONFIDENTIAL





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## Disclaimers and Limitations

This report has been prepared by WSP New Zealand Ltd (WSP) for the Hamilton City Council (the Client) in respect of the proposed development at Sonning Carpark, 191 River Road, Hamilton. The report purpose is to provide preliminary geotechnical assessment for the proposed development agreed between the Client and WSP (Purpose). WSP accepts no responsibility for the validity, appropriateness, sufficiency or consequences of the Client using the report for purposes other than for the defined Purposes and the report is not to be reproduced without WSP's prior written permission.

This report is not intended for general publication or circulation and is not intended for, and may not be used, by third parties. WSP disclaims all risk and all responsibility to any third party.

This report is subject to the following limitations:

- WSP has provided the report based on the various assumptions contained in this report.
- Where we have obtained information from a government register or database, we have assumed that the information is accurate. Where an assumption has been made, we have not made any independent investigations with respect to the matters the subject of that assumption. We are not aware of any reason why any of the assumptions are incorrect.
- No calculations, other than those noted within, have been undertaken in support of the conclusions of this report.
- A change in circumstances, facts, information after the report has been provided may affect the adequacy or accuracy of the report. WSP is not responsible for the adequacy or accuracy of the report as a result of a change.
- This report specifically excludes assessment or advice relating to hazardous materials, such as asbestos or contaminated land.
- WSP's professional services are performed using a degree of care and skill normally exercised, under similar circumstances, by reputable consultants practicing in this field at this time.

Subsurface conditions are formed through a variety of natural processes and can be altered by human activities. The behaviour of the ground, groundwater and contaminants are complex and conditions can vary across a particular site. As a result, subsurface conditions cannot be exhaustively defined by investigations at discrete locations. Therefore, it is unlikely that the results and assessments expressed in this report will represent conditions at any location removed from the specific points of sampling. The precision with which conditions can be inferred depends largely on the uniformity of subsurface conditions and on the frequency and method of sampling as constrained by factors such as project budget and time limitations and physical constraints.

Furthermore, subsurface conditions can change over time, which should be considered when interpreting or using the data within this report.

The opinions and recommendations in this report apply to the proposed development and the site existing at the time of study using available information and cannot necessarily apply to changes in the proposed development or site changes of which WSP is not aware and has not had the opportunity to evaluate. The results of our study should be considered to be preliminary and subject to verification during future design phases of the project. If conditions encountered at the site during implementation are subsequently found to differ significantly from those anticipated, WSP must be notified and be provided with an opportunity to review the recommendations.



## 1 Introduction

Hamilton City Council (HCC) has engaged WSP NZ Ltd (WSP) to produce a preliminary geotechnical assessment report for future development of the Sonning Road Carpark, 191 River Road, Hamilton. No plans have been received detailing the nature of the development however it is understood this will potentially be a commercial or residential development.

## 2 Scope of Works

In order to provide a preliminary geotechnical assessment of the subject site and to assist in making recommendations for development of the site, the following works have been undertaken, as detailed in our offer of service letter dated 9<sup>th</sup> November 2020.

- A desktop study (review of underlying geology, available online maps, WSP geotechnical report database, NZ Geotechnical Database (NZGD) and Client supplied information);
- A site walkover to identify any specific geotechnical constraints to the proposed development and finalise the proposed investigation scope; and,
- Preparation of a Preliminary Geotechnical Assessment Report (PGAR) to covers the following:
  - Findings from the desk study;
  - An assessment of the soil geotechnical characteristic (soil profile, the key geotechnical findings and soil parameters);
  - Consideration of ground and surface water conditions;
  - An assessment of the stability of the adjacent riverbank slope and its potential impact on development options;
  - A liquefaction risk assessment and its potential impact on development options; and,
  - Preliminary foundation and earthworks recommendations.

## 3 Site Description

The site is situated on the eastern bank of the Waikato River to the north of Claudelands Road and adjacent railway. It is currently occupied by a flat asphaltic surfaced carpark with sporadic grassed areas and large mature trees. The site is bounded to the west by the Waikato River, to the east by River Road and to the north by an existing residential area. The riverbank slopes downwards from car park level at gradients of up to 40° with a height of between 20m up to 23m above river level..

At the time of the site walk over, a previous shallow seated slip was identified within the slope to the south west corner of the carpark, located approximately 27m north of the railway boundary. The slope was observed to be heavily vegetated at the time of inspection. Reviewing the Retro lens database (Waikato Regional Council, 2020), the slip was identified as having occurred around 1953. A crib wall is present along the sites southern boundary supporting the railway and Claudelands Road with a second crib wall to the south-east corner of the site of supporting the approach to River Road overbridge. A masonry block wall is present at the northern boundary providing support to the properties within the residential area. The car park area was observed to be relatively flat with several trees present.

The site location is presented in Figure 1 and Appendix A

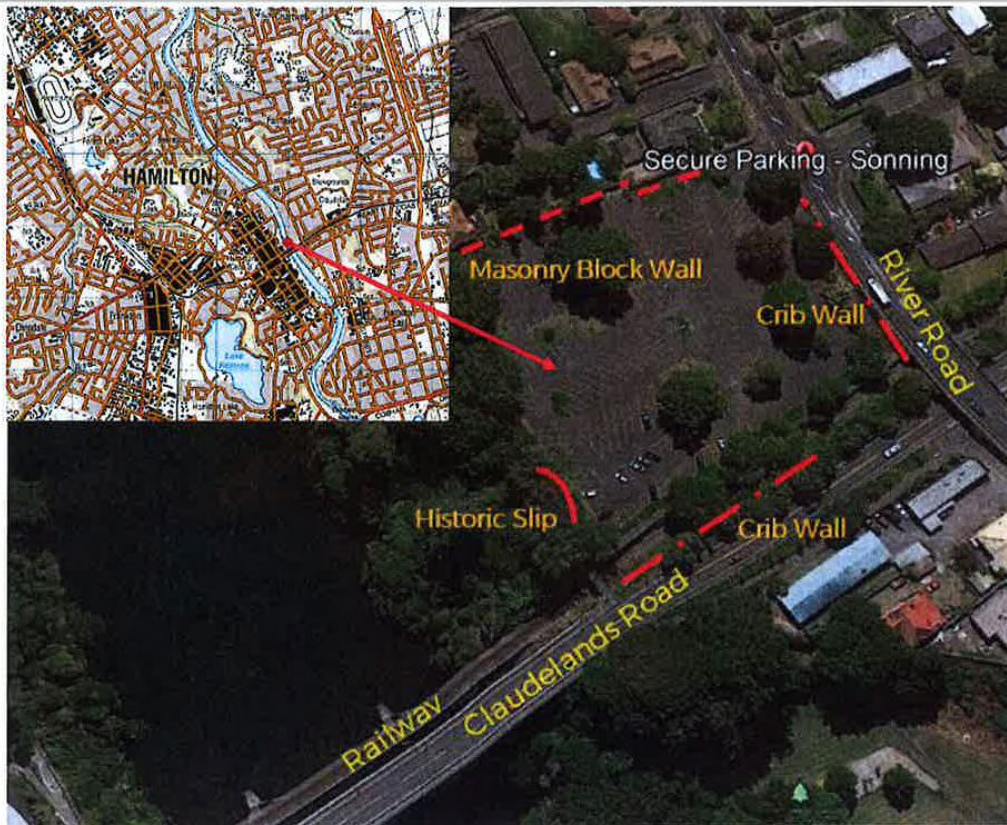


Figure 1: Site Location

## 4 Desk Study

### 4.1 Previous Investigations

A desktop study of nearby geotechnical reports and ground investigation data in the vicinity of the subject site has been undertaken with the objective of determining the an outline of the likely strata and soils properties beneath the site. The following sources were referred to:

- Claudelands Bridge East Abutment – Factual Report HA16/033 (WSP - OPUS, 2017)
- Claudelands Bridge East Abutment – Geotechnical Design Requirements HA 17/037 (WSP - OPUS, 2017)
- Claudelands Bridge East Abutment – Preliminary Geotechnical Assessment HA16/021 (WSP-OPUS, 2016)

## 5 Geological Setting

### 5.1 Published geology

With reference to the 1:250,000 scale geological map of the region (Edbrooke, 2005), the site is underlain by soils of the Hinuera Formation (Q3a). It was deposited by braided river systems of the ancestral Waikato River, on a large, low angle fan surface, which passed northward into an extensive braided river plain. Dating from between 50,000-17,000 years ago, this formation reaches up to 90m thick. Cross bedded sands, silts and gravels dominate this highly variable unit



(Figure 2). The Hinuera Formation was deposited in channels and depressions eroded into the surface of the Walton Subgroup which is dominated by primary and reworked, non-welded ignimbrite and tephra.

The older, but more detailed 1: 25,000 scale geological map (Kear, 1965) also indicates the site to be underlain by deposits of the Hinuera Formation.

An extract of the geological map is presented in Appendix A. Overlying the Hinuera formation, topsoil is present at this site.



Figure 2: Hinuera Formation showing lensed nature of the soils (McCraw, 2011)

The GNS active faults database indicates that the nearest active fault is the Kerepehi Fault which is situated approximately 43km east of the subject site.

## 5.2 Seismicity

A design earthquake magnitude and ground acceleration for the site have been determined based on MBIE Guidelines Module 1 (NZGS/MBIE, 2016) and the Bridge Manual (Waka Kotahi, May 2016). The following design parameters have been adopted:

- Site Soil Class of "D" (Deep soil site) based on NZS1170.5 (NZS, 2004);
- Importance Level 2 (for residential buildings) and Importance Level 3 (for multi storey high occupancy buildings) based on Table 3.2 of New Zealand Structural Design Standard for earthquake (NZS, 2004).
- Design life of 50 years

The design earthquake ground motion parameters are summarised in Table 1

Table 1: Summary of Seismic Design Parameters

Limit State	Return Period	Design Earthquake Magnitude	Design Earthquake PGA
SLS (Serviceability Limit State)	25 Years	5.9	0.05g
ULS-IL2 (Ultimate Limit State for IL2)	500 years	5.9	0.22g
ULS-IL3 (Ultimate Limit State for IL3)	1000 years	5.9	0.28g

## 5.3 Intermediate Seismicity

The Earthquake Geotechnical Engineering Practice Module 4 (MBIE & NZGS, 2016) advises that "...with liquefaction triggering at a site, however, there may be a pronounced degradation in foundation performance and this is likely to happen at a shaking level which is Intermediate

between SLS and ULS earthquakes. Where liquefaction triggering is likely at a modest, intermediate return period, the resulting level of damage may be excessive and inappropriate for such a high likelihood of occurrence”.

WSP has consequently assessed the intermediate seismic event that has the potential to trigger damage to buildings due to settlement or lateral spread of foundations based on the parameters detailed in Table 1

Table 2: Intermediate Seismic Event Design Parameters

Limit State	Return Period	Design Earthquake Magnitude	Design Earthquake PGA
Intermediate Seismic Event for IL2	100 years	5.9	0.11g
Intermediate Seismic Event for IL3	500 years	5.9	0.22g

#### 5.4 Geotechnical Investigations

Geotechnical investigations were undertaken at the south-western corner of Sonning carpark in June 2016 in relation to the assessment of the stability of the riverbank adjacent to the Claudelands Bridge eastern abutment (WSP - OPUS, 2017).

The ground investigation (GI) works, comprised the following:

- 2 Cone Penetration Tests (CPTs).
- 2 Boreholes (BHs).

The assessment has been undertaken based on a ground model developed from the findings from BH01 and CPT01, these being in close proximity to the subject site.

The relevant borehole log, photographs and CPT log are presented in Appendix B.

#### 5.5 Rotary Cored Borehole

The BH was drilled using the HQ triple tube coring method, this providing undisturbed soil samples for laboratory testing, with Standard Penetration Tests at approximately 1.5m intervals to a target depth of 30m below ground level (bgl). A hand-held shear vane was used to measure the strength of soils at selected depths. The BH was logged, sampled and photographed on site by a WSP Geotechnical Engineer in general accordance with the New Zealand Geotechnical Society's guidelines<sup>1</sup>.

#### 5.6 Cone Penetrometer Tests

The CPT was undertaken by WSP using a track mounted piezocone enabled rig, measuring end bearing pressure ( $q_c$ ), sleeve friction and porewater pressure ( $u$ ) with depth. This provides valuable information for assessing the strength and engineering properties of the soil. However, no samples are recovered for visual inspection.

### 6 Ground water conditions

BH01 was dipped at completion to measure the ground water level which was recorded at 10.7m bgl in Winter. It is considered that this likely represents a perched water table rather than the

regional water table. This is based on previous experience in the area. Groundwater was not encountered in the CPT.

For liquefaction analysis purpose, a ground water level at 10mbgl has been inferred for this site. For the slope stability analysis, a regional static groundwater level has been inferred to be co-incident with the river level, reducing in depth as measured from the car park level with a ratio of 1V:10H from the river towards the east.

## 7 Ground Conditions

Based on the BH and CPT logs a ground model for the site is presented in Table 3. The subsoils are variable across the whole site with interbedded sandy SILTS, SILTS and CLAYS present.

Table 3: Soil profile

Unit Description	Depth to Top of Layer [m]	Unit Thickness [m]	Range of SPT N Values	Range of Cone Resistance [MPa]
Firm to stiff SILT/CLAY	-	12	3 - 17	1 - 4
Very soft to soft SILT/CLAY	-12	8	0 - 4	0.5 - 3
Medium dense to dense SAND and silty SAND	-18	10	12 - 40	8 - 16
Cemented SAND and SILT	-20	Unknown. Unit exceeds investigation depth	50+	Refusal

### 7.1 Soil Parameters

The geotechnical soil parameters have been estimated based on the investigation data from the BH and CPT undertaken within the carpark and our experience with similar geological conditions in the vicinity. Preliminary soil parameters are summarised in Table 4

Table 4: Soil properties used for the stability assessment of the riverbank

Unit Description	Depth to Top of Layer [m]	Unit Weight, $\gamma$ (kN/m <sup>3</sup> )	Friction Angle, $\phi'$ (°)	Effective Cohesion, $c'$ (kPa)
Firm to Stiff SILT/CLAY with traces of SAND	-	17	28	15
Very soft to soft SILT/CLAY	-12	16	25	6
Medium dense to dense SAND and silty SAND	-18	18	38	5
Very dense SAND and stiff SILT	-20	19	40	10



## 8 Geotechnical Assessment

### 8.1 Liquefaction Susceptibility and Damage

#### 8.1.1 Liquefaction Definition

During an earthquake, the shear waves from the seismic event propagate upwards through the soils from the underlying bedrock. The cyclic loading caused by the shear waves induces shear stress in the soil deposits, which causes the build-up of the excess pore water pressure in soils. When the excess pore water pressure approaches the level of the overburden confining pressure, the effective strength between the soil grains of cohesionless soils, typically silts and sands, reduces significantly to almost nil. At this point liquefaction occurs when the soils lose strength and behaves as liquid.

Effects of liquefaction can include:

- Flow failure (large deformations) or lateral spreading of slopes and embankments;
- Sand boils and disruption to ground surface;
- Reduced bearing capacity for structure foundations;
- Buoyancy of buried structures and services; and,
- Subsidence of ground surface.

The definition of the Factor of Safety ( $FoS_{liq}$ ) against liquefaction is a ratio of the Cyclic Resistance Ratio (CRR) to the Cyclic Stress Ratio (CSR), as detailed below:

$$FoS_{liq} = CRR/CSR$$

The CSR is the predicted cyclic shear stress induced in the soil during an earthquake ( $\tau_h$ ), divided by the effective overburden pressure ( $\sigma'_v$ ). The CRR is defined as the critical CSR that may result in liquefaction in a soil.

#### 8.1.2 Liquefaction Assessment Methodology

An assessment of liquefaction potential below the subject site area has been undertaken for both the SLS and ULS seismic events using the CPT data.

The CPT data was analysed using the 'CLiq' CPT liquefaction assessment software. The methods of Idriss & Boulanger (Boulanger & Idriss, CPT and SPT Based Liquefaction Triggering Procedures, 2014) were adopted for analysis of CPT data. Fines content was inferred from the CPT data using the Robertson & Wride method (Robertson & Wride, 1998). Liquefaction settlement was calculated using Zhang et al method (Zhang, Robertson, & Brachman, Estimating liquefaction - induced ground settlements from CPT for level ground, 2002).

#### 8.1.3 Liquefaction Assessment, Liquefaction Induced Settlement and Lateral Spreading Results

The liquefiable layer thicknesses consider layers of significant thickness and excludes thin (<300mm), potentially liquefiable lenses surrounded by non-liquefiable denser sands that, from experience and previous work, are typically discontinuous and as such will not substantially contribute to liquefaction induced settlements.

The liquefaction assessments for vertical settlement indicates that the site could experience a maximum settlement of up to 20mm and lateral spread of up to 30mm for the ULS (IL3) seismic event. The values of settlement and lateral spread for the ULS (IL2), intermediate (for both IL2 and IL3) and SLS1 (for both IL2 and IL3) seismic events have all been assessed as being negligible. Liquefaction analysis results are summarised in Table 5. Liquefaction potential interpretations are presented in Appendix C.

Table 5: Liquefaction Effects and Analysis Results

Seismic Limit State	Indicated Thickness of Liquefiable Layers	Geotechnical Parameter Characteristic Indices	
SLS1 (IL2 & IL3)	0m	Factor of Safety against Liquefaction Liquefaction Potential Index Liquefaction Severity Number	FL > 1.5* LPI = 0 LSN = 0
Intermediate 2 (IL2)	0m	Factor of Safety against Liquefaction Liquefaction Potential Index Liquefaction Severity Number	FL > 1.5* LPI = 0 LSN = 0
Intermediate 3 (IL3) and ULS 2 (IL2)	0m	Factor of Safety against Liquefaction Liquefaction Potential Index Liquefaction Severity Number	FL > 1.2* LPI = 0 LSN = 0
ULS (IL3)	10.2m – 11.5m	Factor of Safety against Liquefaction Liquefaction Potential Index Liquefaction Severity Number	FL > 1.0* LPI = 0 LSN = 0

\*FL - Approximate average liquefaction triggering factor (Factor of Safety) of the liquefiable layers

Based on the assessed vertical settlement, lateral spreading and geotechnical parameter characteristic indices as presented above, the characteristics of liquefaction and its consequences have been assessed in accordance with MBIE Guidelines Module 3 – Table 5.1 General Performance Levels for Liquefied Deposits (NZGS/MBIE, 2016). The results are summarised in Table 6. The results also suggested a liquefaction resistance type foundation to mitigate liquefaction induced vertical settlement and lateral spreading risks.

Table 6: Liquefaction Characteristics & Consequences

Limit State	Performance Level	Effects from Excess Pore Pressure and Liquefaction	Characteristics of Liquefaction and Its Consequences
SLS1 (IL2 & IL3)	L0	Insignificant	No significant excess pore water pressures (no liquefaction)
Intermediate 2 (IL2)	L0	Insignificant	No significant excess pore water pressures (no liquefaction)
Intermediate 3 (IL3) and ULS 2 (IL2)	L1	Mild	Limited excess pore water pressure; negligible deformation of the ground and small settlement.
ULS (IL3)	L2	Moderate	Liquefaction occurs in layers of limited thickness (small proportion of the deposit, say 10 percent or less) and lateral extent; ground deformation results relatively small in differential settlements.

## 8.2 Slope stability analysis

Slope stability was modelled using SLOPE/W (GeoStudio 2021) – a computer-based model which allows for the assessment of slope stability under various conditions (seismic loading, elevated groundwater and static conditions). The slope was modelled using cross sections generated from LiDAR contours for the Hamilton City area obtained from LINZ.

Surcharges were initially modelled as being setback 7.5m from the crest of the slope simulating either a multi-storey importance level 3 (IL3) structure (e.g., a hotel) or a double storey importance level 2 (IL2) structure (e.g., residential development). Surcharges of 100kPa (approximately equivalent to a load imposed by a 7 storey building), 25kPa (approximately equivalent to a load imposed by a

2 storey building) and 15kPa (approximately equivalent to a standard 1 storey residential house) have been modelled.

For seismic analysis, a PGA of 0.28g, 0.22g, 0.11g and 0.05g were used which consistent with the ULS (IL3), ULS(IL2), Intermediate for IL3, Intermediate for IL2 and SLS1 seismic event loading conditions respectively.

A summary of the results is presented in Table 7. Output from the SLOPE/W slope stability analyses are included in Appendix D.

Table 7: Slope Analysis for Building Locates at the Slope crest

Analysis Case	Factor of Safety (FOS)			Target Factor of Safety (FOS)
	100kPa	25kPa	15kPa	
Case 1 – Static, normal basin water level (10mbgl)	0.9	0.9	0.9	1.50
Case 2 – Static, elevated basin water level (8.0mbgl)	0.9	0.9	0.9	1.25
Case 3 – Seismic ULS IL3 – 0.28g	0.7	0.7	0.7	1.0 or displacement within acceptable levels when FOS < 1.0
Case 4 – Seismic ULS-IL2 and Intermediate event (IL3) – 0.22g	0.7	0.8	0.8	1.0 or displacement within acceptable levels when FOS < 1.0
Case 5 – Intermediate event (IL2) – 0.11g	0.8	0.9	0.9	1.0 or displacement within acceptable levels when FOS < 1.0
Case 6 – Seismic SLS1 – 0.05g	0.8	0.9	0.9	1.0 or displacement within acceptable levels when FOS < 1.0

The results show that for a building located close to the slope's crest, the slope is unstable for both static and seismic load cases. An assessment of the slope lateral displacement has been undertaken based on a block analysis (W.Jibson, 2007). The predicted seismic induced lateral displacements at the slope crest for a range of seismic load cases are presented in Table 8

Table 8: Predicted Lateral Displacement

Seismic Load Cases	Surcharges (kPa)	Predicted Lateral Displacement
ULS-IL3 PGA - 0.28g	100	More than 30m
	25	2.5m
	15	1.0m
ULS-IL2 and Intermediate of IL3 PGA - 0.22g	100	20m
	25	2.0m
	15	0.5m
Intermediate of IL2 PGA - 0.11g	100	6.5m
	25	0.6m
	15	0.5m
SLS - PGA 0.05	100	2.0



Seismic Load Cases	Surcharges (kPa)	Predicted Lateral Displacement
	25	0.15m
	15	0.05m

The results show that the lateral displacement is significant for some load cases. Thus, an additional slope stability analysis has therefore been undertaken to determine an appropriate setback distance from the slope crest for the proposed building developments in order to achieve compliance with the required FOS. Table 9 details the results from the slope analysis and has identified that a minimum setback distance of 25m away from the slope crest will be required. Any development located closer than 25m from the slope crest will require specific engineered foundations to prevent lateral displacement from adversely affecting buildings. This could comprise the use of piled foundations or benching of the slope in combination with retaining walls supporting the development footprint

Table 9: Slope analysis for building at 25m setback from the slope crest

Analysis Case	Factor of Safety (FOS)			Target Factor of Safety (FOS)
	100kPa	25kPa	15kPa	
Case 1 – Static, normal basin water level (10mbgl)	1.5	1.5	1.5	1.50
Case 2 – Static, elevated basin water level (8.0mbgl)	1.5	1.5	1.5	1.25
Case 3 – Seismic ULS IL3 – 0.28g	0.9	0.9	0.9	1.0 or displacement within acceptable levels when FOS < 1.0
Case 4 – Seismic ULS-IL2 and Intermediate event (IL3) – 0.22g	1	1	1	1.0 or displacement within acceptable levels when FOS < 1.0
Case 5 – Intermediate event (IL2) – 0.11g	1.2	1.2	1.2	1.0 or displacement within acceptable levels when FOS < 1.0
Case 6 – Seismic SLS – 0.05g	1.3	1.3	0.9	1.0 or displacement within acceptable levels when FOS < 1.0

The predicted maximum lateral displacement for building locates at 25m away from the slope crest is less than 1m, which is reasonable for the foundation design of the proposed development.

### 8.3 Static vertical settlement

Imposed structural loadings of 100kPa, 25kPa and 15kPa have been considered for the static settlement assessment. The assessment has been undertaken using CPe-IT software programme with the logs from CPT01. CPTu data can be used to directly estimate induced settlements due to an external load. CPeT-IT uses the following simple formula (based on 1-D consolidation) to estimate vertical settlements:

$$s = q \times \sum h \times \frac{I_z}{M_{cpt}}$$

Where:

q: applied footing pressure

h: calculation layer thickness

I<sub>z</sub>: stress reduction factor according to Boussinesq

M<sub>cpt</sub>: Constrained modulus of soil layer

The results indicate that the total static settlement could range up to 350mm for a loading of 100kPa, 45mm for a loading of 25kPa and 25mm for 15kPa loading. A building footing of 25m x 25m square was assumed for the analysis.

The detailed settlement assessment is presented in Appendix E

## 9 Conclusions and Recommendations

Based on the conducted ground investigation and assessments, the site requires additional engineering design for foundation of the proposed development.

- Even though, the site has been assessed as having an "Insignificant to moderate vulnerability" (NZGS/MBIE, 2016), there is a slope instability risk for both static and seismic loading events.
- The predicted lateral displacement under a ULS seismic event is more than 30m, 2.5m and 1.0m for 100kPa, 25kPa and 10kPa importance level 3 buildings located at the river bank slope crest under ULS seismic loading. The predicted lateral displacement is reduced for others seismic cases, but the pattern is the same with higher lateral displacement for higher surcharge and lesser displacement for smaller surcharge loading.
- Static settlements may potentially range from 25mm to 350mm for structure loadings of 10kPa to 100kPa respectively.

Further engineering assessment and design will be required to reduce or mitigate the identified risks for the development of the site. Foundation options for the development may include the following::

- Shallow foundations will be suitable for buildings located at least 25m east of the crest of the river bank slope.;
- The adoption of geogrid reinforced gravel rafts, strengthened floor slabs or 'waffle' slabs to reduce the risk of damage due to differential settlements.;
- Benching of the river bank slope incorporating a retaining wall to support the development footprint to the east;
- The use of a piled shear wall (or similar) within the slope;
- Piled foundation options for buildings located less than 25m from the slope crest could include the use of ground anchors or soil nails for the stabilisation of the slope in combination with piled foundations for the buildings;
- For larger multi storey buildings, piled foundations may be required extending through the very soft to soft cohesive soils into the underlying dense and weakly cemented cohesionless soils at depth.

Due to the variability of the subsoils across the whole of the site, further geotechnical investigations are recommended in advance of the detailed design of foundations



## 10 Risk Summary Table

Item No.	Geo – Hazard	Likelihood	Risk Description	Mitigation Measures
1	Liquefaction	<p>Yes</p> <ul style="list-style-type: none"> <li>- "Insignificant" for SLS seismic event.</li> <li>- "Mild" for ULS (IL2) seismic event.</li> <li>- "Moderate" for ULS (IL3) seismic event</li> </ul>	<ul style="list-style-type: none"> <li>- Liquefaction is not a high risk at this site. Under ULS (IL3) seismic loading, liquefaction only occurs in a thin layer with negligible liquefaction induced settlement. The predicted liquefaction induced lateral spread in accordance with Clq is 35mm.</li> </ul>	<ul style="list-style-type: none"> <li>- Even though liquefaction and liquefaction induced risk for this site is "Insignificant to Moderate", replacement and/or compaction of loose subsoils will be required for the development.</li> </ul>
2	Slope Stability	<p>Yes</p> <ul style="list-style-type: none"> <li>- Slope instability for both static, SLS, ULS (IL2) and ULS (IL3) seismic case.</li> </ul>	<ul style="list-style-type: none"> <li>- The site is next to the Waikato River. The slope angle is between 35° to 40° with a height of approximately 21m above the river level. Development near to slope crest may potentially experience instability.</li> <li>- Lateral displacement caused by slope instability in seismic case for development in proximity to the slope crest ranges between 0.5m to 6m for SLS and ULS seismic events respectively.</li> </ul>	<ul style="list-style-type: none"> <li>- Engineering foundation design is highly recommended.</li> <li>- Any development less than 25m away from the crest is recommended to have either pile foundation, sheet pile wall or anchor at the slope face to mitigate the slope instability risk</li> </ul>

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 Preliminary Geotechnical Assessment Report

Item No.	Geo – Hazard	Likelihood	Risk Description	Mitigation Measures
3	Lateral Variability	Yes	<ul style="list-style-type: none"> <li>The soils of the Hinuera formation are extremely variable in grading both laterally and vertically as is common with braided fan deposits. This can cause differential settlement for the building structure.</li> </ul>	<ul style="list-style-type: none"> <li>Foundations should be designed by a suitably qualified and experienced practitioner to relevant codes and practices. Consider variability during foundation design, vigilance for additional variability during construction.</li> </ul>
4	Underground Services	Possibly	<ul style="list-style-type: none"> <li>Given the proposed development is located on an existing carpark site, contaminated land and redundant buried services maybe present. Risk of live services strike during excavation or any earthwork activities.</li> </ul>	<ul style="list-style-type: none"> <li>Vigilance during excavation, due diligence and consider services scanning prior to excavation or any earthwork activities.</li> </ul>
5	Uncontrolled Fill	Yes	<ul style="list-style-type: none"> <li>Given the proposed development is located on an existing carpark site with undetermined historical usage, there is the potential for the presence of uncontrolled fill of variable thickness beneath the site. Fill materials have been noted to be present within the nearby CPT and borehole located adjacent to Claudelands Bridge</li> </ul>	<ul style="list-style-type: none"> <li>Foundations should be designed by a suitably qualified and experienced practitioner to relevant codes and practices. Consider potential for variable ground during foundation design. Vigilance for identification of unknown ground conditions during construction.</li> </ul>

Item No.	Geo – Hazard	Likelihood	Risk Description	Mitigation Measures
6	Soft Compressible/ Expansive Soil	Yes	<ul style="list-style-type: none"> <li>The subsoil layers contain silts, clays and minor sands to a depth of up to 18m below ground level (bgl). A very soft to soft SILT/CLAY layer is present at depths between 12m bgl and 18mbgl. There is therefore the potential for static settlement of up to 350mm for c100kPa applied loadings (multi-storey structures) whilst for residential structures with imposed loads of c 25kPa settlements may extend up to 35mm.</li> </ul>	<ul style="list-style-type: none"> <li>Foundation should be designed by a suitably qualified and experienced practitioner to relevant codes and practices. Consider piled foundations for high applied foundation loads (multi-storey structures).</li> <li>Adopt foundation type or ground improvement method that can mitigate the vertical/ differential static settlement risk (e.g. Geogrid reinforced gravel raft/ strengthened ground floor slabs/ waffle slabs)</li> </ul>
7	Groundwater depth and seasonal variation	Yes	<ul style="list-style-type: none"> <li>Although groundwater levels could not be ascertained by the CPT testing, perched water has been identified within the adjacent boreholes at a depth of approximately 10m below ground level. The river level is located some at 20m below the level of the car park. The regional ground water level may therefore be expected to be at a considerable depth below the current car park level.</li> </ul>	<ul style="list-style-type: none"> <li>Need to confirm potential seasonal variations in both perched and regional groundwater levels for detail design</li> <li>For the purpose of liquefaction and slope stability analysis, consideration should be given to the presence of a perched ground water level at a depth of 10mbgl.</li> </ul>

Project Number: Z-WLASS.BN  
 Sonning Carpark Development  
 Preliminary Geotechnical Assessment Report

Item No.	Geo – Hazard	Likelihood	Risk Description	Mitigation Measures
8	Active Faults	Yes	<ul style="list-style-type: none"> <li>- The nearest active fault is the Kerepehi fault which is situated approximately 43km east of the subject site.</li> </ul>	<ul style="list-style-type: none"> <li>- Refer to Liquefaction Risk detailed in Item No. 1.</li> <li>- Foundation should be designed by a suitably qualified and experienced practitioner to relevant codes and practices.</li> </ul>
9	Available/Related Reports	-	WSP – Opus reports prepared for Claudelands Bridge East Abutment <ul style="list-style-type: none"> <li>- Factual Report HA16/033</li> <li>- Geotechnical Design Requirements HA17/037</li> <li>- Preliminary Geotechnical Assessment HA16/021</li> </ul>	-



**Appendix 3: Hazardous Activities & Industries List (HAIL)  
Record**



8 October 2021

Scott Beaumont  
 Veros Property Services  
 554 Victoria Avenue  
 Hamilton

Dear Scott:

**Request under Section 10 of the Local Government Official Information and Meetings Act 1987**

This letter provides the response to your request for information under Section 10 of the Local Government Official Information and Meetings Act 1987. The property that is the subject of this request (details as provided by you and as held on file) is contained in this response as follows.

**Address:** 191 River Road, Hamilton (Sonning Carpark)

**Legal Description:** Allot 465 Parish of Kirikiriroa and Lot 2 DPS 31617

Council holds records of properties where certain hazardous activity and industrial landuses (HAIL) that are considered likely to cause land contamination are known to be occurring, may have occurred, or have occurred in the past.

As at 8 October 2021 a search of environmental health records has shown that no information in relation to the likely presence of contaminants in soil is held by the Environmental Health Unit in respect of the above property.

**Important notes: -**

***The absence of information does not necessarily mean that no hazardous activity or industrial landuse is occurring or has occurred on the land, or the absence of hazardous contaminants on the land, but simply means that no information is currently held by Council.***

***For the purpose of resource consent applications, an assessment against NESCS regulations 5 and 6 would need to be undertaken to establish if the National Environmental Standard for Contaminants in Soil (NESCS) applies where it is believed or suspected that a HAIL may have occurred/be occurring. The relevant information, in terms of the likely storage, handing or use of hazardous substances and potentially contaminating activities generally associated with rural land use, would need to be sought from various sources including (but not limited to) current and past landowners, property files, historical aerials and dangerous goods files. This information serves as the line of evidence required to support whether a HAIL has or has not occurred on the land and serves as proof that an appropriate assessment has been done.***

*No inspection of the subject property has been carried out because of this application. This response relates only to the likely presence of hazardous contaminants. It does not include any information Council may hold in relation to any other matters listed in Section 44A (2) of the Local Government Official Information and Meetings Act 1987.*

**Disclaimer:**

*Hamilton City Council accepts no liability for any inaccuracy in, or omission from, the information provided above, or for any consequence of that inaccuracy or omission.*

***Any person who wishes to make any commercial decisions that involves an assessment of whether the site is impacted by hazardous contaminants should make their own enquiries and decisions.***

**Further information: -**

*More information on hazardous activities and industries (HAIL) that are considered likely to cause land contamination can be found at:- <http://www.mfe.govt.nz/issues/hazardous/contaminated/hazardous-activities-industries-list.html>.*

Please contact me if you require any further assistance.

Regards  
Laura Mills  
**Contaminated Land Officer**

Council Building  
Garden Place, Hamilton  
Phone 07 838 6582  
Website [www.hamilton.co.nz](http://www.hamilton.co.nz)



100% New Zealand  
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# Cultural Advice Report

## Opoia Pā – Sonning Carpark

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Independent advice to Hamilton City Council regarding the interests in, and significance of, Opoia Pā to inform the proposed name change application and provide advice for potential developments.

Presented to Hamilton City Council on 27 Hurae 2023

Maatanga Haapai | Julian Williams | Rangatira Simon | Te Huia Natural Resources Limited

Report to Nicolas Wells | Strategic Property Manager | Strategy, Growth and Planning Group

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## 1. EXECUTIVE SUMMARY

This Cultural Advice Statement provides independent advice regarding the interests in, and significance of, Opoia Pā to inform the proposed name change application and provide advice for potential developments of the Sonning Carpark site owned by Hamilton City Council ("HCC").

The statement seeks to inform HCC about known cultural values and matters of importance to mana whenua, notes various interests for the site, with consideration for any potential developments.

Under usual circumstances this statement may be titled as a Mana Whenua Statement, or Cultural Values Assessment (CVA). However, the statement does not provide the position of mana whenua, rather it provides independent advice from the Author to inform HCC. The author notes that contact has been made with Ngāti Wairere (Lead Negotiator) and Waikato-Tainui for the purpose of reaffirming previously made statements, and to inform them of this document.

Te Huia Ltd notes the following positions of interested parties:

- HCC are favourable to selling the property for appropriate development.
- Ngāti Wairere consider the Opoia Pā site as waahi tapu (cultural, spiritual and ancestral significance). Wiremu Puke, on behalf of Ngāti Wairere, submitted an application to HCC to revert the name of Sonning carpark to the reflect the name of the pā that occupied the site, Opoia Pā.
- Ngāti Wairere also have future aspirations for the site to be turned into a reserve.
- The land is also subject to a legal claim by Ngāti Wairere.
- Waikato-Tainui, the constitutional and legal Iwi Authority for 33 hapū, support Ngāti Wairere in their application for the requested name change and agree that the site is a waahi tapu/site of special significance.

Based on the contents of this report, Te Huia Ltd provides the following recommendations:

1. HCC advance its relationship with Ngāti Wairere and Waikato-Tainui, by supporting the name change to Opoia Pā. The name change would be the first step in recognising the important cultural significance of the area.
2. HCC continue to engage with mana whenua regarding all matters associated with the site.
3. Potential developers for the site fulfil Te Tiriti obligations to mana whenua by establishing a relationship and strongly considering the position of mana whenua, in relation to proposed activities.
4. Developers implement the considerations of this report.

## 2. CULTURAL ADVICE STATEMENT

Te Huia Ltd has developed this statement to support documentation to Hamilton City Council as legal owners of the Sonning Carpark site.

The statement reflects the significance of the site to mana whenua, its archaeological value and considerations for the change of name application and possible developments.

This statement is not a Cultural Values Assessment (CVA) or Cultural Impact Assessment (CIA) which is commonly used as an assessment against known activities. There are no developments or subsequent activities confirmed for this site. The statement reflects known information and positions of mana whenua at this time, interests in the property and considerations for future proposals for development.

## 3. BACKGROUND

Hamilton City Council owns the property at 191 River Road, Hamilton. The following information is sourced from various HCC reports.

The site is referred to as the Sonning Car Park. The site has been identified as a key “through-site” link due to its location between the CBD and Claudelands.

The property is located on the Eastern side of the Waikato River on the corner of River Road and Claudelands Road (Claudelands Bridge), Hamilton. The site is immediately adjacent to and elevated above the Waikato River with wide views over the river and back towards the Hamilton CBD. The property is in a central location, approximately 300m east of Hamilton’s central business district, and approximately 450m west from the Claudelands Events and Entertainment Centre.

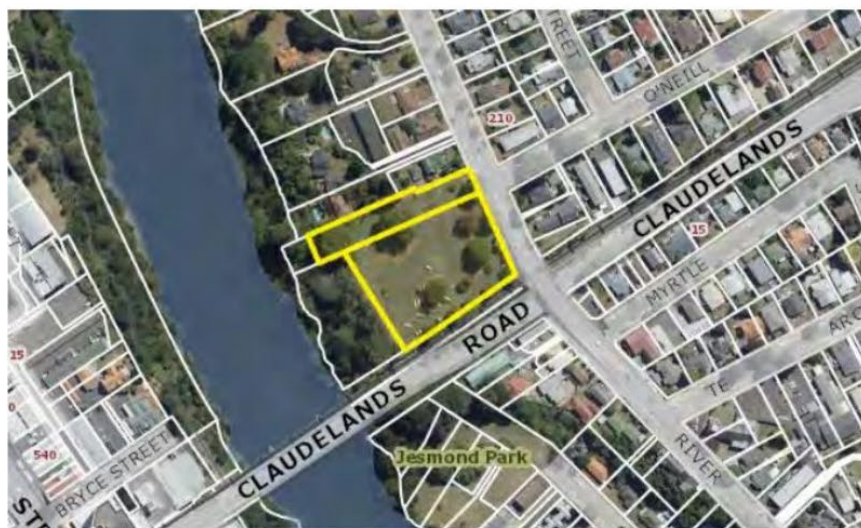


Fig 1: Location of Sonning Carpark, Hamilton City

The site currently comprises a paid public parking facility. Site improvements consist of a flat asphaltic surface carpark yard as well as other minimal curb and channel improvements. Lighting, as part of the carpark, make up the only other improvements on site.

The paid public carpark is administered and operated by Hamilton City Council's City Transport Unit. Potential development of the land is overseen by the Strategic Property Unit with governance oversight through the Municipal Endowment Fund Advisory Group and the Economic Development Committee.

### Change of Name for Sonning Carpark to Opoia Pā

On 3<sup>rd</sup> April 2023, Hamilton City Council received an application for change of name for open space/Sonning Carpark to Opoia Pā, by Wiremu Puke on behalf of Ngāti Wairere.

The application notes that as mana whenua, Ngāti Wairere should not be required to submit evidence of their mana whenua status, nor the significance of the Sonning Car Park area or Opoia Pā. Te Huia Ltd (author) supports the position of Ngāti Wairere with regards to demonstration of evidence as Ngāti Wairere have a long history with HCC, including recognition of Opoia Pā in many cultural values assessments and in the District Plan itself.

However, Ngāti Wairere note that they have a compelling argument for the change of name to Opoia Pā, in particular<sup>1</sup>:

- *Opoia Pā is the historical name dating back centuries; and*
- *Chief of Opoia Pā, Poukawa, was a signatory to the signing of the English translation of Te Tiriti o Waitangi at Port Waikato in 1840.*

The change of name application has the support of:

- Waikato-Tainui governing body, through the Chair of Te Arataura, Tukoroirangi Morgan (via email).
- Guardians of Claudelands (Gordon Chesterman); and
- The Waikato Historical Society (via letter).

The above references of support can be found in the application by Wiremu Puke.

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<sup>1</sup> Letter dated 3 April 2023 from Wiremu Puke, on behalf of Ngāti Wairere, to Maria Barrie (Director, Parks and Recreation, HCC)

#### 4. MANA WHENUA

Waikato-Tainui, Ngāti Wairere, Ngāti Koroki-Kahukura, Ngāti Hauā, Ngāti Tamainupō, Ngāti Māhanga hold mana within the HCC area of responsibility. For an overview of the history of each, refer to appendix 1. The interest of this statement is with Ngāti Wairere who filed a change of name application to HCC.

The rights and interests of mana whenua are confirmed and recognised by Hamilton City Council, supported by the establishment of Joint Management Agreements and collaborative partnerships. Their rights and interests within this space do not need to be proven.

Te Whakakitenga o Waikato-Tainui (Waikato-Tainui) is the Iwi Authority on behalf of the 68 Marae and its beneficiaries. The hapū, on behalf of their beneficiaries, are tangata whenua and hold mana (power and authority derived from whakapapa, continued occupation and use) within the HCC areas.

Mana whenua, in simple terms, are naturally the people of the lands. Mana whenua have a historic and spiritual affiliation to the lands, waters and all the taonga that they embrace. Mana whenua continue to occupy and actively demonstrate their affiliation and interests to the Waikato River, its lands and taonga. They are representative of their marae and whānau in matters related to local and central Government, fisheries, aquaculture, farming, education, environmental, social and other affairs. This includes their interests in Opoia Pā

The mana whenua holds political and occupational authority within Kirikiriroa Hamilton that is determined by whakapapa (genealogical ties) and secured by ahi kā (continued occupation). They have a responsibility to protect the natural resources, mahinga kai, and other values of these places for the benefit and use of their whānau and its communities.

Each of the iwi have a responsibility to protect the taonga, mahinga kai, and other values of the rohe for the benefit and use of their tribal members.



## 5. SIGNIFICANCE OF OPOIA PĀ AND AREA

### He piko he taniwha, Waikato taniwharau: Kirikiriroa

The earliest recorded settlers in the Hamilton area were Māori from the Tainui waka. The tāngata whenua (people of the lands) called an area on the west bank of the Waikato River Kirikiriroa (long reaching sands), which is the Māori name for the city recognised as Hamilton.

Kirikiriroa has a history of 700-800 years of Māori occupation and settlement, highlighted by Pā sites, gardens, soils, and agricultural features along the Waikato River and surrounding waterbodies. There were many Pā sites in Kirikiriroa, including Kirikiriroa Pā itself and Opoia Pā. The main hapū of Kirikiriroa and the surrounding areas are Ngāti Wairere, Ngāti Māhanga, Ngāti Hauā, Ngāti Koroki Kahukura, Ngāti Tamainupō.

Formal European settlement was established on 24 August 1864, when Captain William Steele came off the gunboat Rangiriri and established the first redoubt near what is now known as Memorial Park.

A military outpost was set up in Hamilton East, which was originally destined to be the main street of Hamilton. Evidence of planning for the centre of the village can be seen in the 'village square' concept of Steele Park and the planting of English trees along Grey Street. The area was later renamed Hamilton after Captain John Charles Fane Hamilton, who was killed at the battle of Gate Pa in Tauranga in 1864.

The Borough of Hamilton was established in 1877 with a population of 1,245 and an area of 752 hectares. In December 1945, Hamilton became a city with 20,000 citizens.

Kirikiriroa is populated with historic pā sites, especially along the banks of the Waikato River. There are also many cultural corridors which are recognised as visual shafts (to the Waikato River or other taonga) and ara tūpuna (ancestral walkways).

### Opoia Pā

The Sonning carpark land block was previously occupied as a Pā for several centuries by Ngāti Wairere.

The following paragraph is provided by Wiremu Puke (2011):

*This Pā was occupied by Ngāti Parekirangi, Ngāti Haanui and Ngāti Paretaua. Maramatutahi, the eldest son of Wairere and Tukapua lived at this Pā. Poukawa was one of the principal chiefs who occupied Opoia Pā during the early 1800s and was engaged with battles with Ngāti Wakatere of Ngāti Raukawa at Hurimoana. The site of Opoia Pā is now commercially occupied by the Sonning Carpark and the Claudelands Railway Bridge.*

Opoia Pā was a significant site in Hamilton before colonialism. Because of the flat land it had out the front below the pā, it was often used as a meeting site between different parties before they went into battle.



Before his death, Mr Mana Martin recounted that Opoia Pā was settled by Maramatutahi, the eldest son of Wairere from his third wife Tukapua. They had a son named Karaka ki Opoia after a sacred Karaka tree that grew at Opoia Pā. In later generations, a great warrior named Poukawa became the Chief of this Pā<sup>2</sup>.

The Chief at the time, Poukawa signed the English translation of Te Tiriti of Waitangi at Port Waikato on April 28<sup>th</sup>, 1840. The Waikato Wars led to the NZ Settlements Act of 1863.

### Raupatu / Confiscation

The Waikato War of 1863 to 1864 is said to be the defining war of the New Zealand Wars. Initiated by the invasion of the Waikato by the British Army, it was the largest and arguably the most important of the New Zealand Wars. The scale of the war in Waikato was immense, involving the largest numbers of British soldiers of any of the New Zealand Wars. A total force of up to 12,000 British troops were engaged in the invasion of Waikato.

The Kīngitanga force was drawn from tribes from all over the North Island and is estimated at a total of up to 4,000. Substantial areas of Māori land were confiscated by the government after the New Zealand wars of the early 1860s. On 5 May 1863, Premier Alfred Domett sent a memorandum to Governor George Grey proposing that Māori in a 'state of rebellion' have their lands confiscated as a punishment. At first confiscation was intended to be relatively restricted, but it gradually became more and more elaborate. Land was confiscated both from tribes who had rebelled against the government and from those who had fought as government supporters. It was envisaged that military settlers would be placed on confiscated land.

The New Zealand Settlements Act was passed in 1863, which allowed the Crown to confiscate lands belonging to 'Māori rebels. In July 1863 British Troops under the command of General Cameron crossed the Mangatāwhiri River and waged war on Waikato iwi. Post the Waikato invasion, in 1865 the Crown confiscated over 1.2 million acres of land. The consequences of Raupatu were vast and devastating with the loss of lives, lands and resources. The biggest confiscations were in Waikato and Taranaki. The effects varied from region to region, but the consequences were very severe for Waikato–Tainui tribes.

This led to most of East Hamilton becoming land that the government could distribute to militia members. It didn't matter if the site was sacred or of significance. All land was considered equal.

When the British soldiers came south along the Waikato River after August 1864 the occupants withdrew from the area to avoid being killed.

The Crown confiscated land from many Waikato tribes, including Ngaati Wairere, as punishment.

<sup>2</sup> "Nga Tapuwae o Hotumauea" Māori Landmarks on Riverside Reserves Management Plan (April 2003)

**Sonning Carpark**

The Sonning car Park site has had subsequent owners and lease holders over the years. The name “Sonning” originated from the Whitehorn Family who arrived in New Zealand from England in the early 1900’s. The Whitehorn family established a small private school and named it Sonning.

From there the site was leased to the Waikato Board for Diocesan Schools with the premise to establish an Anglican Girl’s school. Around 1930 Hamilton High School took over the site and used it as a boarding facility. The site is currently a carpark which provides parking spaces for around 300 vehicles.

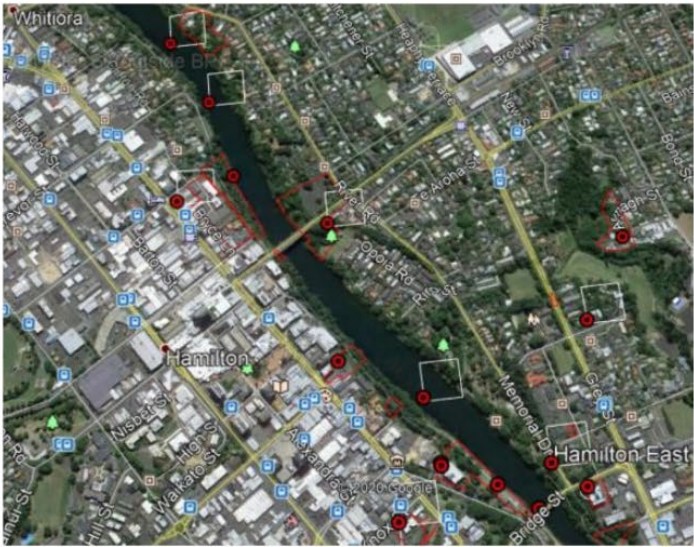


Fig 2: This map shows the relationship between Opoia Pā and the local network of Pā, Urupā, Kāinga and Māra Kai.

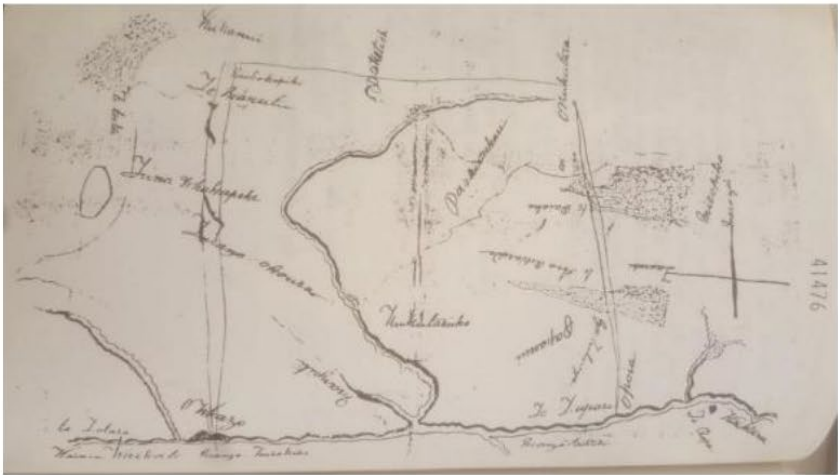


Fig 3: Early hand drawn map of sites associated with the Hamilton section of the Waikato River including Opoia.



## Archaeological Matters

An Archaeological Risk Assessment was completed by WSP in November 2020.

The Archaeological Risk Assessment concluded that any modification of open ground or below the carpark has risk of modifying archaeology. It will be a legal requirement to have an active Archaeological Authority in place from Heritage New Zealand Pouhere Taonga prior to commencing any ground disturbance.



Fig 4: Ground Risk Areas



Fig 5: Known Archaeological Sites

The following recommendations were made in this report:

- An Archaeological Authority should be sought for any proposed ground disturbance in the car park because of the potential for encountering buried archaeological remains.
- Development proposals should take into account avoiding the more intact high-risk areas identified in the site visit where there is a high expectation of encountering intact archaeological remains.
- Heritage New Zealand Pouhere Taonga and the relevant tangata whenua groups should be contacted in advance to discuss any development proposals.

The archaeology report indicated that redevelopment would need to closely consider the heritage and cultural aspects of the property. Any party looking to undertake substantial redevelopment of the site will need to consider these heritage and cultural aspects as part of their full due diligence of the property and its suitability for redevelopment.

A rare Heitiki dated to the Te Puawaitanga period (1500 – 1800) was found at Opoia Pā. It has since travelled the world as part of the Te Māori exhibition<sup>3</sup>.

## 6. CONSULTATION RECORD

During the development of this advice contact was made with the following representatives and kaitiaki to affirm their positions in relation to the Opoia Pā area. The Author notes that consultation for this statement was minimal and should not be regarded as best practice, as the purpose of this statement is to independently determine the interests in, and significance of, Opoia Pā to inform the proposed name change application and provide advice for potential developments.

- |                 |                                 |   |
|-----------------|---------------------------------|---|
| • Taipu Paki    | Waikato-Tainui                  | Confirmation of support for name change         |
| • Haydn Solomon | Lead Negotiator (Ngāti Wairere) | Reaffirm position of interest for Ngāti Wairere |
| • Carolyn Hopa  | Kaitiaki (Ngāti Wairere)        | Confirmation of support for name change         |

## 7. DEVELOPMENT CONSIDERATIONS

It is important to note that the Author understands that Ngāti Wairere prefer the carpark be designated as a reserve.

However, if mana whenua and the Council receive and agree a proposal, then the approved developer should consider the following. Given the proximity of the site to three water services, central city offerings, the Waikato River and surrounding education facilities, the author assumes that development offers to HCC will

<sup>3</sup> Inventory of SASM and Methodology for Proposed Plan Change 9 (2021).

likely be housing, apartment dwellings, commercial and mixed-use development. Therefore, the considerations are based on the above assumptions.

The following considerations are provided:

1. *HCC and mana whenua reciprocate obligations to Te Tiriti o Waitangi through continued engagement, regarding any proposed developments, to actively provide for the considerations in this document.*
2. *That the developer continues to facilitate and resource ongoing engagement with mana whenua.*
3. *Where possible the development should provide opportunities to share these stories, provide for expressions of cultural history.*
4. *Mana whenua and the developer should clearly identify opportunities to restore and protect the health and wellbeing of the Waikato River.*
5. *Stormwater, where possible, should be included in open space networks to provide for multiple uses e.g., recreation, habitat, customary use, mahinga kai.*
6. *Mana whenua to work with the developer to designate where onsite water conveyance pathways and water service structures (abstraction / discharge) should be.*
7. *Mana whenua to determine what areas should be protected from development.*
8. *Mana whenua will apply appropriate protocols to be implemented e.g., discovery protocols.*
9. *If a development is granted, an assessment of proposed activities against the objectives of Te Ture Whaimana should be undertaken and guided by mana whenua.*
10. *If a development is granted, the developer should consider an appropriate koha to mana whenua and taonga, over and above requirements to satisfy legislative requirements (betterment). This doesn't necessarily mean a monetary contribution, but could include restorative works, acknowledgements through cultural art and expression.*
11. *A full cultural assessment should be undertaken against development activities. Mana whenua should determine the appropriate provider for the cultural assessment.*



## 8. RECOMMENDATIONS

Based on the contents of this report, Te Huia Ltd provides the following recommendations:

1. HCC advance its relationship with Ngāti Wairere and Waikato-Tainui, by supporting the name change to Opoia Pā. The name change would be the first step in recognising the cultural significance of the area.
2. HCC continue to engage with mana whenua regarding all matters associated with the site.
3. Potential developers for the site fulfil Te Tiriti obligations to mana whenua by establishing a relationship and strongly considering the position of mana whenua, in relation to proposed activities.
4. Developers implement the considerations of this report.

An acknowledgement is respectfully gifted to mana whenua and the Iwi Authority for their contributions to discussions related to the Opoia Pā area. He mihi aroha ki a rātou, e ngā kaitiaki o runga tou tātou awa o Waikato, he piko he taniwha. You are all chiefs of your space, and we humbly offer our gratitude for your time and contributions to advance the wellbeing of your people and taonga.

Mauri ora



Julian Williams  
Director, Te Huia Natural Resources Limited

## Appendix 1: Ngaa Kōrero-a-lwi

### Ngāti Māhanga Kōrero

Māhanga, from whom the Ngāti Māhanga lineage is descended, lived in the 1500's - his father Tuheitia was a direct descendent of Hoturua, the captain of the Tainui canoe. He had four wives and had 7 children to Paratai, 1 son to Wharewaiata, 1 son to Hine-te-peī and 3 children to Te Aka Tawhia (Hayward 2017). One of his daughters Tukotuku, married a warrior named Tamainupo and they had a son named Wairere. This was the start of Ngāti Wairere.

Historically Ngāti Māhanga is an lwi in its own right. However, in recent times it has been referred to as a hapū of Waikato Tainui lwi because it was administratively part of the 33 hapū that made up the structure of the former Tainui Māori Trust Board.

Today, Ngāti Māhanga is an lwi made up of some 30 hapū. Many of these hapū were separate until the early 1900s but have now consolidated under the general name Ngāti Māhanga. This has been caused by historic forces, particularly land loss, and prolific intermarriage, which has seen the distinctions between the different hapū gradually disappear. (Hayward & Samuels 2015).

Before the consolidation, prominent Ngāti Māhanga hapū were Ngāti Hourua, Ngāti Ruatēatea (Māhanga's son), Ngāti Kuku, and Ngāti Tonganui. These hapū were in turn made up of smaller hapū. There were also splinter groups from other lwi, which became part of Ngāti Māhanga through intermarriage, the most notable ones being Ngāti Ruru and Ngāti Ngāmurikaitaua. Ngāti Ruru also consisted of smaller factions of Ngāti Patupō, Ngāti Werokōkō and Ngāti Koura.

Ngāti Hourua, often termed, Ngāti Māhanga-Hourua, the main hapū who occupied Hamilton was made up of smaller sections: Ngāti Hourua tūturu, Ngāti Whare, Ngāti Ngārape, Ngāti Ngāmurikaitaua, and a section of Ngāti Ruru. Intermarriage with Ngāti Hourua probably explains why a section of Ngāti Ruru occupied land in Ngāti Māhanga country.

The most notable example of this was Te Mokorou, a renowned Ngāti Ruru chief, who married Mihi Aotea, who was the daughter of Uehoka, a Ngāti Hourua chief. After Mokorou's conversion to Christianity in the early 1840s, he left Ōtawhao (Te Awamutu) and moved to Whatawhata (Ngāti Māhanga rohe), where he stayed for the remainder of his life. His descendants retained their Ngāti Ruru identity, but they were allowed to live on the Ngāti Māhanga land at Whatawhata because of his wife's (Mihi Aotea) Ngāti Hourua/Māhanga lineage. Thirty years later, an 1874 census recorded this section of Ngāti Ruru still living at Pitakataka, a kāinga at Whatawhata. The Census also shows Ngāti Ruru and Ngāti Ngāmurikaitaua as hapū of the Tribe of Ngāti Māhanga.

An illustration of smaller groups giving up their name and becoming part of Ngai Māhanga is given in a well-known account of the late Pouwhero Kihī, a Ngāti Ruru elder, who was one of the last occupants at Nukuhau Pā. He laid the name of Ngāti Ruru [ki Whatawhata] to rest, so that they would no longer be separate in name, but would hence forth come under Ngāti Māhanga. In this way, when reference is made to Ngāti Ruru, Ngāti Ngāmurikaitaua, or any of these smaller hapū living within the Ngāti Māhanga rohe, it refers to the specific

lines of those hapuu that became part of Ngāti Māhanga, and not to the main population of these hapū who live in other places.

Ngāti Koura is another example of this process. The entity of Ngāti Koura has become largely historical and obscure. Ngāti Koura was not in the list of 33 hapuu consolidated (administratively) as Waikato-Tainui in 1946. At this time, remnants of smaller hapū were absorbed into their natural larger groups. Hence, Ngāti Koura remnant lines can be found in Ngāti Hauaa, Ngāti Ruru, Ngāti Wairere (originally from the branch of Ngāti Hauaa) and Ngāti Māhanga (Hayward & Simons 2015).

Koura, from whom Ngāti Koura descended, is an ancestress of most, if not all, of Waikato Tainui. Hotumauea (Koura's grandson) is a tupuna belonging to Ngāti Hauaa, Ngāti Kōroki, Ngāti Māhuta and some parts of Ngāti Maniapoto. As both Koura, and Hotumauea, lived many generations ago, and because of inter-marriage, they are the tupuna of everyone in Waikato Tainui. In any case, many generations had passed before the name Ngāti Koura came into general usage. Ngāti Koura as a distinct hapū began in the time of Te Ironui, who was Ngāti Hauaa and Ngāti Ruru. He rose to prominence in the Battle of Rangipōtiki, a battle fought primarily by Ngāti Māhanga and Ngāti Te Wehi against the people of Te Rauparaha. This is estimated by Pei Jones to be during the very early 1800s. In the documentation of Nga Tapuwae O Hotumauea reference is made to the battle of Rangipōtiki, but Te Ironui is confused with Iranui the son of Wairere. Te Ironui was a contemporary to Te Waharoa and Te Tiwha, Chiefs of Ngāti Hauaa and to Te Rauparaha. This chronology demonstrates this confusion, as Iranui, a son of Wairere (who lived in the 1600's) could not have fought in the Battle of Rangipōtiki which occurred in the 1800's. (Hayward & Simons 2015)

Whilst Ngāti Hourua is clearly part of Ngāti Māhanga, it is sometimes recorded with other affiliations. For example, because Ngāti Hourua fought with other Iwi and hapuu, in military contexts Ngāti Hourua is often referred to as part of Ngāti Hauaa, particularly in reference to the battles at Kaipaka and Taumatawīwī. This assumption is also made because Hourua's husband Pūkauae, was the son of Hauaa. Similarly, Ngāti Hourua is also referred to as part of Waikato Tainui, because the Ngāti Hourua Chief Te Awaitaia led the Southern Waikato tribes in battle. This clearly illustrates the flexibility of relationships in the hapū structures of Waikato Tainui. Another example is Ngāti Hourua (Mura Section) which was originally part of Ngāti Hourua tūturu, but later became part of Ngāti Kōroki.

When the British arrived in the Hamilton area Te Awaitaia (Te Awaitaia Wiremu Nera) was Chief of Ngāti Māhanga – he was known as Te Awaitaia until he assumed the name Wiremu Neera when he converted to the Wesleyan Faith in 1836. He was the great grandson of Māhanga and ruled most of the western areas of Kirikiriroa along the Waipa River towards Ngaaruawaahia.

His principle hapū were Ngāti Hourua and Ngāti Ngārape. He was often called Pōtatau's (Maaori King) Fighting General. History remembers him as the chief who slayed the Ngāti Tama Chief, Raparapa, an ally of Te Raupāraha, at the Battle of Taharoa. Along with other Waikato Chiefs, he was instrumental in the expulsion of the West Coast tribes, and the conquering of that Territory. He played a large role in the battle at Kaipaka. Te Awaitaia lived the later years of his life at Whaangaroa (Raglan), though his mana over the Hamilton West lands remained constant.

Predominantly located to the west of the Waikato River, Ngāti Māhanga have had a long- standing presence alongside Tamainupō, Wairere, Koroki, and Hauaa within the Hamilton rohe (district). Like these other hapuu, Ngāti Māhanga experienced significant land losses during the colonial confiscation period. In the 1850's, to encourage trade and good relations, Ngāti Māhanga made their land available for settlement and use by immigrant Europeans. From this a strong trade network developed in the agricultural and horticultural industry. However, Ngāti Māhanga expected the Europeans would comply with the laws of the Maaori community and values of manaakitanga (serving and looking after others). Instead Ngāti Māhanga's lands were confiscated under deeds of sale and the Reserves set aside for Ngāti Māhanga were also subsequently taken. With the introduction of various Crown laws, Ngāti Māhanga saw almost all their land lost to the Crown.

Following the land confiscations, Ngāti Māhanga moved "outwards" to the Whatawhata, Te Pahu, Waitetuna, Whāingaroa, Aotea, Ōhaupō and Pirongia areas.

### Ngāti Wairere Kōrero

Most of the following information is extracted from "Nga Tapuwae O Hotumauea", (authored by W. Puke: 2002). Exhaustive descriptions of Ngāti Wairere is available in other documentation.

Kokako was a Chief whose origins linked to the Mataatua canoe. Kokako was blamed for the drowning of Tuheitia, Māhanga's father. As a result, Māhanga and Kokako were continually in dispute. Tamainupo, the most famous of Kokako's sons, married Māhanga's daughter Tukotuku. They had one son named Wairere.

The birth of the son Wairere was so significant that Kokako and Māhanga made peace at Purakau Pa. To mark Wairere's birth the ancient name of the river was changed from Te Awanui O Taikehu to Waikato - Waikato means "to pluck water" and refers to the motion of sprinkling water on the child during the Tohi (baptism ritual).

Wairere's baptism ritual was performed at Taipouri Island near Huntly. In later life Wairere had several wives who produced several sons, daughters and numerous descendants. In his old age, Wairere travelled southwards to the Taupo district and married Hikataupo a Chieftainess of Ngāti Tuwharetoa.

The following are some of the many hapuu associated with Ngāti Wairere:

#### Ngāti Koura:

Paoa (mid 1600's) a Tainui Chief, lived at Kaitotehe Pa opposite Taupiri mountain with his first wife Tauhakari. They had three children: two sons Toapoto and Toawhane and one daughter, Koura after whom this hapuu was named. Koura married Waenganui, a mokopuna (grandson) of Koroki and his wife Kahurere (herself a daughter of Wairere). On the death of her two brothers Toapoto and Toawhana, Koura and her mokopuna Hotumauea set about conquering the Nga Iwi people (indigenous Pacifica people before Maaori) who were living along the western side of the Waikato River from Taupiri to as far south as Te Rapa Pa, (by what is now Waikato Hospital).

#### Ngāti Hanui:



Wairere and his third wife Tukapua had a son named Maramatutahi. He married Paretahuri and their third child was named Hanui. Hanui became one of Ngāti Wairere's greatest hand-to-hand combat warriors. It was Hanui and Hotumauea who set about conquering the Nga Iwi people of this region and claimed large areas of their lands for Ngāti Wairere and their sub-tribes. On his death Hanui was buried at Karamu Pa in Gordonton. In the late 1880's his bones, and those of Hotumauea, were exhumed under the supervision of King Tawhiao and Te Puke Waharoa, to protect them from possible degradation during the land wars. They were reburied at Taupiri mountain. The location of these burial sites is still known to a few of their living descendants. Ngāti Hanui constructed a number of Pa throughout their lands, but the remnants of only one, Miropiko Pa on River Road, is still visible today.

#### **Ngāti Ngaamurikaitaua:**

The ancestor Ngaamurikaitaua 1 descended from Māhanga's sister-in-law Tikitiki. Ngamurikaitaua 1 married Puruhi (early 1600's) who descended from Māhanga's son Ruateatea. Their daughter Ngamurikaitaua 2 had Te Tipi who in turn had Inuwai who played a part in the construction of Hahawaru and Nukuhau Pa.

This hapuu derives its name from an event carried out in the time of Ngamurikaitaua 1, sometime during the 1600's. Following an unidentified battle, a number of dead warriors' bodies were placed in a canoe moored on the Waikato River to await their burial. However, the canoe broke its mooring and floated down stream, where it was seized by the people of this hapuu as it floated by. They cooked the decomposing bodies in a specially constructed Umu (oven) and ate them. From then onwards this group were known as Ngāmurikaitaua, the name describing the eating of these decomposing bodies. Ngāti Ngāmurikaitaua warriors took part in the famous Hingakaka battle (1791), fought near Ohaupo close to the shores of Lake Ngaroto.

#### **Ngāti Tamainupō Kōrero**

Tamainupo, probably the most famous of Kokako's sons, was borne in Kawhia. On a journey to look for his father he met and married one of Māhanga's daughters Tukotuku. They settled on the Waipa River, between Whatawhata and Ngaaruawaahia, and from them Ngāti-Tamainupo are descended. One of their sons, Wairere, had two daughters Kahurere and Tumataura, both of whom married Koroki (Ngāti-Kauwhata) – a warrior who lived near what is now Cambridge.

Koroki and Tumataura had two sons Hape and Hauaa – Hape gave rise to Ngāti Koroki Kahukura and Hauaa to Ngāti-Hauaa.

Koroki and Kahurere had a daughter called Ruru who married Korako, one of Wairere's grandsons. They had a son named Waenganui who married a woman called Koura. These unions gave rise to a group of hapuu now known as Ngāti Koura, Ngāti Waenganui, Ngāti Ruru, and Ngāti Ngāmurikaitaua,

Thus, early in the 17th century, in the district south of the Huntly Gorge, Ngāti-Tamainupō lived on the bank of the Waipa between Whatawhata and Ngaaruawaahia, Ngāti-Koroki on the Waikato between Maungatautari and Hamilton, and the families of Mahuta and Paoa near Taupiri.



## Ngāti Hauā Kōrero

Koroki (Ngāti-Kauwhata) married two of Wairere's daughters Kahurere and Tumataura. Tumataura had two sons Hape and Hauaa. Hape gave rise to the Ngāti Koroki Kahukura lineage and Hauaa to Ngāti Hauaa.

Ngāti Hauā is an Iwi in its own right – the hapuu of Ngāti Hauaa are: Ngāti Te Oro, Ngāti Werewere, Ngāti Waenganui, Ngāti Te Rangitaupi and Ngāti Rangi Tawhaki.

During the early 1800's Ngapuhi invaded the Hauraki carrying guns. The people of the area fled and sought refuge at Karapiro. This disrupted and displaced the Ngāti Hauaa people living in this area, and they left to find refuge with their whanaunga (relations) in Tauranga, Maungatautari, Cambridge, Tamahere and Kirikiriroa (Nukuhau)

During the 1840's and 1850's Ngāti Hauā established a strong economy centred at the thriving Christian community of Peria. Their Rangatira (Chief) Wiremu Tamehana attempted unsuccessfully to develop a relationship with the Crown on issues of Maaori governance. Because of this lack of success, he supported the establishment of a Māori King to provide order and laws within Maaori communities. He anointed the first Māori King. From that time onwards Ngāti Hauā have played a prominent role in the establishment of the Māori King Movement. Wiremu Tamehana, and his descendants, hold the position known as Tumuaki or "Kingmaker" and it is their task to find and anoint each new Māori King or Queen. They are also prime advisors to the King or Queen.

Relationships between the Crown and the Kingitanga deteriorated over the early 1860s and in July 1863 Crown forces invaded the Waikato. As part of the Kingitanga, Ngāti Hauā opposed the invasion of 1863 and 1864, and many of their people were killed or wounded in ensuing battles.

In February 1864, Crown forces attacked the unfortified agricultural settlement of Rangiaowhia which was a refuge for women, children and the elderly. In 1865 the Crown confiscated a large area of Waikato land, including the western part of the Ngāti Hauā rohe. This raupatu (theft) destituted Ngāti Hauā and left the Iwi virtually landless. In May 1865 at Tamahere, Wiremu Tamehana laid his taiaha at the feet of a British officer and signed 'he maungarongo' ('the covenant of peace'). Until his death in 1866 he sought the return of the confiscated Waikato lands and an investigation into the causes of the war. In the late nineteenth and early twentieth centuries in his role a Tumuaki, Wiremu's son Tupu Taingakawa, continued to seek justice for this Raupatu.

From 1866 the Native Land Court converted customary land title into title derived from the Crown. Legislation in force until 1873 limited the ownership of any land block to ten or fewer individuals. This meant that land previously held by multiple Māori owners passed to individuals or small groups. This led to large areas of land previously awarded by the Court to Ngāti Hauā being sold by the (new) individual owners, without any reference to the original hapuu or Iwi owners. Consequently, by the 1880's private people had acquired a large quantity of Ngāti Hauā land. Crown purchasing activity further reduced Ngāti Hauā land holdings.

Ngāti Hauā lost further land in the nineteenth and twentieth centuries through public works takings for roading, railways, schools, and hydroelectric purposes. Ngāti Hauā also had a grievance relating to the Crown using the Public Works Act in 1951 to take their land at Waharoa to construct the aerodrome.

## Ngāti Koroki Kahukura Kōrero

Ngāti Koroki Kahukura has connections to both Waikato Tainui and Raukawa Iwi. The traditional rohe (region) of Ngāti Koroki Kahukura extends north to Horotiu Pa (Te Rapa region of Hamilton), west to Puhue, east to Puketutu and south through Waipa, Huihuitaha, Waotu North, Waotu South, Matanuku, Maraetai, and Wharepuuhunga to Waipapa.

Ngāti Koroki Kahukura are a river Iwi, as are the majority of Waikato Tainui hapuu. Their relationship with the Waikato River has endured for centuries. The spiritual and cultural wellbeing of the Ngāti Koroki Kahukura people is inherently linked to the wellbeing of the Waikato River and the tributaries which feed it.

Ngāti Koroki is descended from Hape, one of Koroki's two sons – the other was Hauaa. The hapuu Ngāti Kahukura were dominant in the Waotu and Waipapa areas (South Waikato). They intermarried with Ngāti Koroki; thus, the collective hapuu of Ngāti Koroki Kahukura was formed.

Tioriori (Ngāti Koroki) and Te Waharoa (Ngāti Hauaa) as well as being kinsman, were the recognised leaders of their hapuu and were skilled tacticians in warfare.

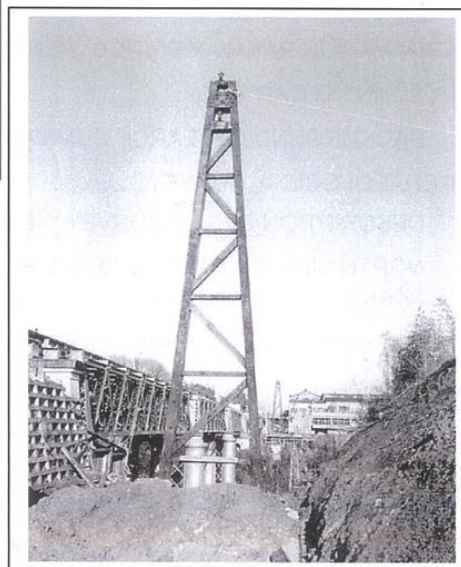
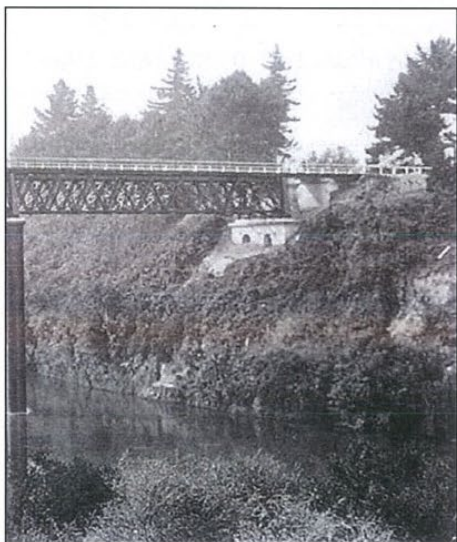
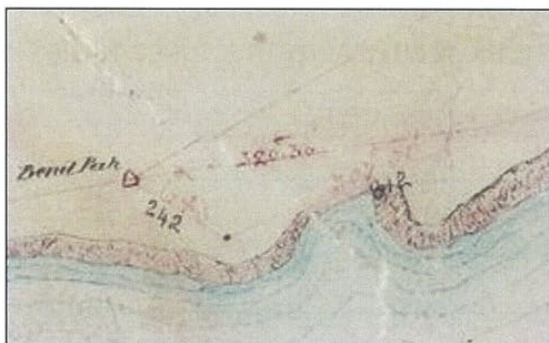
Tioriori was the recognised leader of Ngāti Koroki. He was a nomadic leader, skilled in the art of war. He was taught to read and write English in addition to the traditional education he received in the Whare Wananga. He lived at a number of locations including Cambridge, Arikirua, Tamahere, Te Parapara Pa (Hamilton Gardens), Kirikiriroa, Rangiaowhia, Kihikihi, Arititaha, Te Tiki o Te Ihingārangi, Tane and many other places at the base of Maungatautari. He became a native magistrate and school governor. He was captured at the battle of Rangiriri and held prisoner until the end of the Waikato colonial invasion.

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**ARCHAEOLOGICAL ASSESSMENT OF THE  
PROPOSED WASTE WATER PIPELINE FROM  
JESMOND PARK TO SONNING CAR PARK,  
HAMILTON**

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**PREPARED FOR  
HAMILTON CITY COUNCIL**



*Simmons & Assoc. Ltd.*

DECEMBER 2011

ALEXY SIMMONS, ARCHAEOLOGIST

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## EXECUTIVE SUMMARY

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Hamilton City Council proposes to renew a wastewater pipeline between Jesmond Park and Sonning Car Park. The pipeline corridor is located in an area that contains three recorded heritage items, Opoia Pa (S14/41), the former Hamilton Railway Bridge<sup>1</sup> (H9 / NZHPT4201), and protected tree T44. A literature search and archaeological survey were carried out to assess potential affects from the proposed wastewater pipeline renewal work. The archaeological assessment findings indicate insertion of the wastewater pipeline should have no adverse affects on Opoia Pa archaeological remains, the former Hamilton Railway Bridge, or protected tree T44.

The pipeline will be inserted through the hill at the east end of the Claudelands Road Bridge and low level railway bridge, which is believed to be the location of Opoia Pa. Although at least one reference indicates the pa was under Sonning Car Park.

The literature search indicated that substantial earthworks took place from 1883-1964 at the east end of the bridges which destroyed the pa. The reference to Opoia pa being in Sonning Car Park noted the pa was destroyed when the car park was constructed.

The pipeline insertion should have no affect on the former Hamilton Railway Bridge eastern abutment or the protected tree (T44). The pipeline will be east of the bridge abutment zone and inserted by drilling through the slope at a substantial depth below the surface, i.e. well below the tree root zone.

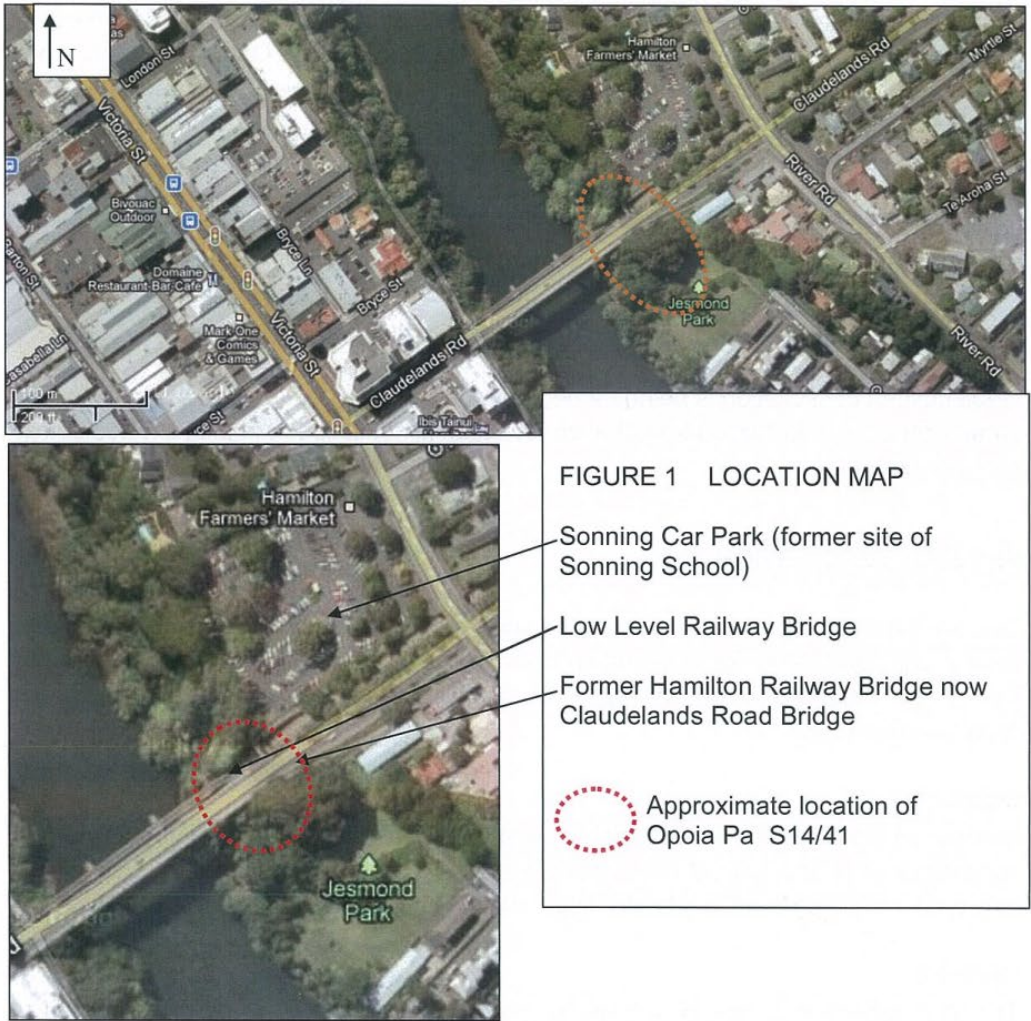
Application to New Zealand Historic Places Trust for a precautionary archaeological authority has been recommended to ensure that there are no construction delays in the unlikely event that archaeological deposits or features are exposed during the pipeline insertion.

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<sup>1</sup> The former Hamilton Railway Bridge was converted to a traffic bridge in 1964 when a low level railway bridge was constructed adjacent to the Hamilton Railway Bridge. The former Hamilton Railway Bridge is known as the Claudelands Road Bridge.

BRIEF

An archaeological assessment was requested by Hamilton City Council (HCC) in association with the wastewater pipeline renewal between Jesmond Park and Sonning Car Park (figure 1). It was noted that the area was scheduled in the Hamilton City Plan as Opoia Pa A41. The archaeological assessment work was to include a table top study and archaeological survey/ site visit and an assessment report.



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## INTRODUCTION

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An archaeological assessment report was commissioned by Hamilton City Council as part of a New Zealand Historic Places Trust archaeological authority application. The application is being made because the existing wastewater pipeline needs to be renewed and is located in an area that contains heritage resources. The renewal project involves inserting a new wastewater pipeline section in Jesmond Park that connects to an existing pipeline near Sonning Car Park (figures 1 through 4). The draft Reserves Management Plan prepared by Hamilton City in 2002 recognizes Opoia Pa in Jesmond Park as a Priority 1- Most Significant and in need of maximum protection and commemoration.

This report has been prepared to document the archaeological work carried out to assess affects to pre-1900 archaeological sites (including heritage structures) in the project corridor. The report includes a general project description, research methodology, background information on the project area, the archaeological survey, recommendations, and methods for mitigating potential archaeological affects.

Maori cultural consultation is being carried out and documented through a separate and parallel process. Information from that consultation is not included in this archaeological assessment report.

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## PROJECT DESCRIPTION

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The new pipeline will be connected on the south end to an existing pipeline connection point in Jesmond Park (figure 3) and on the north connect with an existing wastewater pipeline outside the Sonning Car Park. Two options are being considered at this time for pipeline construction.

### Option A

Insertion of the new wastewater pipeline section will involve drilling through the subsurface zone of Jesmond Park just east of the two bridge abutments to a point outside the Sonning Car Park fence (figure 2).

### Option B

The short section in Jesmond park will be placed in a trench and the longer section of the pipeline drilled through the hill in Jesmond Park and just east of the bridge

abutments to connect with the existing wastewater pipeline outside Sonning Car Park fence (figure 4).

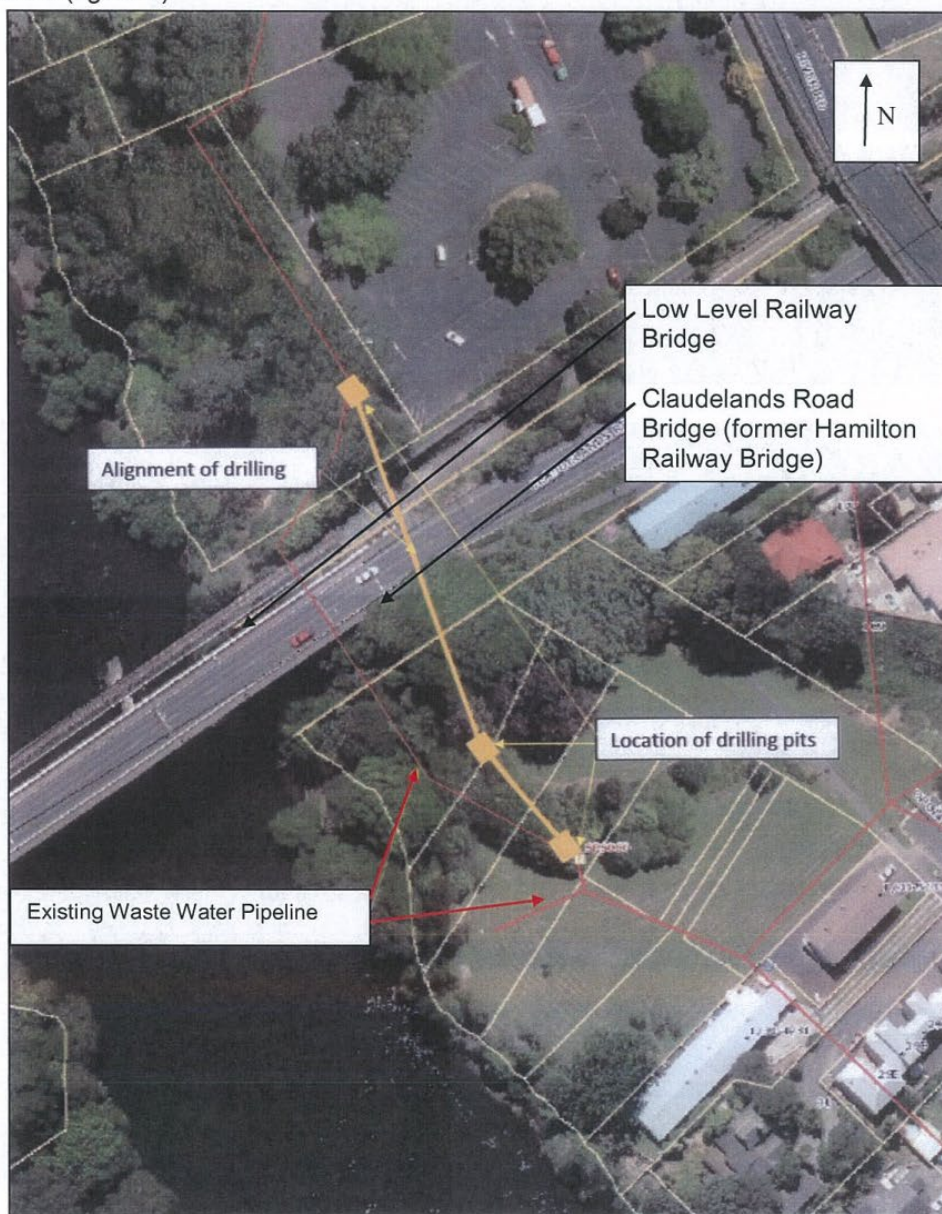


FIGURE 2 WASTE WATER PIPE LINE OPTION A



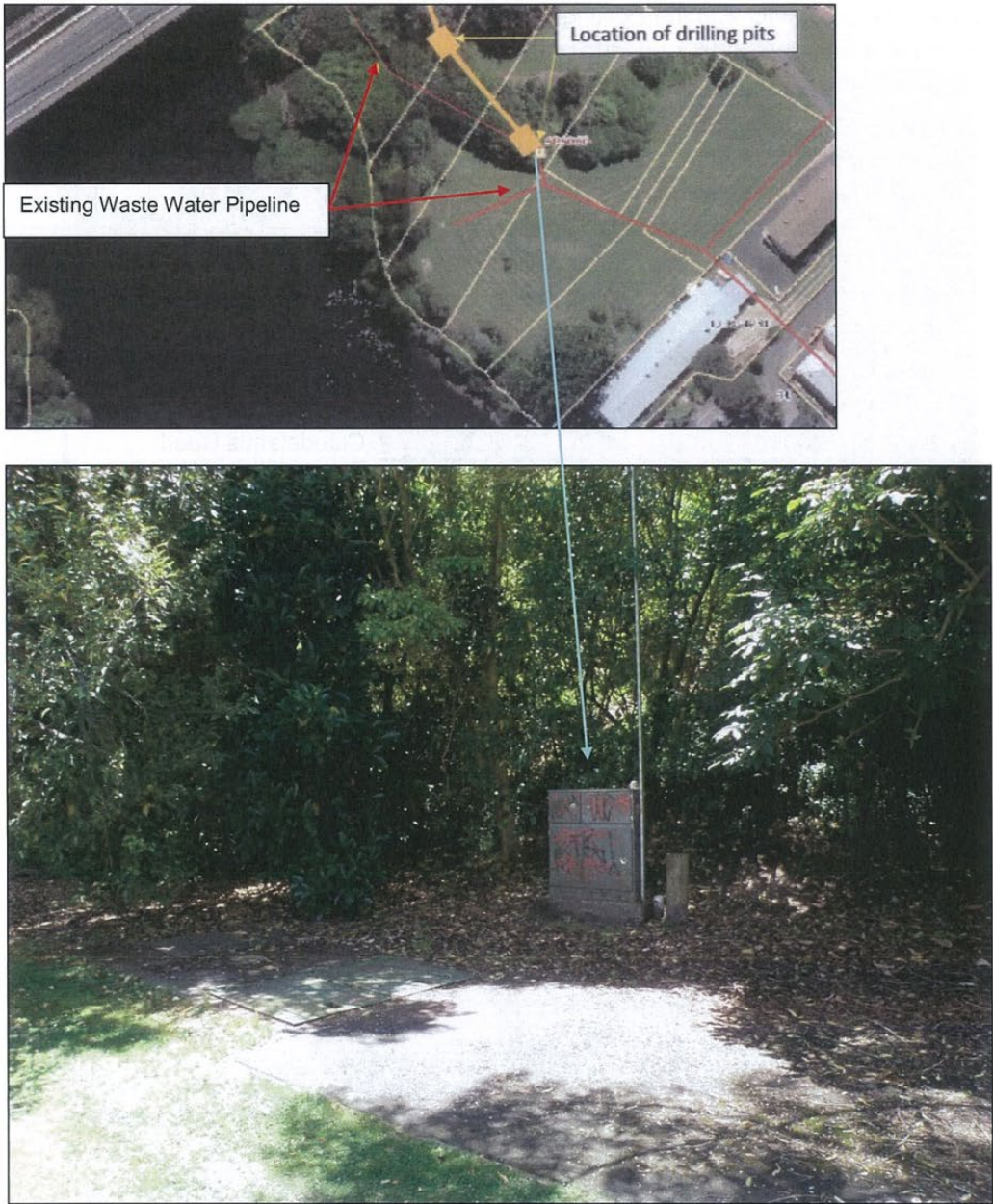


FIGURE 3 SOUTH END OF PIPELINE CONNECTION POINT IN JESMOND PARK



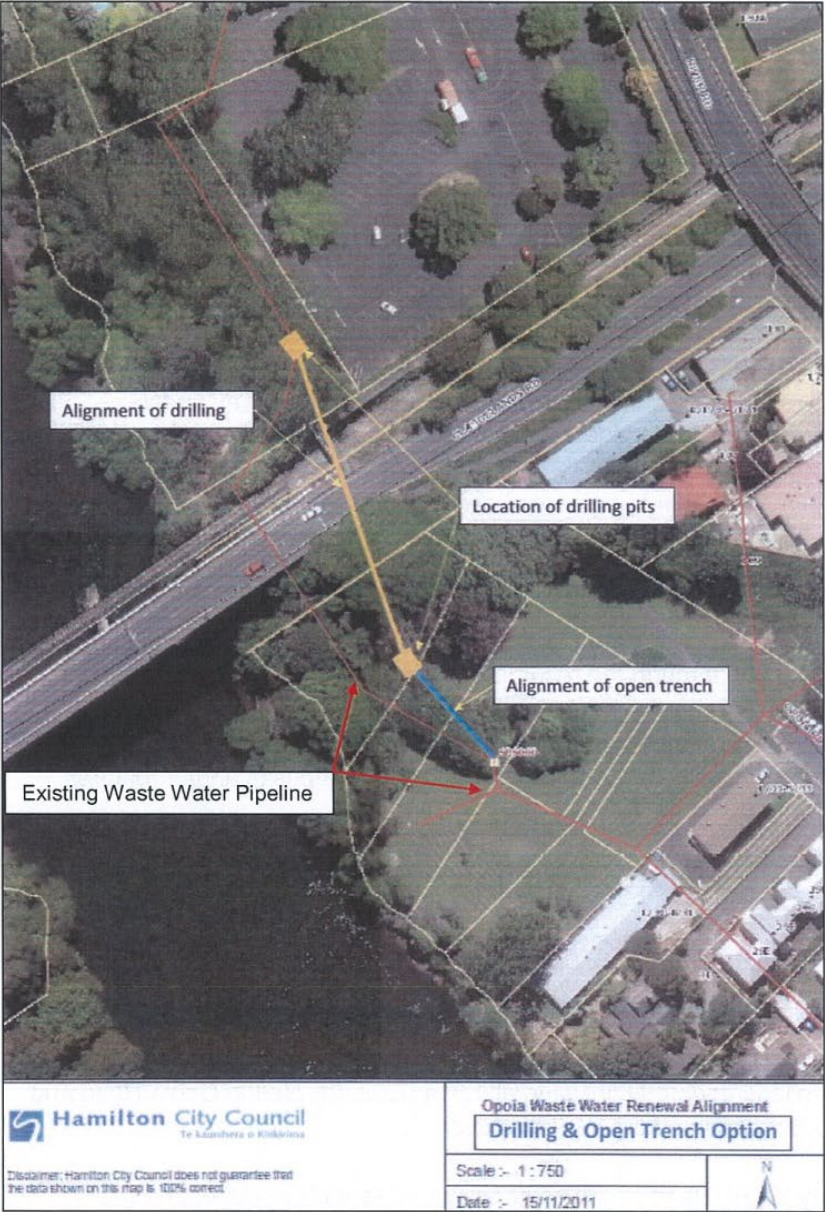


FIGURE 4 WASTEWATER PIPELINE OPTION B

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## ASSESSMENT METHODOLOGY

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The archaeological assessment included a literature and record search to identify heritage items in the project area and to provide background information about Opoia Pa (S14/41) and the pre-1900 Hamilton Railway Bridge (NZHPT no 4201). This search was followed by an archaeological survey of the project area. For the purposes of this archaeological assessment an archaeological site was defined per the Historic Places Act (1993) as:

“any place in New Zealand that either (i) was associated with human activity that occurred before 1900; or (ii) is the site of a wreck of any vessel where that wreck occurred before 1900; and (b) is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand.”

Under the Act both recorded and unrecorded pre-1900 archaeological sites are protected. This definition includes pre-1900 standing structures. The Historic Places Act regulates affects to archaeological sites. It is unlawful to destroy, damage, or modify an archaeological site without an authority from NZHPT.

The information compiled through the record and literature search, and the site visit provided the basis for a professional opinion as to evidence of, and the potential for: archaeological deposits or features in the project area and the effects of the proposed earthworks options for pipeline insertion on archaeological deposits and/or features.

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## BACKGROUND INFORMATION

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### PHYSICAL SETTING

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Jesmond Park was donated by Dr Brewis and his family to the Borough for us as a public reserve. The land donated consisted of 1.314 acres situated in Opoia Road and bounded by the railway line and the Waikato River.

“It is already largely used by the neighbourhood as a playground, and many bathe and have canoes at the shore. Some exceptionally fine pines add to the picturesque appearance of a naturally beautiful park.” (Waikato Times 9 October 1929 in Hamilton City 2002:50)

Jesmond Park is located on the edge of the Waikato River on a flood plain with a steep embankment on the north side. A path leads through the park and up the hill to a pedestrian walkway. The south side of the hill features several broad terraces. The terrace at the crest of the hill is adjacent to the Claudelands Road Bridge (former Hamilton Railway Bridge).

A low level railway bridge (constructed in 1962-64) is located immediately north of the Claudelands Road Bridge. Adjacent to the low level railway bridge outside the perimeter fence of Sonning Car Park is a small segment of river embankment on top of a high scarp (figures 1, 2, and 4).

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#### **RECORDED ARCHAEOLOGICAL AND HISTORICAL SITES AND STRUCTURES IN THE PROJECT AREA**

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The New Zealand Archaeological Association (NZAA) site file, New Zealand Historic Places Trust (NZHPT) register, and Hamilton City Council records were searched to gain an understanding of Opoia Pa site and the (former) Hamilton Railway Bridge (constructed in 1883). The NZAA file contained information about Opoia Pa, but not Hamilton Railway Bridge.

Opoia Pa was recorded on an NZAA site record form by CG Hunt in 1964. The pa was recognized in a site recording report prepared for Hamilton City council Planning Development Group in 1990, and documented in Maori Landmarks on Riverside Reserves Draft Management Plan in 2002 (figure 5). The site is listed as S14/41 in the NZAA site file and A41 by Hamilton City Council (HCC).

Hamilton Railway Bridge (former) was registered by NZHPT in 1985 (Registration Number 4201). The former railway bridge is also recognized by Hamilton City Council as a heritage structure (H9) (figure 5).

One protected tree (T44) is located in Jesmond Park near the south side of the Claudelands Road Bridge (former Hamilton Railway Bridge) (figure 5). The tree, a large oak, with a protected tree tag was noted during the archaeological survey.

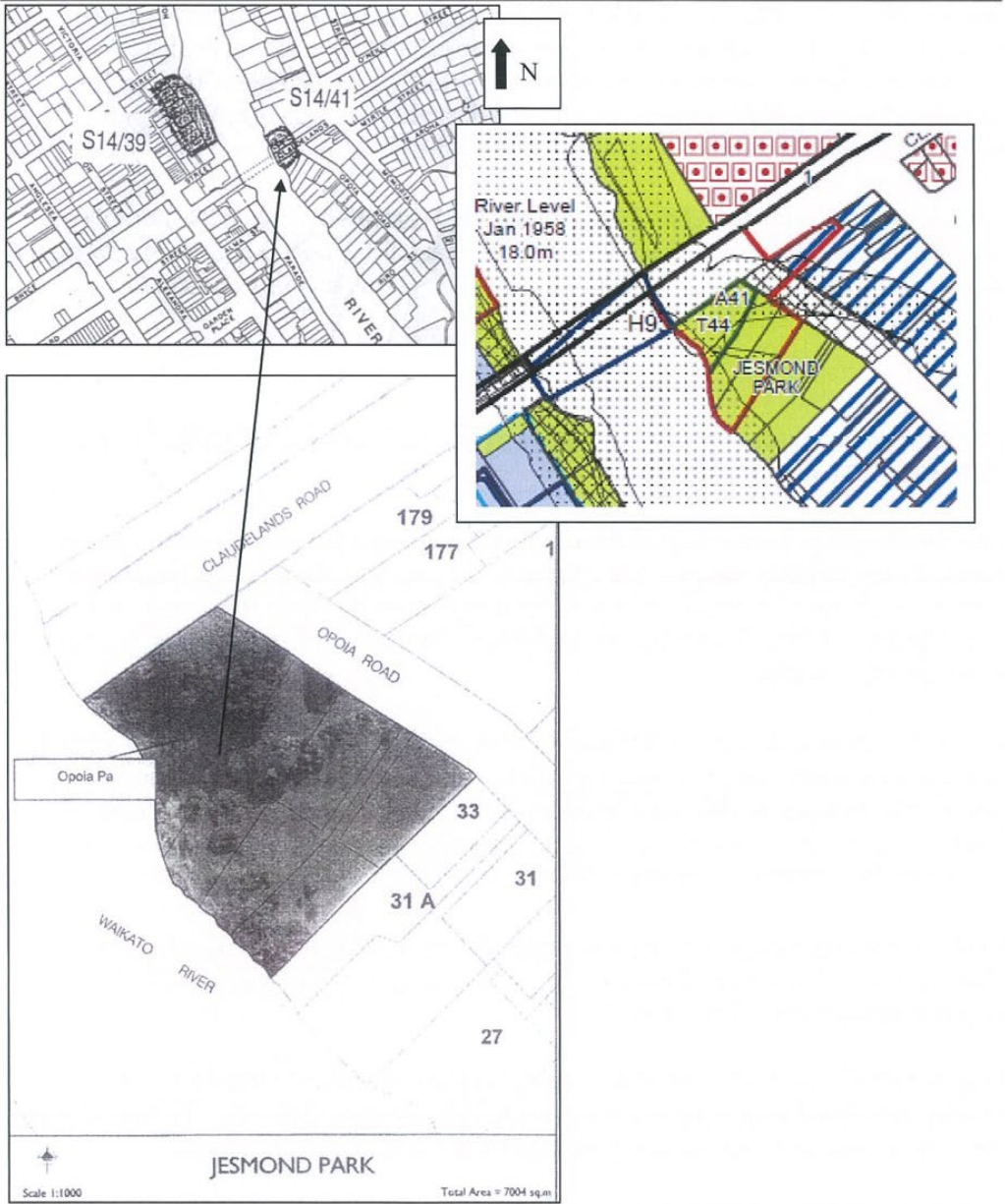


FIGURE 5 OPOIA PA S14/41 (TOP -LOCATION PLAN SHOWING OPOIA PA S14/41; (KAHOTEA 1990) AND BOTTOM (HAMILTON CITY COUNCIL 2002:51)

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## ARCHAEOLOGY AND HISTORY

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Opoia Pa, the former Hamilton Railway Bridge and Sonning Car Park will be discussed in the following text.

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### OPOIA PA S14/41

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The location of Opoia Pa is recorded on the 1864 plan for Hamilton East as 'Bend Pa' (cover page and figure 6) and described in the NZAA site record as being "at the eastern end of the approaches to the Hamilton Railway Bridge" (Hunt 1964:1). (A copy of the site record is included in Appendix A).

The Hamilton City Council draft reserves management plan identifies the pa as being buried under Sonning Car Park and also notes: "the Pa itself were (sic) destroyed by the construction of the Claudelands Road and railway bridge" (Hamilton City 2002:50).

The NZAA site record states:

"Almost totally destroyed by earthmoving work in connection with the old and the new railway bridges. There is some sign of terracing on the southern side but this may be recent." (Hunt 1964:1)

The NZAA site record also noted:

"the writer passes the site daily on his way to and from work and has watched the excavations for the lowering of the railway line with interest. So far no evidence of former Maori occupation has appeared" (Hunt 1964:1).

Figure 7 shows the work that Hunt must have been observing.



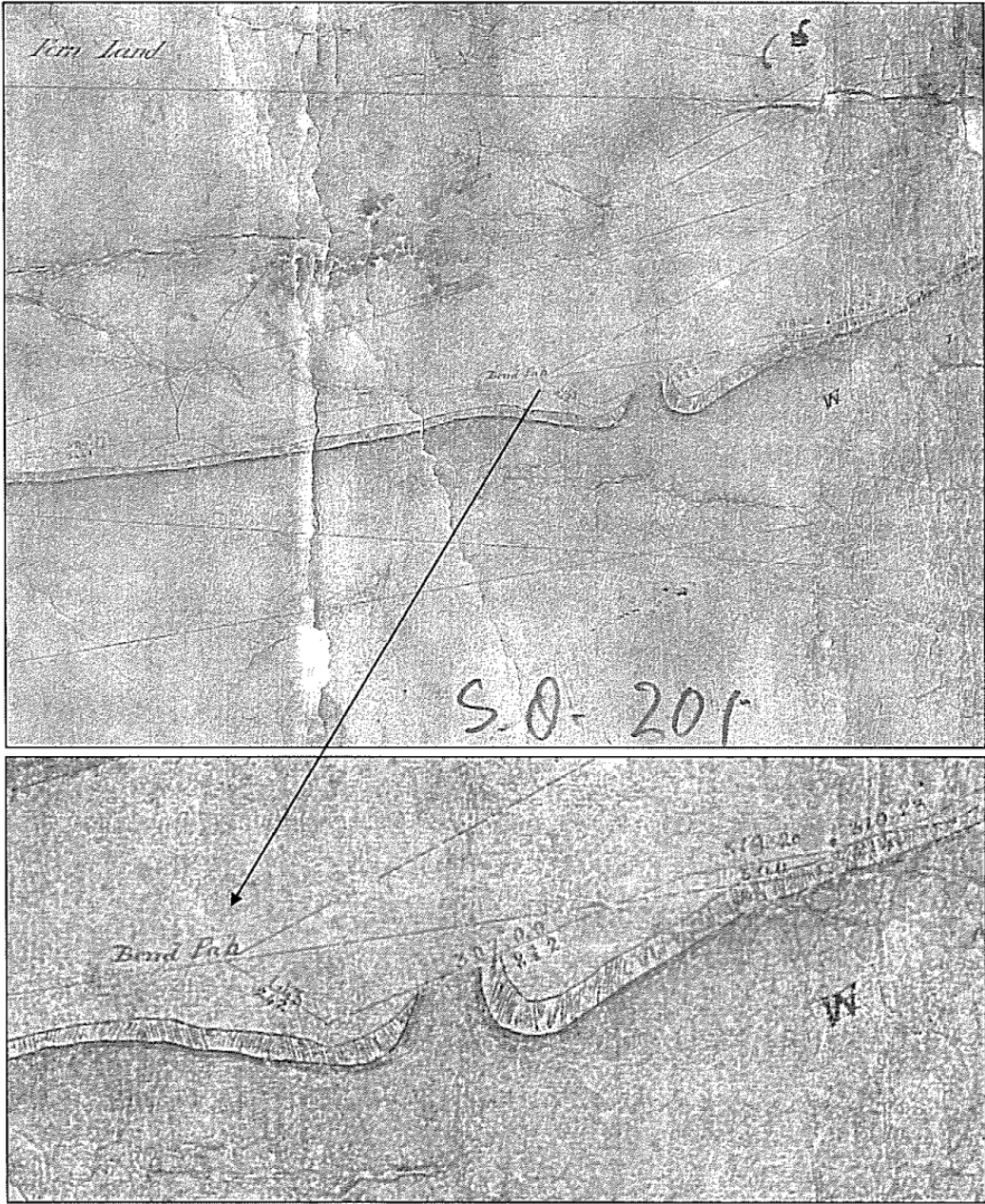


FIGURE 6 EARLY PLAN OF HAMILTON EAST SHOWING OPOIA PA (SO 201, 1864)



FIGURE 7 LOW LEVEL RAILWAY BRIDGE EARTHWORKS AT OPOIA PA; CIRCA 1961/62 HAMILTON CITY LIBRARY #07746

A history of Opoia was included in the draft reserves management plan (Hamilton City Council 2002:50) and is extracted as follows:

**History:** Before his death, Mr Mana Martin recounted that Opoia Pa was settled by Maramatutahi, the eldest son of Wairere from his third wife Tukapua. They had a son who was named Karaka ki Opoia after a sacred Karaka tree that grew at Opoia Pa.

In later generations, a great warrior named Poukawa became the Chief of this Pa. He led Ngati Wairere against Ngati Raukawa in the battle of Hurimoana, near Otorohanga. In this battle he captured and killed a Ngati Wakatere (a sub tribe of Ngati Raukawa) Chief called Te Rerenga and took from him a famous Patu Onewa (Mere) made of basalt. This mere, called Te Waimaori, passed to one of Poukawa's descendants Te Ahipainga, on to Te Ironui and hence to his present day descendants who still hold it today.

There was a flat area of land in front of and below the Pa which was a common meeting place for war parties before they went into battle. This land and the Pa itself were destroyed by the construction of the Claudelands Road and railway bridge. The Pa is now buried beneath the car park at Sonning Park.

The draft reserves plan, as documented in the excerpt, indicates that the flat area at Jesmond Park was associated with the pa. The description of the site noted on the NZAA record also contains information about Maori use of this area:

"Old residents can remember signs of fortifications which have since been disappeared. All the land to the south of the bridge was bought by the late Dr AS Brewis in the early days of Hamilton. His daughter Mrs Daisy Brown now lives on Opoia Flat and informed the writer that this area was once Maori cultivations and later a Chinese market garden. It is now taken up with houses and a small park." (Hunt 1964:1).

Both the NZAA site record description and the Hamilton City draft reserves management plan suggest that the pa has been almost totally destroyed. The NZAA record also suggests that the terracing evident on the south side of the former railway bridge may be recent and any evidence of Maori gardening in Jesmond Park may have been modified by a Chinese market garden.

The photographs of the eastern abutment of the railway bridge south side suggest that at least some of the terracing noted in the NZAA site record (and still evident today) may have been associated with railway construction work (figures 8 through 12). Use of Jesmond Park as a construction staging area is also suggested. Please refer to the notes in the figure captions. The bridge construction work is described in the section on Hamilton Railway Bridge that follows the photographic analysis information.

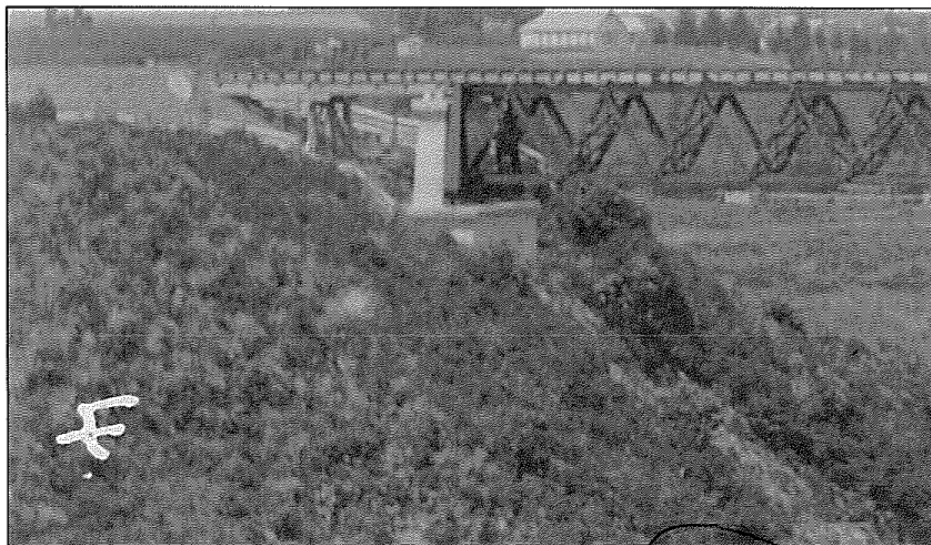


FIGURE 8 OPOIA PA AND JESMOND PARK CIRCA 1884-1889; VIEW SOUTH EAST (Alexander Turnbull Library 1/2-096152-G). (Note: abutment embankment earthworks and corrugated iron fence).





FIGURE 9 EASTERN ABUTMENT OF HAMILTON RAILWAY BRIDGE CIRCA 1910; VIEW NORTH EAST (Hamilton City Library #11248) (Note: terraces on the south side, probably created to stabilise the slope. There is also evidence of earthworks on the north side of the bridge.)



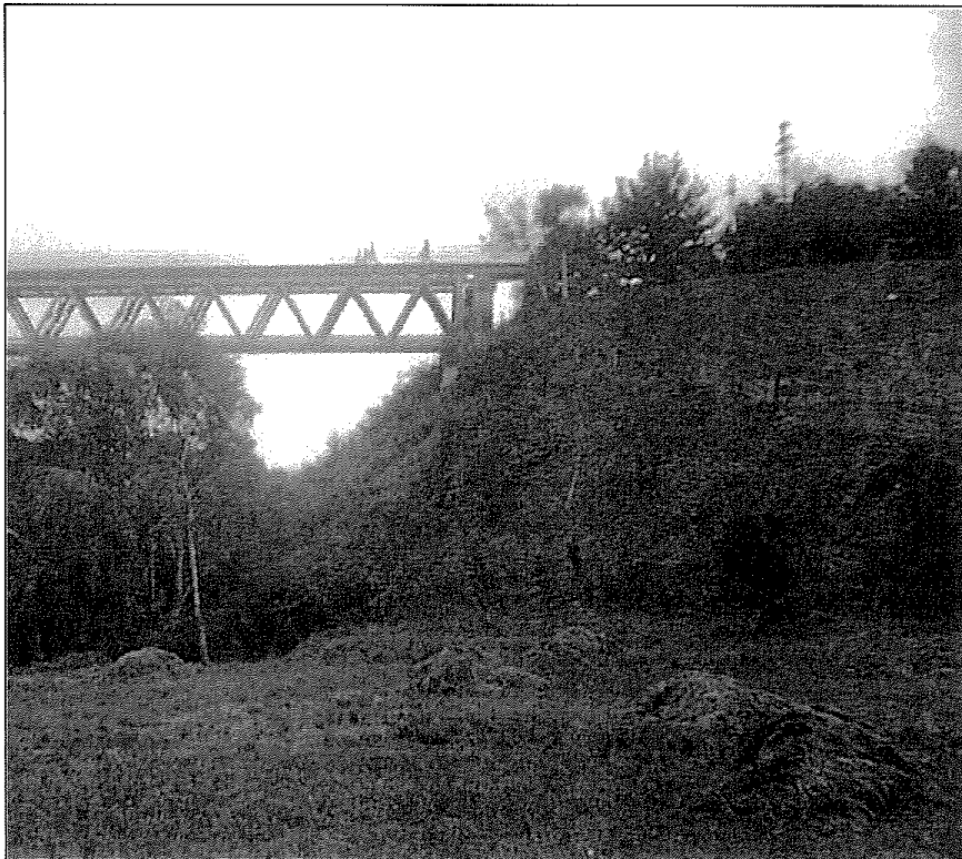


FIGURE 10 EASTERN ABUTMENT OF HAMILTON RAILWAY BRIDGE CIRCA 1920; VIEW NORTH EAST FROM JESMOND PARK (Hamilton City Library #01138) (Note: top terrace, plantings and fence posts running down the side of the slope and either grass cutting or earth mounding in Jesmond Park).

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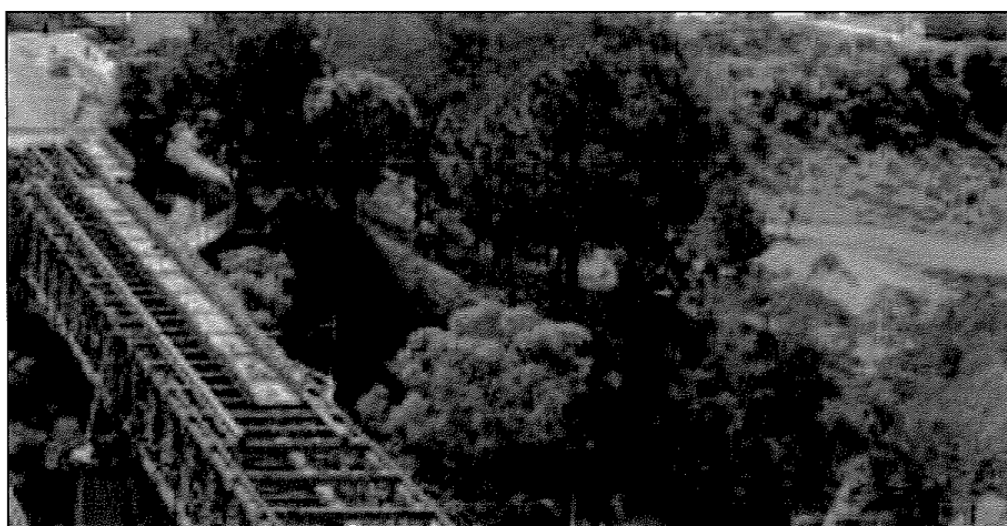


FIGURE 11 BRIDGES, CIRCA 1964 SHOWING SOUTH EAST SIDE OF BRIDGE/ JESMOND PARK; ([http://kete-hamilton.peoplesnetworknz.info/hamilton\\_heritage](http://kete-hamilton.peoplesnetworknz.info/hamilton_heritage)) (note: stock pile of fill in Jesmond Park and two broad terrace with planted trees on the south side of the former Hamilton Railway Bridge abutment.)

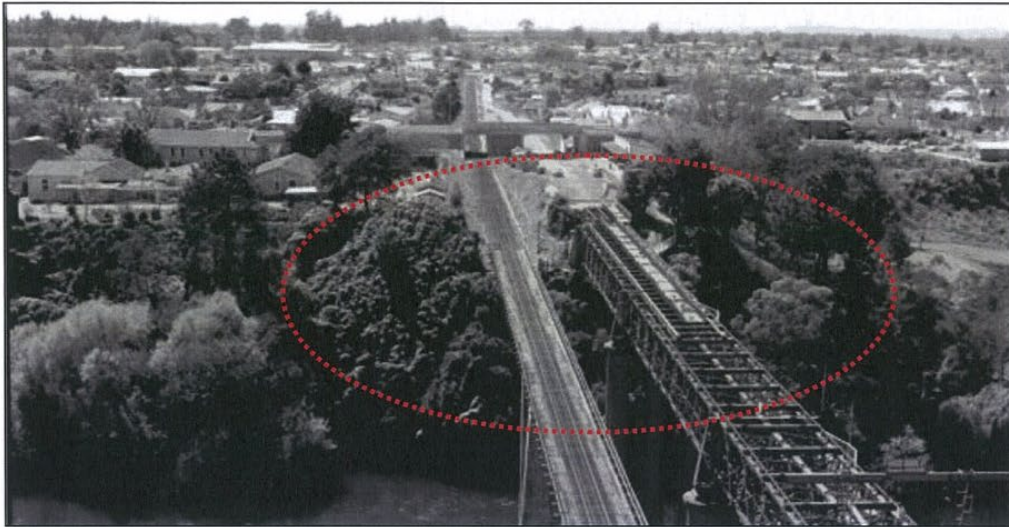
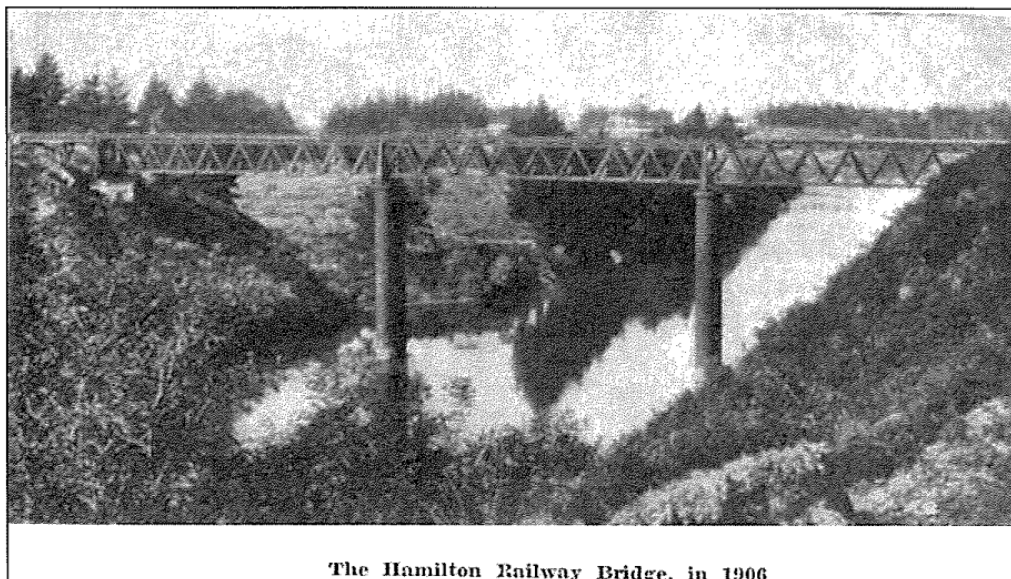


FIGURE 12 SONNING SCHOOL/ PARK AREA NORTH SIDE OF EASTERN END OF NEW LOW LEVEL RAILWAY BRIDGE, 1964; (Opoia Pa indicated by circle with broken line.) ([http://kete-hamilton.peoplesnetworknz.info/hamilton\\_heritage](http://kete-hamilton.peoplesnetworknz.info/hamilton_heritage))

**HAMILTON RAILWAY BRIDGE (NZHPT 4201 / H9)**

The Hamilton Railway Bridge was completed in July 1883 (figure 13). The bridge was designed in 1880 in the office of John Blackett, Chief Engineer for the North Island railway. Construction of the bridge was awarded to W Sims in November 1881, but no work commenced and the contract was terminated. The second contract was issued to J.R. Stone and a separate contract for casting of the bridge support cylinders was awarded to A. & G. Price of Thames.



The Hamilton Railway Bridge, in 1906.

FIGURE 13 HAMILTON RAILWAY BRIDGE (Wainsbrough 1937:27)

The original bridge design and later changes are described in an article by A.S Wansbrough in the Railways Magazine in 1937. Several extracts from Mr Wansbrough's article are included in the following text.

"The original bridge was of three pin-jointed Warren deck girder spans of steel, each 132 feet long and continuous over two cast iron cylinder piers and supported at the ends on massive concrete piers. At each of the shore ends of the main spans were two 20 feet (sic) timber built-beam spans. The cylinders were 7 feet diameter, the pair nearest the Hamilton side being 160 feet long, and the pair nearest the Claudelands side 136 feet long. The respective depths below rail level would be 181 ft. and 157 ft., and depth below the river bed 78 feet and 54 feet respectively. The bridge was designed for a combined live and dead load of 1 3/4 tons per foot, giving very little margin over the weight of the locomotives then running." (Wansbrough 1937:27)

There was no provision for a footbridge in the original design. Planks were laid down the centre of the railway bridge for the convenience of railway maintenance workmen. Locals also used the route as a pedestrian crossing, albeit there were attempts by the railway department to discourage this activity which was considered trespassing. Pedestrian use was probably not a major issue because the population of Hamilton was only 1200 in 1884 and there were two trains a day on the line.

By 1898 the issue of foot traffic and the limited bearing weight of the bridge were being discussed by the railway department.

"The opening of the Waihi line in 1905, and the Taupo Timber Company's private line made the strengthening of the railway bridge an urgent necessity, and early the following year plans were prepared for the work, to be spread over the next two years. The Waikato County Council agreed to pay £500 for the construction of a footway on the strengthened bridge, and £25 per annum for maintenance. The £500 was ultimately paid, however, by the Roads Department."  
(Wansbrough 1937:29)

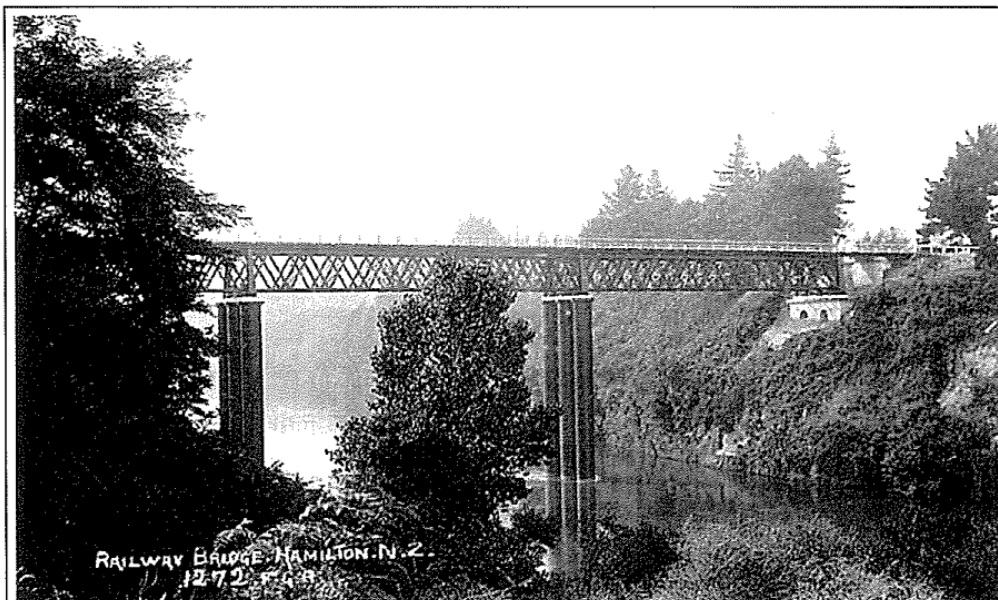
"Plans were complete in 1906 for strengthening the bridge by adding a third cylinder and a third girder, the railway being shifted to the centre of the three girders, over which the load was distributed by long steel cross-girders. The built-beam shore spans were replaced with steel plate girders. A contract was let for the cylinders on 14th September, 1906, to S. Luke & Co., Wellington, for £2,354, and one for the fabrication of the superstructure on 8th January, 1907, to A. & T. Burt, Limited, Dunedin, for £5,872, the erection to be carried out by the Railway Department." (Wansbrough 1937:29)

The photograph, Figure 13, was included in Wansbrough's article. He noted the photograph was taken in 1906 just prior to the strengthening of the bridge. Wansbrough stated:

"photographs [figure 13] shows the bridge of two girders on two cylinders to each pier, with no footway and the sleepers wide-spaced. It also shows the sparseness of settlement on the Claudelands side and gives some indication of the expansion of the town in the subsequent thirty years." (Wansbrough 1937:29)

Figure 14 shows the bridge after the 1906 strengthening and features the additional cylinder.





c. 1910

Opened in 1884 the bridge gave the railways access to Hamilton East with stations at Kirikiriroa (later renamed Claudelands) and Ruakura; to Cambridge (opened 8/10/1884) where the branch terminated and to Morrinsville (opened 1/10/1884) and points north east and east carrying rail traffic as far as Taneatua via Karangahake Gorge and Tauranga and north to Thames via Paeroa. At Morrinsville the line branches to Putaruru where it branches again to Rotorua and Tokoroa. The bridge was widened in 1906 by additional line of piers of the same construction as the original making two rows of three piers in the river. The last trains ran across this bridge on 20 September 1964 after which it was converted to Claudelands Road Bridge.

FIGURE 14 HAMILTON RAILWAY BRIDGE (Hamilton City Library #11248)

The railway bridge decking was renewed in jarrah in 1920. In 1932 renewal of decking was again proposed but was put on hold pending a review of bridge strengthening. Strengthening was required to bear the new K class locomotives which weighed 135 tons with a 15 ton axle load. A new pedestrian foot bridge was also included in the design work.

"In 1934, Mr. R. Worley, A.M.Inst.C.E., Borough Engineer, submitted an attractive design for a new footway in steel, of electrically welded construction. The footway, which consisted of 14 feet 8 inch spans supported on the cross girders and main rail beams, was fabricated by the Borough staff and inserted in

place by the Railway staff as the work of strengthening proceeded. The deck consisted of a bituminastic surface carried on a steel plate. The Council agreed to pay the Department £105 for the extra work due to the presence of the footway, to lay and maintain the asphaltic surface, paint the completed footway and maintain the footway in lieu of the previous annual payment.

The strengthening of the bridge consisted in the welding of flange plates on top chords, cross girders, and main rail beams, while the pin joints were strengthened by welding on plates uniting adjacent lower chord members in such a way as to relieve the pins of part of the load. This work was completed in May of the present year. The whole superstructure is now of steel except the subsidiary rail beams of 12 inches by 9 inches ironbark. The total cost of the strengthening was £5,200, and with the one exception of the Makohine Viaduct the bridge is the most notable example in the Dominion of the strengthening of a large steel structure by electric welding." (Wansbrough 1937:29)

By 1938 the Railway Department considered lowering the railway line and completed preliminary plans. Work was suspended with the declaration of war in 1939 and a focus on other work priorities. In September 1959 the Ministry of Works commenced bridging the river twenty feet below the existing railway bridge level as part of the plan to insert an underground rail line under what became Center Place Shopping Mall. Prior to this the town center was divided by the rail line. The low level Waikato River Railway Bridge (low level railway bridge) was constructed in 1961 through 1964 on the north side of the existing Hamilton Railway Bridge. The new bridge was a post tensioned concrete beam structure supported by reinforced concrete inclined piers, thirty meters above the normal river level (Hamilton City Library 2010 photo #07633) (figures 15-16).

The Hamilton Railway Bridge was converted to a two lane traffic bridge with pedestrian foot path in 1964 and is known as the Claudelands Road Bridge. The bridge is pictured prior to conversion during the construction stage in figures 15-17. The photographs showing the eastern end of the bridges, i.e. the abutments, access embankments, and the 1961/64 construction cutting for the low level railway bridge suggest that there has been considerable modification of Opoia Pa.



FIGURE 15 CONSTRUCTION OF THE LOW LEVEL WAIKATO RIVER RAILWAY BRIDGE; VIEW EAST (Hamilton City Library #07633)



FIGURE 16 HAMILTON RAILWAY BRIDGE PRIOR TO CONVERSION TO CLAUDELANDS ROAD BRIDGE, 1963 (Aerial photograph taken by Whites Aviation; Alexander Turnbull Library WA-60069-F) (Note: the buildings in the area now used as Sonning Car Park. The area modified for use extends to the top of the river bank).

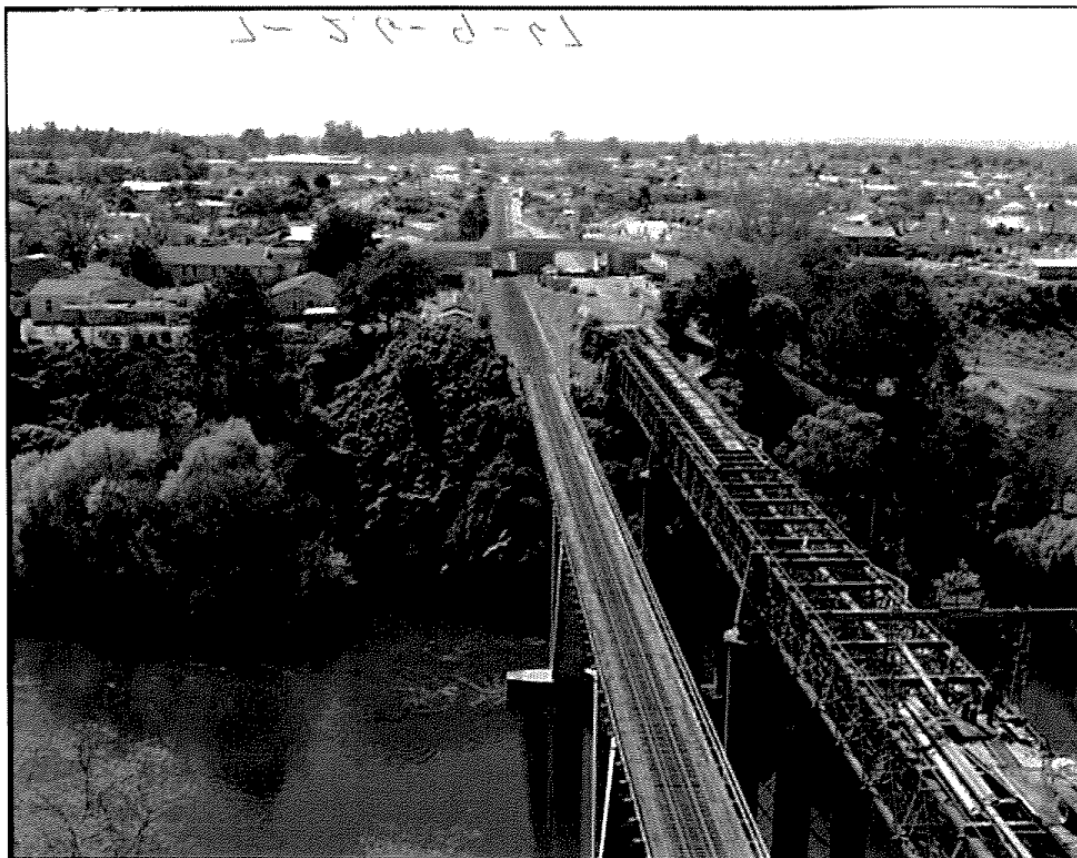


FIGURE 17 CONVERSION OF THE FORMER HAMILTON RAILWAY BRIDGE TO A TRAFFIC BRIDGE IN 1964.

([http://ketehamilton.peoplesnetworknz.info/hamilton\\_heritage](http://ketehamilton.peoplesnetworknz.info/hamilton_heritage))



**SONNING CAR PARK**

Sonning Car Park was named after Sonning School, a girls school that was established on this site by about 1920. The school was started by Mrs May Whitehorn in a small house on Milton Street with four pupils ([www.waikatodiocesan.school.nz](http://www.waikatodiocesan.school.nz)). When the roll increased the school was moved to premises in Anglesea Street and finally to the eastern side of the railway bridge (figures 16 and 17). Mrs Whithorn named the school Sonning after her family's village in Berkshire England.

"The first Bishop of the Waikato, Cecil Cherrington, had a vision of an Anglican Girls School in Hamilton. The Waikato Board for Diocesan Schools formed in 1927, leased Sonning School from Mrs Whitehorn" ([www.waikatodiocesan.school.nz](http://www.waikatodiocesan.school.nz)).

In 1929 the Anglican Girls School was moved to the school's current site in River Road. Use of the buildings after the Anglican Girls School relocated was not researched. Based on photographs of bridge construction the Sonning School site was cleared of buildings sometime after 1964 and developed into a car park.

**BACKGROUND RESEARCH SUMMARY**

The previous text has documented the heritage features of the wastewater pipeline renewal corridor. The areas affected by the pipeline renewal contain the site of Opoia Pa (S14/41), feature a protected tree (T44) and the eastern abutment of a historic bridge (H9 / NZHPT Registration Number 4201).

The land that is associated with the pa site has been modified through major earthworks associated with multiple episodes of bridge construction, bridge renewal, insertion of a second bridge, and the construction of Sonning School and Sonning Car Park (figures 7-12, 15 and 17).

Jesmond Park, the river terrace associated with the pa has also been affected by past engineering work, in particular the insertion of a pipeline (figures 2-4) and use as a market garden. The park may have also been used in construction staging (figures 11 and 17).

The Hamilton Railway Bridge has been affected by bridge alterations beginning in 1906 to increase weight bearing capacity, renewal work, and eventually conversion into a traffic bridge (Claudelands Road Bridge) in 1964 (figures 13-17).

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## ARCHAEOLOGICAL SURVEY

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An archaeological site visit was carried out on 7 December 2011. At that time the exact route of the pipeline corridor was only generally defined, therefore a through pedestrian survey was made of the southern and northern sides of the Claudelands Bridges. A meandering survey technique was used because of the slopes, terraces, and dense vegetation in the project area. No subsurface excavations were made, i.e. shovel testing, etc. but exposed soil profiles on embankments were examined. The survey is described in the following text.

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### DESCRIPTION OF THE SURVEY WORK

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#### **SOUTHSIDE OF THE BRIDGES AND JESMOND PARK**

The park features two terraces that are situated between Jesmond Park and the southern side of the Claudelands Road Bridge (figures 2 and 18). The first terrace is an open grassy terrace and the second or upper terrace features a large evergreen magnolia and protected oak tree (T44) (figure 19). The slopes below both terraces are densely vegetated.

A steep embankment drops down the face of the slope on the river edge of the terraces. Garbage disposal was evident in the embankment zone (figure 20).

Evidence of previous trenches, pipelines and utility installation was found on both terraces and in the mid-embankment zone (figures 18 through 20). No evidence of pre-1900 archaeological deposits or features was evident in the area surveyed on the south side of the eastern abutment of Claudelands Road Bridge. The area appeared to be substantially modified, as was suggested by historic photographs (figures 8-12).

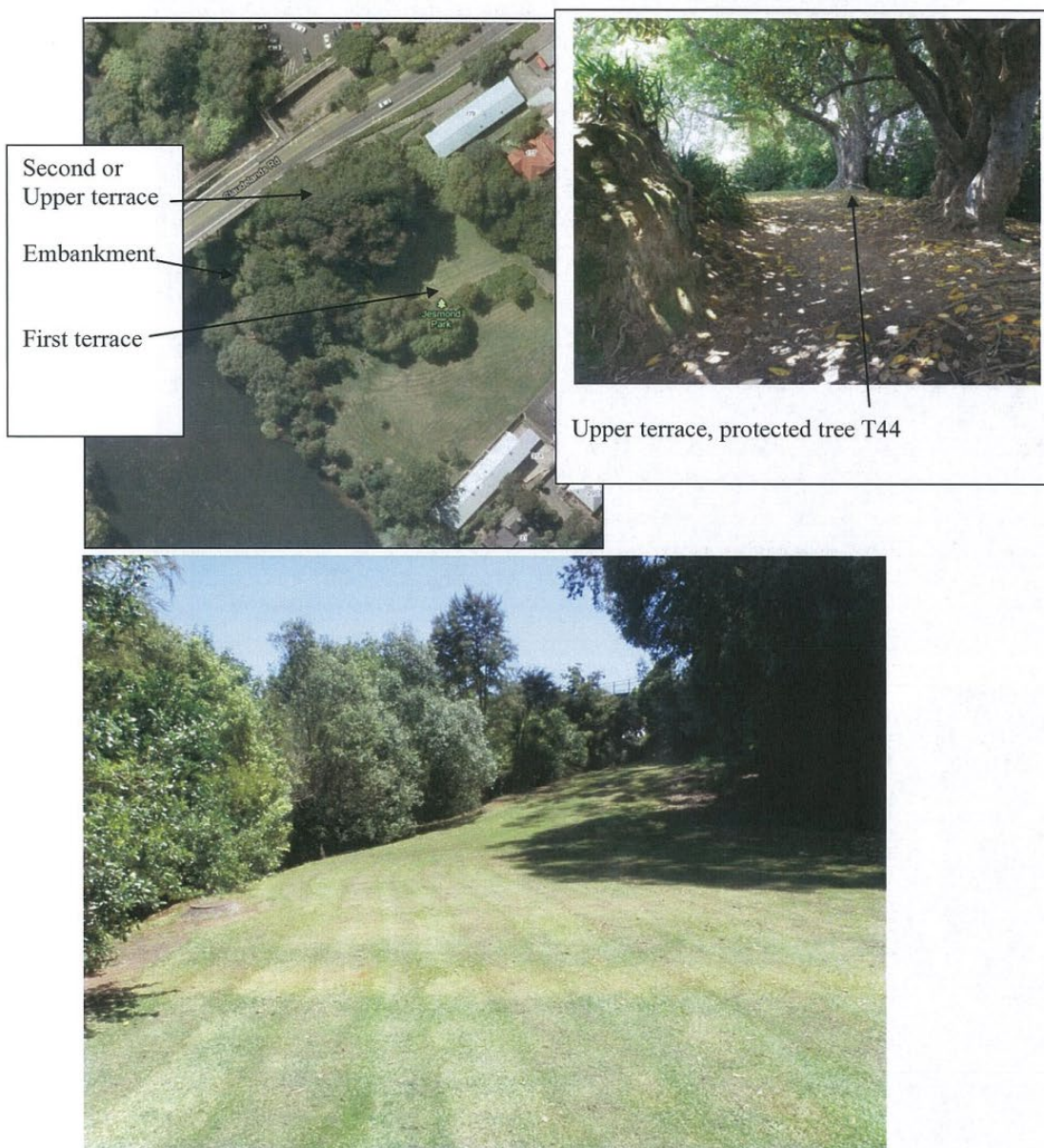


FIGURE 18 ARCHAEOLOGICAL SURVEY OF JESMOND PARK AND SOUTHSIDE OF THE CLAUDELANDS ROAD BRIDGE. (Note: man hole middle left).





UPPER TERRACE WITH PROTECTED TREE AND EVIDENCE OF PREVIOUS TRENCHING



FIGURE 19 UPPER TERRACE (Note: area appears to have been cut down to create a construction access road)



FIGURE 20 EMBANKMENT ZONE



**NORTH SIDE OF THE LOW LEVEL RAILWAY BRIDGE ADJACENT TO SONNING CAR PARK**

The north side of the Low Level Railway Bridge is located above the railway track and densely covered with bamboo (figure 21). The top soil layer is not deep. The ground surface outside the car park was densely covered with ivy and small scrubby trees and shrubs (figure 22). Figure 2 shows the existing wastewater pipeline in this area. The vegetation and soil profile suggests this zone has been disturbed through earthworks in the past. Historic photographs, figures 12, 16, and 23, support the supposition this area has been substantially modified.

No evidence of pre-1900 archaeological deposits or features was evident in the area surveyed on the north side of the eastern abutment of Low Level Railway Bridge.

**ARCHAEOLOGICAL SURVEY RESULTS**

As was documented in the text and photographs no archaeological deposits or features were identified during the pedestrian survey of the proposed pipe alignment area from Jesmond Park to Sonning Car Park. The area, particularly on the south side of the bridges in Jesmond Park appeared to be substantially modified through various types of earth working activities, i.e. construction, trenching, etc. (Please refer to the caption on figures 18 through 23).



EMBANKMENT WITH BAMBOO WEST OF PEDESTRIAN WALKWAY



FIGURE 21 LOW LEVEL RAILWAY EMBANKMENT NEAR SONNING CAR PARK  
(Note: bamboo and soil profile with shallow top soil and no topsoil-subsoil interface)





FIGURE 22 ADJACENT TO THE LOW LEVEL RAILWAY BRIDGE APPROACH, BETWEEN SONNING CAR PARK AND THE RIVER BANK (Note: top photo view west and bottom view southeast; dense ground surface cover and recent debris)

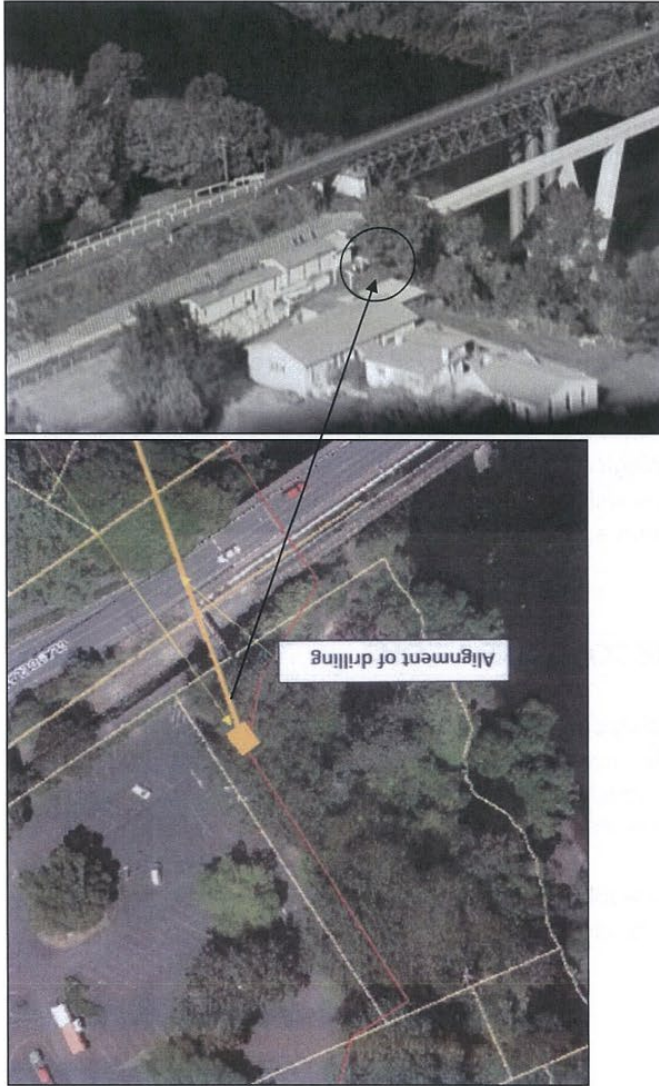


FIGURE 23 AREA AFFECTED BY THE PIPELINE INSERTION; (Note: top photograph circa 1964 (Alexander Turnbull Library WA-60069-F))

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### SUMMARY

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The wastewater pipeline alignment was reviewed when the design drawings became available and analysed in conjunction with the background research and archaeological survey data. No evidence was found to indicate that the pipeline (Option A or B, figures 2 and 4) would affect the historic Hamilton Railway Bridge abutment, the protected tree (T44), or archaeological remains of Opoia Pa, if there are any.

The pipeline will be drilled through the hill and under the roadway and railway lines of the bridges. The depth of the pipeline will be well below the tree roots of T44. There is an extremely low potential for archaeological deposits or features of Opoia Pa (if any remain) to be discovered during drilling or partial trenching based on the depth of the drilling. The potential for archaeological deposits or features at the toe of the slope in Jesmond Park (where the pipeline will be connected) is extremely low based on modifications to the toe of the slope and terrace above in the past.

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### RECOMMENDATIONS

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Although no evidence of archaeological deposits or features were found through the background research and the site survey a precautionary archaeological authority is recommended. This will prevent construction delays in the unlikely event that archaeological deposits or features are exposed during the pipeline insertion.

Based on this recommendation the following section has been prepared per the NZHPT authority application information requirements.



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## NZHPT AUTHORITY APPLICATION ARCHAEOLOGICAL ASSESSMENT OF AFFECTS, SIGNIFICANCE, VALUES, AND RESEARCH STRATEGY

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### ASSESSMENT OF EFFECTS

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No pre-1900 deposits or features were identified during the site visit but there is a potential, albeit very minimal, that buried archaeological features or deposits may be exposed during the earthworks required to carry out the work proposed for pipeline insertion.

Based on the information contained in the NZAA site record, the history of land modification and the geomorphology of the area the potential may exist for exposure of pre-1900 archaeological information during construction north and south of the bridges.

The work proposed is east of the footings for the former Claudelands Railway Bridge and therefore will have no affect on the bridge.

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### SITE SIGNIFICANCE/ ARCHAEOLOGICAL VALUE

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The archaeological data exposed, if any, could include Maori artefacts or deposits associated with Maori occupation of Opoia pa. The finding of artefacts or other deposits relating to Maori use of the site is significant because of the information provided by the deposits about Maori daily life at Opoia pa. Comparison of any recovered archaeological information from the site with data from other sites can also provide additional information about early New Zealand's history.

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### MITIGATION OF EFFECTS

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If archaeological features or deposits are discovered during construction the effects of the earthworks can be mitigated through data collection. The conditions of an NZHPT authority and best archaeological practice will form the framework for the strategies and methods used for data collection. An earthworks monitoring strategy would prevent loss of information exposed during construction through immediate data recovery.

A proposed monitoring and research strategy is included in the following section. (It is recommended that the procedure or similar information be included in the construction contracts).

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### MONITORING METHODOLOGY AND RESEARCH STRATEGY

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The following procedure should be used to ensure there are no adverse effects to pre-1900 archaeological deposits or features discovered during earth works. The research

strategy outlines the research considerations and process that will be followed if archaeological data is exposed.

#### **ARCHAEOLOGICAL FEATURES OR DEPOSITS DISCOVERED DURING EARTH WORKS ASSOCIATED WITH WASTEWATER PIPELINE INSERTION FROM JESMOND PARK TO SONNING CAR PARK**

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##### **Procedure**

- Hamilton City will ensure that the construction contractor/ manager is aware he is working on an archaeological site (Opoia Pa) and that there is a potential archaeological deposits to be exposed.
- If archaeological deposits are discovered the construction contractor/ manager must avoid affecting the archaeological deposit and report the find.
- The construction contractor/ manager is responsible for contacting a designated Hamilton City Council staff member and the archaeologist immediately.
- The construction contractor/ manager must ensure the deposit is left in situ and protected from disturbance.
- A qualified archaeologist will assess the discovery and determine if it is archaeological. If it is archaeological the archaeologist will record and recover data contained in the site using best archaeological practice. (This includes: mapping, collecting, sampling, photographing, analyzing, etc. per the conditions of any NZHPT authority issued to Hamilton City for the work).
- Work will continue in the area of the feature once the archaeologist has informed the designated Hamilton City Council staff member and construction contractor/ manager that the archaeological recording is completed.
- Iwi / hapu representatives will be advised of any findings of Maori archaeological features or deposits in accordance with any planning consent protocols or existing protocols agreed to by Hamilton City Council.
- Maori artefacts will be registered with the crown through the Waikato Museum of Art and History (as required under the Antiquities Act) and deposited at the Waikato museum.

- Koiwi will be left insitu, so they can be removed using the appropriate protocol.
- The archaeologist will document the process used to mitigate effects to archaeological features/ deposits and prepare a report on this work. The research strategy described below will be followed.

#### **RESEARCH STRATEGY**

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The archaeological data recovered from the project area will be recorded, collected, catalogued, and analyzed using best archaeological practices. The archaeological deposits will be dated, if possible, and compared with data recovered from other similar sites. Flora and fauna material will be catalogued and social information like butchering patterns and marks on bones will be recorded and interpreted.

The goal of the research strategy will be to derive as much information as possible from the archaeological material or features discovered. This may include information about technology, diet, and social behaviour.

The information collected will be disseminated through an archaeological report supplied to the agencies and individuals identified in a New Zealand Historic Places Trust Authority for this project.

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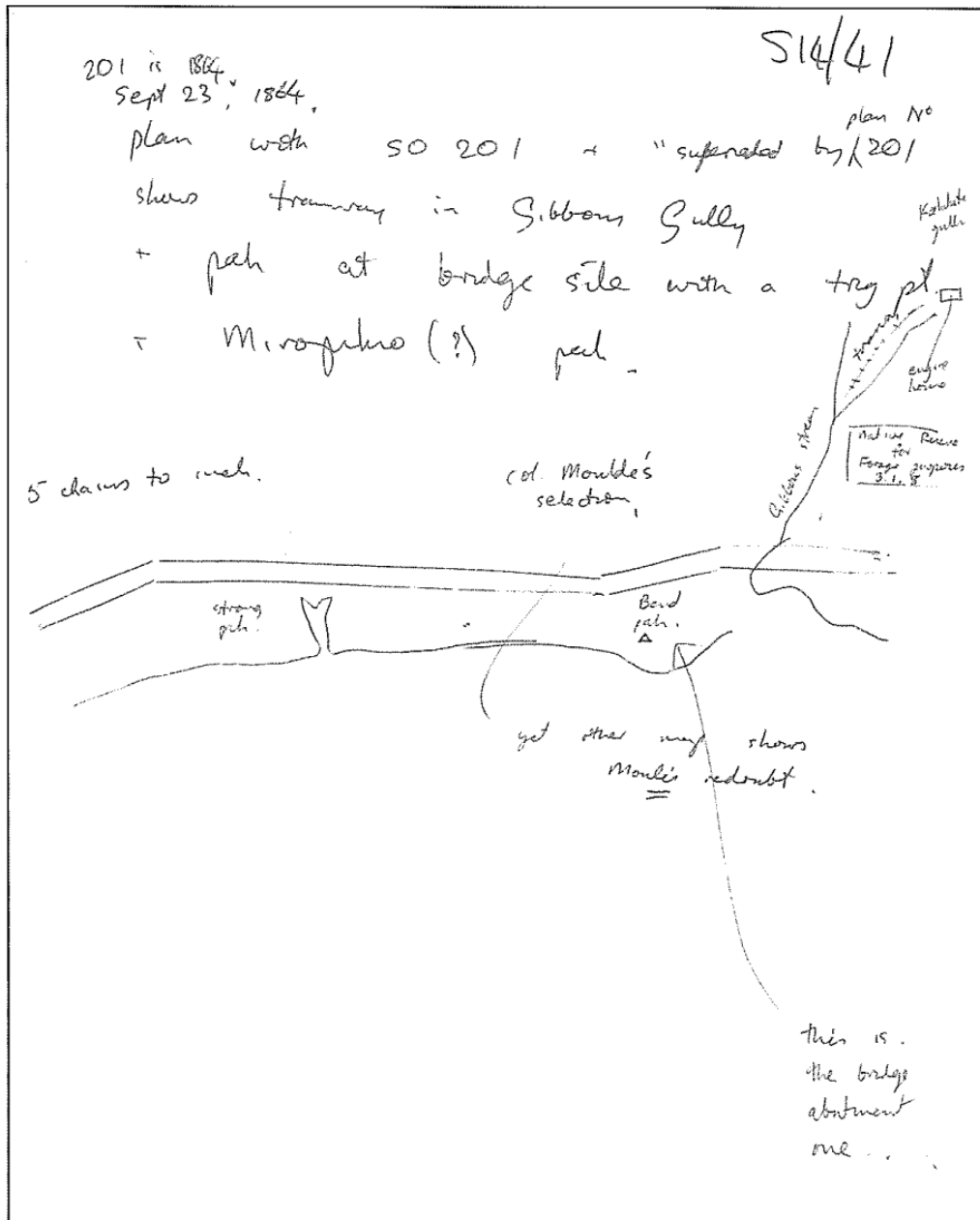
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Note: photographic references are not noted in the reference section but are referenced on the figures.

## APPENDIX A

SITE REFERENCE FORM		SITE NUMBER <i>N 65/11</i>
Map number	L. & S. N.65	SITE TYPE River Terrace Pa
Map name	HAMILTON	
Grid reference	793475 792 474 4 1974	
<p>1. Aids to relocation of site At the Eastern end of the approaches to the Hamilton Railway Bridge. May be reached from Victoria St. Hamilton by the Railway footbridge or by car along River Rd. (The writer passes the site daily on his way to and from work and has watched the excavations for the lowering of the railway line with interest. So far no evidence of former Maori occupation has appeared.)</p>		
<p>2. State of site; possibility of damage or destruction Almost totally destroyed by earthmoving work in connection with the old and the new railway bridges. There is some sign of terracing on the southern side but this may be recent. Old residents can remember signs of fortifications which have since disappeared. All the land to the south of the bridge was bought by the late Dr. A. S. Brewis in the early days of Hamilton. His daughter Mrs. Daisy Brown now lives on Opoia Flat and informed the writer that this area was once Maori cultivations and later a Chinese market garden. It is now all taken up with houses and a small park.</p>		
<p>3. Owner Partly Railway and partly Girls High School Hostel Address Sonning Hostel River Rd. Hamilton Attitude Unknown</p>		<p>Tenant Railways and Girls High School Address Board of Governors. Railways, , , , Frankton Junction School. . . . . Ward St. Hamilton Attitude Unknown</p>
<p>4. Name of site Opoia Source of name Maori <i>Near this pa was a small lake called Roto Ariari</i></p>		
<p>5. Date recorded March 14th. 1964 Details of investigation; methods and equipment used Visual examination only <i>Good photos to be found in the Roche collection, Waikato Mus [OW Aug 2002]</i></p>		
<p>6. Aerial photograph numbers Site shows: <u>clearly/bodily</u>/not at all</p>		
<p>7. Reported by Mr. C. G. Hunt King's Bldgs. Victoria St. Hamilton Date March 15th. 1964</p>		<p>Filekeeper <i>[Signature]</i> Date <i>26-4-1964</i></p>





## Opoia Pā (S14/41)



Figure 1. Site extent for S14/41 outlined in red, mapped on 2016 aerial photograph. Other recorded archaeological sites are labelled in red

NZAA ArchSite No: S14/41

Significance: Group 1

**Location:** Jesmond Park, at the northern end of Opoia Road on the eastern side of the Waikato River, bisected by Claudelands Bridge eastern approach.

**NZTM Map Grid Coordinates:** E1801155 / N5815672

**Heritage Status:** NZAA recorded archaeological site, District Plan scheduled. **District Plan Zoning:** Recreational Zone (Neighbourhood Open Space Zone)

**Site Type:** Pā

**Features:** Possible terraces

**Physical Description:** The site has almost been totally destroyed by earthworks and other construction from roading, rail, and local urban development. The southern side of the site is recorded to have some evidence of terracing. It was reported that there were once fortifications and a large Māori cultivation area, however, there is no longer any identified physical evidence relating to these features.

**Other known names:**

**Site History:** The site was first recorded in 1964 by C. Hunt. It was revisited by R. McGovern-Wilson in 2014.

The site is recorded to have once been a large Māori cultivation area, and later used as a Chinese market garden. The site has largely been taken up by housing, with part of it being turned into a public park (Jesmond Park).

Nga Tapuwae O Hotumaeua identifies that Opoia Pā was settled by Maramatutahi, the

Archaeological Site

Inventory Number:

A19

**Heritage Type:**

- ☐ Wāhi Tapu
- ☐ Landscape
- ☐ Building
- ☐ Group of Buildings
- ☐ Structure
- ☐ Monument
- ☐ Historic Place
- ☒ Archaeological Site

**Date Period:**

Pre-European (<1840)

**Significance:**

- ☒ Archaeological
- ☐ Architectural
- ☐ Historic
- ☐ Scientific
- ☐ Technological
- ☒ Cultural

eldest son of Wairere from his third wife, Tukapua. They had a son who was named Karaka ki Opoia after a sacred Karaka tree at the pā.

The pā was later home to Poukawa, who led Ngati Wairere against Ngati Raukawa in the battle of Hurimoana, near Otorohonga. In this battle, Poukaw captured and killed Te Rerenga, a Ngati Wakatere Chef, and took his famous Patu Onewa (mere), Te Waimaori. It is still in the possession of Poukawa's descendants.

The site was largely destroyed by the construction of the Claudelands Road and railway bridge.

#### ASSESSMENT CRITERIA

**Associative Value:** Associated with Māori defensive locations along stream gully systems along the Waikato River.

**Contextual Value:** Pre-European Māori settlement and horticulture along the Waikato River and its tributaries.

**Style/Design/Type:** Small headland pā overlooking stream gully.

**Condition:** Poor, surface features including fortifications and borrow pits, almost totally destroyed by urban development. Small portion of defensive ditch noted.

**Rarity:** Common example of promontory pa along stream gully system feeding into Waikato River

**Integrity:** Disturbed, possibly destroyed, by residential development. Wider evidence of activity also disturbed by road and rail development.

**Setting:** Small promontory above stream gully, residentially developed.

**Group Value:** Along same gully system as other pā sites.

**Information Potential:** Little known about site and unlikely to be surviving subsurface deposits given urban development.

**Research Potential:** Form and function of defensive location, extent of site and relationship with other nearby sites and gardening soils.

**Importance to Community:** Recognised as cultural significance site as a named pa site. Recognised as recorded archaeological site and District Plan scheduled.

**Cultural Associations:** Associated with Waikato iwi and local hapū

**Amenity Value:** Largely in private land, but opportunity for interpretation.

**Aesthetic Appeal:** Poor, largely in private land and developed. No remaining surface evidence.

**Summary of Significance:** Small promontory pa site near Waikato River, but likely destroyed – area has been residentially developed and no surface evidence of archaeology. Site of high cultural significance as a named pa site.

#### Reference Sources:

Hamilton City Council. 2003. "Nga Tapuwae O Hotumauea" Maori Landmarks on Riverside Reserves, Management Plan. Unpublished Report.

Hunt, C. 1964. Archaeological Site Record Form S14/470. New Zealand Archaeological Association ArchSite Site Recording Scheme.

Associated Pictures:

*Date of Survey: 12/02/2020*

*Prepared by: A. Kelly, N. Cable*





## Site Record Form

**NZAA SITE NUMBER:** S14/41

**SITE TYPE:** Pa

**SITE NAME(s):** Opoia

**DATE RECORDED:**

**SITE COORDINATES (NZTM) Easting:** 1801155

**Northing:** 5815672

**Source:** CINZAS

**IMPERIAL SITE NUMBER:** N65/11

**METRIC SITE NUMBER:** S14/41



### Finding aids to the location of the site

The true location and extent cannot be determined as part of the work involved during this assessment.

### Brief description

PA

### Recorded features

Unclassified

### Other sites associated with this site

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15/08/202



SITE RECORD HISTORY	NZAA SITE NUMBER: S14/41
<p><b>Site description</b></p> <p>Updated 10/08/2023 (Field visit), submitted by danielletrilford , visited 07/08/2023 by Trilford, Danielle Grid reference (E1801155 / N5815672)</p> <p>The site was visited August 2023 by Danielle Trilford as part of a site visit to a property on Opoia Road. There is no visible evidence of the site when visit Jesmond Road but this does not mean that truncated and otherwise subsurface deposits are not potentially in situ.</p> <p><a href="https://digitalnz.org/records/44729879/hei-tiki-double-sided-pendant">https://digitalnz.org/records/44729879/hei-tiki-double-sided-pendant</a></p> <p><a href="https://digitalnz.org/records/44735741/hamiltons-first-railway-bridge-c-1900">https://digitalnz.org/records/44735741/hamiltons-first-railway-bridge-c-1900</a></p> <p>Name added as per SRF - 3/3/2014, Rick McGovern-Wilson</p> <p><b>Condition of the site</b></p> <p>Updated 10/08/2023 (Field visit), submitted by danielletrilford , visited 07/08/2023 by Trilford, Danielle</p> <p>The condition is not known.</p> <p><b>Statement of condition</b></p> <p><b>Current land use:</b></p> <p><b>Threats:</b></p>	

## SITE RECORD INVENTORY

NZAA SITE NUMBER: S14/41

Supporting documentation held in ArchSite

Item 8

AD BD AD COAAG

SITE REFERENCE FORM		SITE NUMBER
Map number	L. & S. N.65	1465/11
Map name	HAMILTON	
Grid reference	793475 792474	
		SITE TYPE River Terrace Pa
1. Aids to relocation of site		E279200 N547400
At the Eastern end of the approaches to the Hamilton Railway Bridge.		
May be reached from Victoria St. Hamilton by the Railway footbridge or by car along River Rd.		
( The writer passes the site daily on his way to and from work and has watched the excavations for the lowering of the railway line with interest. So far no evidence of former Maori occupation has appeared.)		
2. State of site; possibility of damage or destruction		
Almost totally destroyed by earthmoving work in connection with the old and the new railway bridges.		
There is some sign of terracing on the southern side but this may be recent.		
Old residents can remember signs of fortifications which have since disappeared.		
All the land to the south of the bridge was bought by the late Dr. A.S. Brewis in the early days of Hamilton. His daughter Mrs. Daisy Brown now lives on Opoia Flat and informed the writer that this area was once Maori cultivations and later a Chinese market garden. It is now all taken up with houses and a small park.		
3. Owner		Tenant
Partly Railway and partly Girls High School Hostel		Railways and Girls High School
Address		Address
Sonning Hostel		Board of Governors.
River Rd. Hamilton		Railways, Frankton Junction
Attitude Unknown		School, Ward St. Hamilton
		Attitude Unknown
4. Name of site Opoia		
Source of name Maori		
5. Date recorded March 14th. 1964		
Details of investigation; methods and equipment used		
Visual examination only		
6. Aerial photograph numbers		
Site shows: clearly/badly/not at all		
7. Reported by		Filekeeper
Mr. C.G. Hunt		<i>Handwritten signature</i>
King's Bldgs.		
Victoria St. Hamilton		
Date March 15th. 1964		Date
		26-4-1964

Attachment 13

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15/08/202

## Opoia Pā

### Details

Broader Term(s): Hamilton

Notes: Historic pā site in Hamilton on the east bank of the Waikato River, now the site of Jesmond park in Claudelands. The pā was destroyed by the construction of the Claudelands Road and railway bridge.

### References

Feature Type: Site

### Related Material

☐ ☐ Items (1)

MS-Papers-5220-026, Historic places in Tainui - Waikato. 1967-1970. Jones, Pei Te Hurinui, 1898-1976 : Papers (MS-Group-0358). [Item]

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# ***“Nga Tapuwae O Hotumauea”***

## **MAORI LANDMARKS ON RIVERSIDE RESERVES**

Management Plan

April 2003





This Management Plan has been prepared by Hamilton City Council in partnership with Nga Mana Toopu O Kirikiriroa Limited (NaMTOK), Resource and Cultural Consultants.



**“Nga Tapuwae O Hotumauea”  
Maori Landmarks on Riverside  
Reserves Management Plan**

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## 1.0 Introduction

### 1.1 Preparation of this Management Plan

Hamilton City Council has prepared this plan in partnership with Nga Mana Toopu O Kirikiriroa. Nga Mana Toopu O Kirikiriroa is a coalition of local hapu representatives formed in 1995. The committee was mandated by local kaumatua (elders) and marae for dealing with Article II issues under the Treaty of Waitangi, and all matters pertaining to the Resource Management Act 1991.

Nga Mana Toopu O Kirikiriroa has the localised knowledge of the land, its history, customary values and precepts. Nga Mana Toopu O Kirikiriroa also has the ability to identify issues effecting local hapu who hold customary rights as Mana Whenua by identifying and providing mitigation solutions. Present day Kaumatua of all of the hapu represented in this plan are trustees of Nga Mana Toopu O Kirikiriroa. They are:

- Mr Hare Puke: Ngati Wairere
- Mr John Haunui: Ngati Mahuta
- Mr Wiremu Tamihana and Mr Anaru Thompson: Ngati Haua
- Mr Wally Clarke: Ngati Koroki
- Mr Frank Puhii: Ngati Tamainupo

### 1.2 The Purpose of this Plan

This Management Plan has been prepared to assist in the management of traditional Maori landmarks. These sites are situated on reserves along the Waikato River within Hamilton City boundary.

All parks administered under the Reserves Act 1977 require a management plan under Section 41 of the Act. Hamilton's riverside reserves have been included in the Riverside Reserves Management Plan adopted by Council 1997. That management plan suggested that further specificity is required in the management of the culturally and historically significant Maori landmarks.

In 2001 a management plan was prepared under the Reserves Act (1977) for Miropiko Reserve. In the Miropiko Reserve Management Plan the reserve was identified as a national taonga. This reserve has unique management requirements due to the level of preservation and historical significance of the site to local Iwi.

The remaining riverside landmarks have been included in this management plan. The focus of this plan is on the protection and conservation of the archaeological, historical and cultural values of the sites in a manner that promotes public awareness and knowledge, and accessibility to these sites. This plan has been prepared to assist in the day-to-day management of the sites, whilst meeting long-term management objectives consistent with those developed in the Riverside Reserves Management Plan.

### 1.3 Introducing the Sites

Nga Mana Toopu O Kirikiriroa has identified seventeen significant riverside landmarks within the boundaries of the Hamilton City Council. All of these sites were constructed and occupied by the people of Ngati Wairere or its sub-tribes.

It should be noted that this report only deals with those riverside sites that are located within the Hamilton City boundary and on Hamilton City Council riverside reserves. Some sites may have been on what is now partly reserve and partly private land. However, this plan has no effect on the areas that extend over private land.

The following sites have been identified as traditional Maori Landmarks and have been included in this management plan (listed from north to south going up the Waikato River) [for location details see Appendix 1 — Location Plan]:

1. **Te Totara** (Featherstone Park)
2. **Pukete Pa** (Braithwaite Park)
3. **Te Owango Pa** (Te Hikuwai Reserve)
4. **Matakanohi Pa** (Ann Street Reserve)
5. **Te Tupari Pa** (Fairfield Esplanade)
6. **Waitawhiriwhiri Urupa** (Milne Park)
7. **Kirikiriroa Pa** (Kirikiriroa Reserve)
8. **Opoia Pa** (Jesmond Park)
9. **Urupa** (New Memorial Park)
10. **Te Rapa Pa** (Yendell Park)
11. **Te Kourahi Pa** (Yendell Park)
12. **Te Moutere O Koipikau Pa** (Graham Island)
13. **Te Nihinihi Pa** (Dillicar Park)
14. **Te Parapara Pa** (Hamilton Gardens)
15. **Unnamed Pa** (Hammond Park - below Malcolm Street)
16. **Te Pa O Ruamutu Pa** c
17. **Mangaonua Pa** (Mangaonua Esplanade)

## 2.0 Legislation and Planning Policy Framework

### 2.1 Introduction

A hierarchy of legislation and Council strategies and policies provide the framework for this management plan. The preparation of management plans for reserves is a legislative requirement under the Reserves Act 1977. It sets out the management planning process and defines reserves' purposes and functions. This management plan has been prepared consistent with the policies set out in the Riverside Reserves Management Plan.

Other documents have helped shape principles for the protection, use and development of reserves. They include:

- Hamilton's Strategic Plan (Agenda 21 based)
- Resource Management Act 1991
- Historic Places Act 1993

- Hamilton's Proposed District Plan
- Hamilton's Recreation and Leisure Plan (1998-2001)
- Hamilton's Walkway Strategy (under review)
- Cycling in Hamilton 2000 (Cycling Strategy)

## 2.2 Reserves Act 1977

The Reserves Act 1977 (hereafter 'The Act') requires Council to...

*"Prepare a management plan for the reserve(s) under its control, management, or administration. The management plan shall provide for and ensure the use, enjoyment, maintenance, protection, preservation...and development, as appropriate of the reserve, for the purposes for which it is classified" (section 41).*

The reserves included in this plan are classified as either Recreation Reserve (under section 17 of the Act), or Local Purpose (esplanade) Reserve (under section 23 of the Act).

The principal purpose of recreation reserves is...

*"To provide areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment...with an emphasis on the retention of open spaces and on outdoor recreational activities..."(section 17 (1)).*

The principal purpose of a local purpose (esplanade) reserve is...

*"Providing and retaining areas for such local purpose or purposes as are specified in any classification of the reserve"(section 23(1)).* A number of the reserves contained within this plan are local purpose (esplanade) reserves. Though the purpose of esplanade may reflect the means by which the land was acquired, and that it is a reserve beside water body, the purposes of esplanade reserves under the Resource Management Act 1991 apply irrespective of the reserve's classification under the Reserves Act 1977.

*(Section 229 of the Resource Management Act 1991): "Purposes of esplanade reserves and esplanade strips*

*An esplanade reserve or an esplanade strip has one or more of the following purposes:*

- (a) *To contribute to the protection of conservation values by, in particular, -*
  - (i) *Maintaining or enhancing the natural functioning of the adjacent sea, river, or lake; or*
  - (ii) *Maintaining or enhancing water quality; or*
  - (iii) *Maintaining or enhancing aquatic habitats; or*
  - (iv) *Protecting the natural values associated with the esplanade reserve or esplanade strip; or*
  - (v) *Mitigating natural hazards; or*
- (b) *To enable public access to or along any sea, river, or lake; or*
- (c) *To enable public recreational use of the esplanade reserve or esplanade strip and adjacent sea, river or lake, where the use is compatible with conservation values."*

These purposes underlie the vision for the management plan and the reserve's subsequent day-to-day management.



### 2.2.1 Riverside Reserves Management Plan (1997)

The Riverside Reserves Management Plan was adopted by Hamilton City Council as an operative Reserves Act Management Plan in April 1997. The plan includes 30 named parks covering an area of just over 100 hectares. Four riverside parks are excluded because they justify their own Management Plans. Pukete Farm Park and St Andrews Golf Course are excluded except for a 20m esplanade strip. Hamilton Gardens and Miropiko Reserve have their own management plans.

**The Riverside Reserves Management Plan is the principal plan for the management of riverside reserves. "Nga Tapuwae O Hotumuea" - Maori Landmarks on Riverside Reserves Management Plan has been prepared to provide further specificity for the management of these highly significant sites.**

The Riverside Reserves management plan includes the following Goal (1.2.1) for the River Parkway System:

***"To reinforce the role of the Waikato River (and adjacent reserves) as a resource of historic, scenic and recreational interest".***

See Section 3.1 for Objectives and policies from the Riverside Reserves Management Plan that relate specifically to the sites included in this management.

## 2.3 Resource Management Act 1991 (RMA)

The purpose of the Resource Management Act 1991 is to...

*"Promote the sustainable management of natural and physical resources to manage the use, development, and protection of natural and physical resources in a way, or at a rate, which enable people and their communities to provide for their social, economic, and cultural well being and for their health and safety while..."*

- (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the foreseeable needs of future generations; and*
- (b) *Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment (Section 5a).*

For the purposes of reserves management the Resource Management Act 1991 should be seen as complementary to the purpose of the Reserves Act 1977. The specific purposes of esplanade reserves are set out in Section 2.2 above.

The following principles of the RMA apply:

S6) *Matter of national importance*

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:...*

- e) *The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*

s7) *Other matters*

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to–*

a) *Kaitiakitanga [(aa) The ethic of stewardship:]*

s8) *Treaty of Waitangi*

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).*

## 2.4 Historic Places Act 1993

The Historic Places Act 1993 over rides all other planning legislation for archaeological sites.

Any disturbance of archaeological sites, regardless of their listing or otherwise in the Proposed District Plan, is not permitted under Section 10 of the Historic Places Act 1993. Consent of the New Zealand Historic Places Trust is required to modify or disturb an archaeological site under Section 11 of the Historic Places Act. An authority is required for such activity whether or not the land on which an archaeological site may be present is designated, a resource or building consent has been granted, or the activity is permitted under the regional or District Plan<sup>1</sup>.

Under the Historic Places Act 1993 (section 2) 'archaeological site' means any place in New Zealand that–

- (a) Either–
  - (i) Was associated with human activity that occurred before 1900; or
  - (ii) Is the site of the wreck of any vessel where that wreck occurred before 1900; and
- (b) Is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand.

## 2.5 Hamilton City Proposed District Plan

The Proposed District Plan has been prepared under the Resource Management Act 1991. The District Plan defines the way in which the city's natural and physical resources will be managed to achieve the principles and purpose of the RMA. The plan provides a framework of resource management policy and implementation methods to manage the effects of the use, development, or protection of land associated with natural and physical resources.

Objective 5.2.2 'Values of Recreation Land' of the District Plan is **"To maintain, enhance and where appropriate acquire recreation land with identified environmental, cultural, and heritage values"**.

Three different Recreation Zonings have been used to zone the riverside reserves included in this management plan. The Zonings are:

- Recreation Environment

<sup>1</sup> Hamilton City Proposed District Plan (November 2001), Rule 2.5-2.

- Recreation General
- Recreation Major

#### 2.5.1 Recreation Environment:

The majority of riverside reserves are zoned Recreation Environment. Within this zone there is an emphasis on the protection of conservation values. The zone provides for activities that are generally informal or passive, and includes public access to the Waikato River and stream system. A large number of parks contained in this zone are subject to an Environmental Protection Overlay, which, in recognition of their fragile nature, provides for limited development only.

Rule 4.8 of the proposed District Plan states the outcome for Recreation Environment: **“Activities and development within the Recreation Environment Zone are undertaken in a manner that is compatible with the environmental values of the zone and ensures any adverse effects on surrounding residential development (in particular) are avoided, remedied, mitigated”.**

#### 2.5.2 Recreation General:

This zone provides for recreation land for informal and organised active recreational use. The zone allows for a range of facilities/buildings, organised team and individual sports as well as more informal recreational pursuits. Some parts of parks zoned Recreational General may also serve an environmental function.

#### 2.5.3 Recreation Major:

The Pa on Hamilton Gardens is the only reserve with a Recreation Major zoning. This zone provides for parks to serve the city wide and regional population. The scale of development permitted on the parks in this zone is greater than in other recreation zones.

#### 2.5.4 Overlays:

In addition to the Recreation Environment zoning most of the riverside reserves are also subject to the Environmental Protection Overlay that recognises the fragile nature of these areas and provides for limited development only. The overlay provides controls over earthworks, vegetation removal, stormwater disposal, and buildings.

Most of these sites also have an Archaeological, Historic and Cultural Site overlay. This overlay seeks to protect these types of features from activities that could destroy, damage or modify them. Resource consent is required for activities on these identified sites.

Section 7.2 ‘ Sites of Archaeological, Historic and Cultural Significance’ of the District Plan identifies the following principal issues regarding sites of archaeological, historical and cultural significance in Hamilton are:

- Many archaeological, historic and cultural sites in Hamilton have been modified or destroyed as development has occurred, while others (especially in greenfield areas) may be under threat.
- Many natural features which hold great historical, spiritual and cultural significance to local hapu have been destroyed by development.

- Many historical sites in the city, where there is no above-ground evidence, may have underground features and artefacts which could be disturbed or damaged through earthworks.
- The relationship of maori with their culture and traditions with their ancestral lands, water, waahi tapu and other taonga may be destroyed or compromised through inappropriate development.

Objective 7.2.1 'Protection of Significant Sites' is **"To protect significant European archaeological sites and tangata whenua historical and cultural sites from damage, destruction and desecration"**.

Policies:

- Ensure that the protection and management of sites of archaeological, historic and cultural significance reflects their significance and overall heritage values.
- Ensure that major development within new growth areas of the city are examined for sites of archaeological, historic and cultural significance before substantial changes take place.
- Notify and consult with tangata whenua and the New Zealand Historic Places Trust where development occurs on scheduled sites.
- Ensure that activities or development, including planting, the removal of vegetation where it effects the stability of the site and the removal, addition, excavation or compaction of soil, rock or other materials do not adversely effect the physical structure and integrity of scheduled sites.
- Ensure that activities, including subdivision and placement of structures, avoid adverse effects on the cultural and spiritual values of any tangata whenua historical and cultural site.
- Encourage the permanent protection of sites where they are an outstanding example of the particular type of site or are highly significant to the community.
- Encourage the recognition and on-site marking of scheduled sites where features have been destroyed or damaged.
- Encourage tangata whenua, Council, developers, property owners, other agencies and the community to work towards the increased awareness and recognition of scheduled sites.

The Proposed District Plan recognises Reserves Act Management Plans as an 'other method' to implement the objectives and policies of the District Plan (Policy 7.2 proposed District Plan):

"Reserve Act Management Plans — will be developed for significant archaeological, historic or cultural sites which are held as Council reserves. The management plans could detail preservation works, landscape treatments, signage and maintenance".

## 2.6 Hamilton's Strategic Plan 2002-12

Strategic Plans are documents prepared by the community, for the community. Hamilton's first Strategic Plan (Hamilton's Strategic Plan 1997-2017) was developed through an extensive process of community consultation and participation. Hamilton's Strategic Plan 2002-2012 is the second revision of the plan. It contains the same key principles as the original and sets out the

community's vision for the future of Hamilton over the next 10 years, as well as Council's response through key projects and programmes.

Reserves Management Plans are one way of achieving some of the outcomes identified in the Strategic Plan. The following goals are relevant to the preparation of this management plan:

- Goal 8:** Hamilton has a positive internal and external image.
- Goal 10:** Kirikiriroa is established as a centre for traditional and modern arts and culture
- Goal 11:** Cultural and built heritage is widely appreciated and protected.
- Goal 12:** A diverse range of learning and training opportunities is available to meet the needs of the community and business at all levels.
- Goal 13:** Local neighbourhoods address the needs of their residents — socially, physically and emotionally.
- Goal 14:** All people are enabled and encouraged to participate in the development of the city.
- Goal 16:** A full range of land, facilities, and services is available to meet the community's recreation and leisure needs.

The principles of the Strategic Plan also reflect Agenda 21, which is a global plan for sustainable development in the 21<sup>st</sup> century. Agenda 21 recognises that global issues need to be addressed at the local level, hence the expression 'think globally, act locally'. The preparation of Reserves Act (1977) management plans is one method through which Agenda 21 principles can be implemented at a local level.

## 2.7 Hamilton's Recreation and Leisure Plan 2002-2012

The Recreation and Leisure Plan is Council's Action Plan for Recreation and Leisure. Developed by a community advisory panel, the plan identifies issues and options for recreation and leisure in Hamilton, and includes strategies to meet the needs of Hamilton's residents.

The following objectives are relevant to the preparation of this management plan:

**Objective 1.2:** To work in partnership with other organisations to enhance existing Council recreation and leisure facilities with relevant and complementary amenities.

Outcome 1.2(d): Existing parks and walkways are enhanced in ways that better meet the needs of the community.

**Objective 1.3:** To work in partnership with other organisations to create new recreation and leisure opportunities to meet the current and future needs of Hamilton's community and visitors.

Outcome 1.3(e): Sufficient open spaces to satisfy the recreation and leisure needs of the people of Hamilton and its visitors are provided.

Outcome 1.3(f): Cycle/walkway linkages between Hamilton's residential and commercial nodes, open spaces and the river corridor are provided.



**Objective 2.1:** To enable the people of Hamilton to participate in the recreation and leisure planning process so they can achieve their recreation and leisure goals.

Outcome 2.1(a): People in our community have participated in the development of Council recreation and leisure opportunities.

**Objective 3.1:** To work in partnership with other organisations to keep the people of Hamilton and visitors informed of and encouraged to use our community's recreation and leisure opportunities.

Outcome 3.1(b): Council's recreation and leisure facilities are promoted and well used.

3.1.5 Development and erection of informational signage that explains the Maori cultural/historical significance of Council's recreation and leisure facilities.

## 2.8 Hamilton's Walkway Strategy

Hamilton's Walkway Strategy is being reviewed concurrently with the preparation of this management plan. The walkway strategy was initially established under the Hamilton City Comprehensive Development Plan 1974. Its review is identified as an outcome of Hamilton's Recreation and Leisure Plan 1998-2001.

Recently the Strategic Plan 1999-2019 and its Long Term Financial Strategy, the Riverside Reserves Management Plan, the Gully Reserves Management Plan, the Mangaonua Walkway Study, and Landscape Management Plans have provided direction for further development of Hamilton's walkway system.

The review of the walkway system strategy acknowledges the need for a single comprehensive and integrated document for the maintenance and development of existing and proposed walkways. The riverside reserves provide an excellent walkway resource. The acknowledgement of traditional Maori landmarks on these reserves will further enhance the walkway experience.

### 3.0 Objectives and Policies

#### 3.1 Riverside Reserves Management Plan (1997) Objectives and Policies:

The following Riverside Reserves Management Plan Objectives and policies apply to the sites included in this management plan (the numbering of objectives is consistent with the numbering used in the Riverside Reserves Management Plan):

##### **Natural Character and Historic Features:**

Objective 2.2.1(a): "To preserve the natural character and amenity of the riverside reserves".

Objective 2.2.1(d): "To conserve all objects, trees and landforms of historic significance on riverside reserves".

##### **Vegetation Management:**

Objective 2.4.1(a): "To protect and enhance the riverbank by encouraging shrub and tree planting, particularly native varieties".

##### **Tangata Whenua:**

Objective 3.1.1: "To provide for Maori cultural, spiritual and social values and practices".

Policies:

- (a) Where an unnamed reserve includes any part of an historic pa site, that reserve will be named after that Pa. Both European and Te Reo Maori names will be used in signage and in this management plan.
- (b) Where practical, consideration will be given to extending riverside reserve land to include pa and Urupa (burial sites) and sites with important historical associations, to protect and conserve them.
- (c) Where practical, the principal historic pa sites will be emphasised and enhanced in a variety of ways, and in a manner which avoids any modification or damage. Methods will include on sites interpretation, such as carved interpretation of the history of the site with artistic themes depicting local Maori traditions or recording the tangata whenua associated with the site.
- (d) Park development will be sensitive to wahi tapu and sites where there is physical evidence of Urupa (burial sites). Koiwi (human remains) may be retained on reserves. Where development of sites adjacent to riverside reserves requires the relocation of koiwi, consideration may be given to these being relocated onto the adjacent reserve and appropriately memorialised.
- (e) All significant decisions related to known pa and wahi tapu sites will be made in consultation with representatives nominated by the appropriate tangata whenua.

##### **Promoting Safe Use**

Objective 4.1.1(a) "To further promote awareness of Hamilton's riverbank parks"

#### **Riverwalks and Cycleways**

Objective 4.3.1(a): "To achieve a continuous public walkway along the riverbanks within the City boundary as part of the City's walkway system".

#### **Natural Riverbank Areas**

Objective 6.2.1(a): "To protect sensitive or unstable sections of the riverbanks from inappropriate use or development, and to preserve sites of historic, archaeological, biological or cultural significance".

#### **Riverside Recreation Areas**

Objective 6.3.1: "To manage activities and development that will enhance public use and enjoyment of the river parkway system without substantially compromising the natural environment".

### **3.2 Tikanga Maori - Objectives and Policies:**

The objective and policies below have been prepared specifically for the sites included in this management plan. The policies have been prepared to provide further management specificity for the maintenance, management, and development of these archaeologically and culturally significant sites:

#### Key Objective:

**To protect ancient historic sites from degradation by conserving them for future generations based upon Tikanga Maori (maori cultural concepts) protocols.**

#### Policies:

- 1.0 Picnic tables and toilets should not be positioned on Pa sites. Any such existing facilities should be re-located to another part of the reserve.

*Explanation: The fundamental principle behind this protocol is that many parts of the Pa were tapu (sacred) to the Ngati Wairere people who lived there and to their present day descendants. The bones of their ancestors, who were slain in battles at the Pa, or simply died there of old age, are also buried in or around the Pa.*

- 2.0 The removal of exotic or introduced trees and plants, accompanied by the planting of appropriate native species should be encouraged.

*Explanation: Although in ancient times Ngati Wairere was a fierce hapu with many noted warlords, they were also renowned for their horticultural abilities. The people who lived at the riverside Pa/papakainga sustained themselves by growing traditional crops in and around the village, collecting berries and fruits from the native trees that grew along the river bank and snaring the birds that came to feed on these berries. In this way, the native plants and trees that grew in the area were an integral component of the environment and lives of these Pa people.*

*It is therefore appropriate to commemorate these Pa sites by recreating the environment, which was such an integral part of the Pa and its people.*

*Nga Mana Toopu O Kirikiriroa will be given the opportunity to use the exotic trees, which are currently on these sites. Those of sufficient dimensions might be used for carving, others may be burned in specially prepared fires.*

*The ceremonial burning of smaller trees comes from the traditional ritual of Ahi Ka (home fires) whereby a fire was lit and always maintained to demonstrate the occupation of an area by a particular hapu and the status of that hapu as Mana Whenua for that area.*

- 3.0 Prior to any activity involving excavation, modification or disturbance of the riverbanks in the vicinity of Pa sites Nga Mana Toopu O Kirikiriroa must be consulted. Signage noting and explaining the prohibition (Rahui) on digging or excavating these areas should be erected.

*Explanation: It was common practice for ancient Maori to bury the remains of their dead ancestors in naturally occurring, or man made caves in the banks of the river. As discussed later in Section 6.6, many of the Koiwi exhumed from the Urupa that were being destroyed during the early development of Hamilton City were re-interred in caves in the river bank.*

*The result of excavating the river bank was clearly demonstrated when the excavations for the foundations of the Fairfield bridge broke into and exposed an ancient burial cave containing the preserved heads of two famous Ngati Wairere Chiefs.*

***Any works must also comply with Rule 2.5 of the Proposed District Plan and the Historic Places Act 1993.***

- 4.0 To ensure the complete protection of all surviving features (ditches etc.) on these sites. The protection of the sites will include the following elements:
- a) The use of bicycles or motorcycles on any surviving earthworks should be prohibited. This could be facilitated by fencing off the actual Pa site, thereby making it difficult for people on bikes or motorbikes to access the site.
  - b) All existing and future pathways and tracks should be diverted away from the ditches and trenches of the Pa, to protect them from any further physical damage.
  - c) All people undertaking maintenance work that uses machinery, such as tractors or mowers, must ensure that no damage is done to the sites from their activities or the wheels of their vehicles.
  - d) Parking of vehicles on the site should be prohibited, other than those required for Council maintenance of the site.
- 5.0 All earthworks must be undertaken under the terms and conditions of protocols developed by Nga Mana Toopu O Kirikiriroa (see Appendix 3). These terms and conditions are to be undertaken in the event that any Taonga or Koiwi (human remains) are unearthed during any earthworks at these sites.

*Explanation: This protocol is designed to ensure that the correct statutory processes are followed, particularly in the case where human remains are uncovered. It also allows Maori to undertake the exhumation and re-interment of any ancestral Koiwi with the appropriate ceremonies and rituals.*

- 6.0 Sites where there are naturally occurring fresh springs should not be piped or diverted. The spring itself should be maintained free of rubbish and pollution. Easy access to the spring should be developed to allow local Maori to use the spring water in traditional ceremonies and rituals. Where drinking fountains are provided on reserves in the vicinity of pa sites, a water tap should also be provided.

*Explanation: This protocol is based upon the traditional belief of Maori in the cleansing and spiritual powers of spring water.*

- 7.0 A special area should be designated at each site for the ceremonial burying of placenta (afterbirths) for Maori who have ancestral links to key ancestors associated with the site. Non-Maori people should be prohibited from burying afterbirths or the ashes of their deceased on the Pa sites.

*Explanation: This protocol is not designed to be exclusive or racist. Rather it is based on traditional Maori concepts of birth, life, death and the link between the Mauri (life force) of all living things to that of the land.*

*Whilst the word Whenua is commonly taken to mean land, in reality it is the Maori name for a placenta or afterbirth. In pre-European times, and even in some instances today, it was Maori tradition to bury the afterbirth in a gourd on the land to which the child's ancestors belonged. In this way the new child was linked to its Turangawaewae (standing place) for eternity. This tradition is the basis for this protocol.*

*In the same context, if other races and people who are not joined by Whakapapa (lineage) to the ancestors of the Pa were to bury their children's placenta on the actual Pa site, this would desecrate the Mauri of the site. Similarly, as Maori did not cremate their dead, but rather held their preserved remains as Taonga, the scattering of ashes of cremated remains over the actual Pa site would also desecrate the Mauri of the site.*

*These burial sites should not be publicly identified. People wishing to use them should be directed by Hamilton City Council to Nga Mana Toopu O Kirikiriroa (NaMTOK). NaMTOK will assist people in the correct burial of their whenua in the prescribed area.*

- 8.0 All Council staff involved in the planting of native plants and trees at these sites must observe a Rahui on site. This will involve a blessing of the area to be planted by the Kaumatua of Nga Mana Toopu O Kirikiriroa before the planting begins. The area to be planted may need to be fenced off before, during and after the planting to protect the young plants and their root systems from damage. The Rahui and fences will remain in place until the Council staff are certain that the newly planted trees are firmly and permanently established.

*Explanation: This protocol follows the traditional Maori horticultural practices and is designed to protect newly planted areas until the new plants are firmly established.*

- 9.0 Sufficient rubbish bins should be installed at each site, appropriately positioned away from the location of the actual Pa.



- 10.0 Any erosion of the site particularly along the river margin should be reported to Nga Mana Toopu O Kirikiriroa, and Council should install erosion control measures that are compatible with the river environment and landscape.

*Explanation: This protocol is intended to not only prevent destruction of the actual Pa site by erosion of the river bank, but also to ensure that any such erosion does not expose any burial caves in the river bank.*

## **4.0 Arrival of Europeans at Kirikiriroa**

### **4.1 Introduction**

Maori from the Tainui canoe arrived in the area now known as Hamilton over 400 years ago. They called the area where they built a Pa between London Street and Bryce Street 'Kirikiriroa', which means 'long strip of cultivated land'. Early settlers also called the area surrounding Kirikiriroa Pa, 'Kirikiriroa'. This settlement was renamed Hamilton in 1864.

Europeans arrived at Kirikiriroa approximately 170 years ago. This section looks at the arrival of Europeans to area of Kirikiriroa, the Waikato Land Wars (1863-1865), European settlement in Kirikiriroa and the subsequent development of Hamilton City.

### **4.2 Kirikiriroa: Maori Settlement**

From the early 1830's Europeans slowly started to arrive in the Waikato. Local Maori had been aware of Europeans and their tools and technology well before they appeared in the Waikato. Missionaries had been living in the Bay of Islands for some time before Waikato Maori met their first European man.

Around the 1830's and 1840's pioneer missionaries travelled south from early settlements in the Bay of Islands and started to arrive in to the Waikato. During this period a chapel and raupo dwelling were erected at Kirikiriroa Pa for use by visiting clergy.

During the 1830's traders sailed up river from the Waikato entrance (Port Waikato) and or crossed the bar into Raglan Harbour to barter iron goods, blankets and textiles for flax fibre and timber. The traders visited Kirikiriroa and other Maori settlements in the Waikato.

In 1840 British sovereignty in New Zealand was proclaimed and the capital of the new colony was established in Auckland. It would take several decades however, before British law was effectively established in the Waikato region. Maori continued to control intercultural contact with the growing a number of Europeans interested in visiting the Waikato.

Some time after 1840 tourists began to visit Kirikiriroa. They included hunters and others keen to see the progress of agriculture, European-style education, and missionary endeavour in the Waikato. The missionaries taught Maoris European-style farming and methods of cultivation. Between 1845 and 1855 large areas of wheat were grown, groves of fruit trees yielded in abundance and

potato patches produced good crops. At this time the river was busy as canoes swept downstream toward the landing place near Waiuku, carrying potatoes, kumara, corn, onions, pumpkins, wheat, peaches, apples, figs, pigs, goats, chickens, and ducks from the Waikato.

As many as fifty canoes at a time were beached on the banks of Kirikiriroa as produce was off-loaded and the proceeds spent on blankets, clothing, axes, sugar, rum, and tobacco. Many villages accumulated their trading profits to build flourmills on the river edge to make flour for themselves and the market.

"At this time there were still very few Europeans who had actually settled in the Waikato. This was partly due to the difficulty in getting to the inland region, regardless of its agricultural abundance. In the Waikato, apart from tracks through the manuka swamp or bracken the only highways were the rivers and the streams and the only craft available to use on these were the eminently suitable native canoes. The population remained almost entirely Maori" (Norris, 1956, Pg 3).

Towards 1859 Auckland businessmen recognised the economic potential of the Waikato but deplored its minimal pakeha involvement. The desire of these few Aucklanders to gain control of the river lands was one of the important causes of the subsequent Waikato War. In 1859 Governor Gore Brown wrote: "The Europeans covet these lands and are determined to enter and possess them".

"During the early 1850's the move to create a Maori King began. Meetings throughout the central North Island were held. There were several chiefs of sufficient stature that were worthy of the position of Maori King, but selection finally fell on Potatau Te Wherowhero, not only for his personal qualities, but also out of respect for the Waikato riverlands that he represented. With the declaration of Te Wherowhero as King at Ngaruawahia in 1858, the centre of the King Movement was firmly settled in the Waikato. Te Wherowhero died in 1860, only two years after the declaration. He was succeeded by Tawhiao who, at the age of 35, took on the task of King at a time of increasing tension between Maori and Pakeha. Tawhiao hoped for peaceful co-existence but was also determined that the administration of local affairs should remain in the Maori hands. From the European viewpoint the King Movement was unqualified rebellion and an added inducement for invading the Waikato" (The King Movement — The Waikato River — It's people, transport and trade).

#### **4.3 The Waikato Land Wars (1863-1864)**

"In July 1863 the Maori settlements were disrupted by the invasion of Waikato by General Duncan Cameron and his Imperial Troops. The colonial government had become increasingly alarmed by alleged threats of rebellion, opposition to the sale of land, and the election of a Maori King. A separate system of Maori government envisaged by the King Movement was not to be tolerated and the rebellion was put down by military force. By December 1863 the troops had reached Ngaruawahia, which had by then been abandoned by King Tawhiao and his people" (Young, "Visions from the past Info. Kit — Kirikiriroa", 1998).

The war continued on into 1864. One of the famous battles was that of Gate Pa, Tauranga. It was here that the Commander of H.M.S Esk, Captain John Fane Charles Hamilton was killed while leading the Naval Brigade in the attack

on the Pa. Kirikiriroa was re-named 'Hamilton' in honour of Captain J F C Hamilton upon the arrival of the 4<sup>th</sup> Waikato Regiment to Kirikiriroa in 1864.



Figure 1: Captain John F C Hamilton

The Battle of Orakau Pa, in which the remnant Maori defenders broke out of the south side of the Pa and escaped across the river, saw the end of the Waikato War.

"The New Zealand Settlement Act, passed by the colonial Government in 1863 under Governor Grey's leadership, allowed the Crown to confiscate 1.2 million acres of land in the Waikato. As compensation for the expenses caused by the war, the Government ordered the confiscation of a large portion of the Waikato Lands from the tribes who had taken part in the rebellion" (Stokes, "Visions from the past Info. Kit — Kirikiriroa", 1998).

The process of Raupatu (confiscation) was an attempt to destroy the economic wealth and political strengths of Kingitanga. During this time the rich agricultural resources were removed, control of the Waikato river system overridden, and waahi tapu, burial sites, and sites of religious importance desecrated. The effects of tapu associated with sites of religious importance were removed under the supervision of King Tawhiao during the 1880's. The arbitrary confiscation of a huge area of land, practically the whole of the Waikato, despatched some Waikato tribes from their tribal land.

#### 4.4 Military settlement in Hamilton

Following the confiscation of Waikato land it was decided by the Government that settlement of this land should be done by men who would be able to defend it in case of future hostilities. For this purpose a special regiment of militia was recruited from the Australian centres of Melbourne and Sydney.

A Gazette notice of 3 August 1863 set out the terms under which grants of land were made to settlers: the militiaman had to be "not above 40 years of age, have to be able to produce certificates of good character, good health, and general fitness for service as required".

"The terms of enlistment in the Waikato Regiment were as follows: free grants of land were to be made on the scale of 400 acres for each field officer, 300 acres for each captain, 250 acres for the surgeon, 200 acres for each subaltern, 80 acres for sergeants, 60 acres for corporals, while each private was to be allocated 50 acres. In addition, each man was to be allocated a town section and 1,000 feet of timber to build a house. For the first year, until they received their land, they were to receive rations. It was anticipated that by the end of

the first year they would have cleared and planted enough ground to be able to support themselves" (Morris, "Visions from the past Info. Kit — Kirikiriroa", 1998).

The recruiting officer in Sydney was Lieutenant William Steele and the volunteer group he enlisted became the 4<sup>th</sup> Waikato Regiment commanded by Lieutenant Colonel William Moule. The 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> battalions of the Waikato Regiment were sited at Newcastle (Ngaruawahia), Alexandra (Pirongia), and Cambridge (formerly known as Karapiro). The site chosen for the 4<sup>th</sup> battalion was the deserted Maori village of Kirikiriroa, situated some 15 miles inside the confiscation line.

The 4<sup>th</sup> regiment proceeded to Kirikiriroa on August 24, 1864 on the vessel 'Rangiriri' and a group of settlers landed at the abandoned Kirikiriroa Pa. "Military reasons for occupying this location were the significance of occupying an enemy village and the need to protect Newcastle (Ngaruawahia) from possible reoccupation by Maori forces moving down the river. More importantly, there was a convenient landing place for riverboats. The location had several other advantages — the land was relatively flat, much of it had been partially cleared or was covered only by scrub, it was easy to survey out allotments (both urban and rural), and close at hand were large stands of Kahikatea (easily worked for building purposes)" (Thomas, 'An overview of Hamilton', Pg 109).

"Colonel William Moule, the commander of the 4<sup>th</sup> Regiment, decided that the new town would be called Hamilton, in honour of Captain Hamilton of the Naval Brigade, who died in action at Gate Pa" (Gibbons, 1977, Pg 35). The towns of Hamilton East and West were quickly surveyed. The Government was anxious to have the township of Hamilton surveyed off and lots allocated to the soldiers so that the supply of free rations to the militia by the Government could be stopped. The township of Hamilton East was first surveyed. Mr WA Graham surveyed Hamilton in 1864. Within a year there were huts and stores around the redoubts on both sides of the river. The river was the key to transport, as it had been for the Maori.

A ferry service was established connecting the settlements on opposite banks of the river. It operated between Ferrybank, just north of the present day rowing club on the west side, to a point upstream on the east side at Memorial Park. The Ferrybank was not only the crossing point from east to west but also the loading and unloading area for early commerce. Eventually the railway arrived in Frankton, which saw the formation of an over-land transport link with Auckland.

By 1868 there were 250 people in the two Hamilton settlements on each side of the river. "Clustered around the Ferrybank area and stretching up to the corner of Grantham and Victoria Streets the first Central Business District for Hamilton developed. Everything from general stores to chemists, and butchers were open to the public. At its height of importance an estimated twenty premises and houses were constructed in the vicinity. Most, however, had no secure tenure, as they were temporary buildings on government land. By the mid-1870's they were being re-erected or replaced by new premises on Victoria or Collingwood Streets" (Opus Consultants, 'Central City Riverside Archaeological and Cultural Assessment', Pg 24).

The population reached 666 in 1874 and 1243 in 1878. In 1877 the Borough of Hamilton was formed through the combining of the East and West Hamilton settlements. The Hamilton Township grew very slowly. New Zealand suffered from a long depression in the 1880's and the population of Hamilton did not increase for 20 years. During this period the Central Business District moved north of the Ferrybank area and developed around Victoria Street, turning its back on the river.

The farming industry experienced considerable growth from the 1890s onwards. Dairying expanded in the Waikato - small creameries grew into large dairy factories, and today the Waikato area has one of the largest dairy companies in the world (with its headquarters in Hamilton). Growth in agriculture also led to growth in agricultural research at Ruakura. The agricultural farm was originally used to train soldiers for farming after World War I.

A real burst in the growth of Hamilton's population happened during the post-war years of the late 1940s and 1950s as the Borough extended its boundaries over adjacent farmland. In 1951 Hamilton had a population of 30,000, only 594 of whom were Maori. In 1965 the University of Waikato took its first enrolments. In 1966 Hamilton's population stood at around 63,000. The baby boom had hit Hamilton and by 1971 one third of Hamilton's population was under 14 years of age.

Today, Hamilton is New Zealand's largest inland city with a population of approximately 118,000 people from a diverse range of backgrounds and cultures. Hamilton is the third fastest growing city, and urban area in the country. Hamilton is a major service centre for the fertile agricultural region of the Waikato. New Zealand's dairy industry is centred in Hamilton, with a strong technological-based research and development capability. Research facilities are located in and around the city, including Landcare Research, AgResearch, and Dairying Research Corporation.

Hamilton City has a rich history and contains a substantial number of sites of archaeological, historic and cultural significance. Some of these are associated with European settlement, however many of these sites are especially significant to Waikato Iwi and local hapu.



## 5.0 Traditional Pa and Villages

### 5.1 Definition of Pa, Papakainga, Marae, and Urupa

To date, most of the literature about the riverside sites of ancient Maori occupation dealt with in this management plan describes them as "Pa". However some were Pa, but others were Papakainga, Marae, or Urupa. It is therefore important to understand the differences between these types of sites.

A Pa was a fortified village where the Chiefs and warriors lived. Papakainga and Marae were both unfortified villages but with different functions. Papakainga were villages associated with food production and hence the people who cultivated crops and collected food (bird hunters, berry collectors etc.) lived in Papakainga. Marae were villages associated with tradition and religion and hence those people involved with traditional ceremonies and formal welcoming of visitors lived on Marae. An Urupa was a burial ground, which could be inside or outside of a Pa, Papakainga or Marae.

The early European missionaries who came to New Zealand saw fortified Pa as symbols of the ancient Maori pagan religion with its rituals and ceremonies. Hence as part of their conversion to Christianity, the missionaries required converted Maori to abandon their fortified "pagan" Pa and live in unfortified "Christian" villages, which they established, known as Wharekura Pa. Over time these unfortified Christian villages have evolved to be the modern day Marae.

The ancient form of the fortified Pa, Papakainga and Marae are detailed as follows:

#### 5.1.1 Pa

In pre-European times, it was common for Maori tribes to send war parties to invade other areas with the intent of "settling old scores", taking prisoners as slaves, or taking control of an area and its resources for themselves. Whilst early missionary accounts record two hundred people living permanently within large fortified Pa, such as Kirikiriroa Pa, many more lived and worked outside the Pa in Papakainga or Marae.

It was only when invading war parties came to the area that these people would retreat inside the fortifications and thereby defend their position until the invaders were defeated. They would then move out to the surrounding countryside to continue their farming and other work.

In general fortified Pa was constructed by levelling an area of ground. Holes were dug around the perimeter of the site and large, adzed wooden poles or split logs would be set close together with manuka stakes leaving a sufficient gap to allow spears to be thrust between them.

A ditch, approximately two metres deep and three metres wide, was dug in front of the line of poles. The excavated earth was piled up around the wooden poles to form a two metre high mound with part of each pole protruding out of

the mound. Wooden rails, bound together with vines, were attached to the protruding poles, thereby forming a strong, indestructible fence along the top of the mound.

The interior of the Pa was often constructed as a series of terraces. The uppermost terrace was the most sacred area where rituals were performed and it was often fenced off from the rest of the Pa. The Chief usually lived on this top terrace. Often the entrance to this terrace was through a Waharoa (elaborately carved gateway). It was traditional for warriors to pass through this Waharoa into the top terrace where they took part in the sacred ceremonies, which prepared them for a forthcoming battle.

Sometimes Maori gardens were established on the lower terraces. These were often plant nurseries where plants were established before being distributed to other gardens outside the Pa where the actual crops were grown.

There were several variations in the design of fortified Pa:

- **Pa Whakairo** were usually the residence of the Ariki (paramount Chief) and hence had elaborately carved figures on the main palisade posts and ornately carved structures inside the Pa. The quality and elaborateness of the carvings depicted the Mana of the chief.
- **Pa Tuwhatawhata** were constructed in the same way as Pa Whakairo, fortified with ditches and wooden palisades, but with minimal carving on the palisade posts.
- **Pa Maioro** did not have the wooden palisades on top of the mound. Rather extremely deep ditches and high mounds provided "fortification".

#### 5.1.2 Papakainga

A Papakainga was an unfortified and undefended village or hamlet. In pre-European times Papakainga were associated with food production and storage and inhabited by the people involved in these processes. After the arrival of Europeans another type of unfortified village developed, called Wharekura Pa. Wharekura Pa were unfortified settlements of Maori who had converted to Christianity and who had therefore recently abandoned their traditional Pa.

#### 5.1.3 Marae

Marae is an ancient Polynesian term for a place where ceremonial rituals are carried out. The Marae was sacred ground and people did not live on the Marae. Such Marae still exist in Rarotonga, Tahiti and Aitutaki.

In New Zealand, in pre-European times, Marae Atea were villages where non-combatants (women, children and the elderly) lived and were not disturbed. War parties were not permitted to enter the grounds of Marae Atea. One such Marae Atea, called Te Marae O Hine, was established on the banks of the Waipa River, south of Whatawhata. Rituals and offerings of peace and reconciliation were often made at this Marae.

#### 5.1.4 Urupa

Ancient Maori believed that the Mauri (life force) of a Chief was directly tied to the Mauri of the Pa. Hence, when the Chief died, the Mauri of the Pa also died with him. After the Chiefs death the "living" forms of the Chief's and Pa's life

force took another form, associated with tapu, and the land of the Pa became sacred.

Based on this, it was Maori custom to abandon a Pa upon the death of the main Chief who lived at the Pa. From then on, entry into such abandoned Pa was either strictly forbidden, or prefaced by strict and elaborate ceremonies and rituals. Because of this tapu associated with death, such abandoned Pa often became Urupa (burial grounds) where bodies of hapu members were buried with elaborate ceremonies and rituals. Often the bodies were buried with items of personal adornment or greenstone artefacts.

Generally the bodies were buried upright in a foetal position with their knees up to their chin. The graves were only shallow, no more than two feet below the surface or simply just covered by earth. This facilitated the later recovery of the body when most of the soft parts had decomposed.

Any remaining flesh was scraped from the bones. Sometimes they were painted with ochre, and then the bones were reburied, or placed in a tapu place such as a Pataka.

Commonly, when a Pa was abandoned any wooden palisade fortifications that were in good repair were pulled down and relocated to another Pa. This thereby reduced the amount of labour and resources required to redevelop these fortifications. The broken or rotten posts were left in place as memorials to the Pa and the Mauri of the site.

## 5.2 Construction of Pa along the River

Pa were not randomly developed at any location. Specific sites were selected for the resources available or the natural defences that a site offered. So it was, Pa were built along the Waikato River.

Fortified Pa such as Kirikiriroa were constructed alongside the river because by having the river and its steep banks on one side minimum construction was required to fortify the other sides. The site was then easily defensible.

Commonly the headlands of gully systems were chosen for the site of a Pa. These offered natural defences of the river on one side the gully on the other, and therefore only required ditches to be excavated on two fronts. The alluvial soils of the riverbank were a bonus, because they were relatively soft and made the digging of the ditches easy. Natural river terraces were often incorporated into the design of the defences of the Pa, and modified to enhance the Pa's natural defensive strength.

Sites were also chosen for the availability of natural resources essential for their construction and maintenance, and the sustenance of the people living in and around the Pa. Important natural resources included:

- Timber for the palisade fortifications, house and ceremonial constructions, canoes, tools, domestic utensils and weapons.
- Vines suitable for lashings for construction of houses, palisading and canoes.

- Fertile soils for cultivation of foods and flaxes for manufacture of ropes, clothing and textiles.
- Fresh water streams or springs for clean drinking water and cleansing during religious ceremonies.
- River and interconnecting stream systems for transportation of people, goods, produce, and for communication.
- Relatively flat topography of the surrounding hinterland for ease of transporting goods and produce overland on foot and development of associated walking tracks.
- The strategic views that the location provided up and down stream to detect any invading war parties that might be entering the area.
- Proximity to natural canoe landing points on the river.
- Fresh water food resources such as fish spawning areas, areas for construction of eel weirs or fresh water shell food beds.

Often smaller Pa were built close to large Pa to cater for the “overflow” of population. The proximity of these smaller Pa to the larger one allowed protection by the larger Pa.



Figure 2: Kaitotehe Pa, in the lower Waikato, lay at the foot of Mount Taupiri, the tapu mountain of the tribes in that region (Source: Orbell & Wood, 1985).

### 5.3 Disputes between Neighbouring Pa

Reference is made later in this text to wars, battles and disputes which seriously affected the ownership or very existence of various Pa along the river. There were many reasons why neighbouring Pa entered into conflict. A few are noted here:

- Conflicts arising over access to food resources and resources required to maintain the village.
- Breaches of customary traditions imposed by particular Pa such as Rahui set on a place over a particular event that happened at that place.

- Rumours causing degradation of the mana of the Chief who lived at a Pa.
- Breaches of political or social obligations between Pa.
- Technological developments of the art or material culture by the inhabitants of one Pa which were sought after by the inhabitants of another Pa.
- Coveting materials, foods or women from other Pa.
- Ancient grievances, which were unresolved.
- Depletion of the food resources of particular Pa
- Competitiveness between the Mana of the Chiefs who led neighbouring Pa and had claim over the surrounding lands.
- Competition for access to European technologies and trade.

One particular custom led to many disputes. This was the tradition that a Chief would divide off parcels of land from his land estate and give these to his sons and daughters to live on. Each son or daughter had to survive on the resources (trees, water, food, horticultural soils etc.) available on the parcel of land. When each of these sons and daughters established their own families, they would in turn subdivide off parcels from their land portion and give these to their sons and daughters.

Hence, after several generations, these parcels of land became too small with too few resources to sustain the son or daughter to whom they were given. Hence the sons and daughters would go to war with their neighbours to expand their land holding to a size that could provide a sustainable living standard. This tradition and the associated need for expansion led to endless wars between neighbouring hapu.

In many cases these "disputes" were resolved by a marriage between a male and female from two disputing Pa. Alternatively peace could be brought about by the exchange of precious Taonga such as greenstone items, foods, land or food gathering sites.

The process of Muru also settled disputes, particularly where a crime was perpetrated against the people of another Pa. Under Muru, the offender allowed the people offended against to come into their Pa and remove personal items. The items removed had to be proportional to the size of the offence committed. The Chief determined this as he saw fit. In some instances Muru led to whole Pa being ransacked and even large areas of land being taken.



## 6.0 Tangata Whenua

Whilst the whole of the Waikato region is the traditional lands of Waikato Tainui, each of the individual hapu (tribe) who make up Waikato Tainui have their own traditional land areas within the region. Hamilton City and the surrounding Districts were developed upon the traditional lands of several of Waikato Tainui hapu.

In the descriptions of the history of the Riverside Pa (section 7.0) reference is made to various hapu who lived at these Pa. References are also made to the Nga Iwi people. Nga Iwi are believed to be one of the earliest Polynesians to live in the "Waikato" region prior to the arrival of the Tainui canoe. There were other Polynesian groupings including: Kahupungapunga and Te Rauponga-ehoe (they occupied the lands in the south Waikato-Atiamuri region)<sup>2</sup>.

The sites included in this document were occupied by hapu that are related to, or closely associated with Ngati Wairere. A brief description of Ngati Wairere and its sub-hapu (sub-tribes) is given below. In most cases the hapu are named after a renowned ancestor who started the genealogical line of that hapu.

### 6.1 Ngati Wairere

The renowned warrior Mahanga was a descendant in direct line from Hoturoa, the captain of the Tainui canoe. Mahanga lived at Purakau Pa, located at the confluence of the Waipa river and Kaniwhaniwha stream, south of what is now Whatawhata. He had two daughters, Waitawake and Tukotuku.

Kokako was a Chief whose origins linked back to another canoe, the Mataatua canoe. It is believed that he was responsible for the drowning of Tuheitia, Mahanga's father. As a result Mahanga and Kokako were continually in dispute. Kokako had several children, the most famous being a son named Tamainupo.

Mahanga's daughter Tukotuku married Kokako's son and they settled at Te Kaurere, a papakainga along the banks of the Waitetuna River that runs near the Raglan deviation.

Tamainupo and Tukotuku had only one son, Wairere. The birth of the son was so significant that Kokako performed the baptism of Wairere and later made peace with Mahanga at Purakau Pa. To mark Wairere's birth the ancient name of the river was changed from Te Awanui O Taikahu to Waikato. Waikato means "to pluck water" and refers to the motion of sprinkling water on the child during the Tohi (baptism ritual). Wairere's baptism ritual was performed at Taipouri Island near Huntly.

In later life Wairere had several wives who produced several sons, daughters and numerous descendents. In his old age, Wairere travelled southwards to the Taupo district and married Hikataupo a Chieftainess of the Ngati Tuwharetoa

<sup>2</sup> 'Nga Iwi O Tainui' — (The traditional history of the Tainui people), Jones and Biggs, 1995.

and died there. From Wairere and Hikataupo descend the dynasty of Te Heuheu, the paramount chiefs of Ngati Tuwharetoa of the Lake Taupo Districts.

## 6.2 Ngati Koura

Paoa a Tainui Chief, lived at Kaitotehe Pa opposite Taupiri mountain with his first wife Tauhakari. They had three children: two sons Toapoto and Toawhane and one daughter, Koura after whom this hapu was named. Through the intermarrying of Koura's descendants with people from Ngati Wairere, Ngati Koura became closely aligned with Ngati Wairere.

Following Koura's birth, Paoa's brother Mahuta visited him at Kaitotehe Pa. As this was a time when food was scarce the people of the Pa could not offer Mahuta a proper feast. Taking this as an insult to his brother, Paoa left Kaitotehe Pa, abandoning his first family, and moved to the Hauraki district. There he took a second wife named Tukutuku and with her had two sons, Tipa and Horowhenua.

In his old age, Paoa returned to the Waikato and searched for his first family, eventually finding them at Te Hoe O Tainui. However, the second family resented Paoa's actions and as a consequence a battle ensued in which Tipa and Horowhenua killed Toawhane and Toapoto (Koura's two older brothers), outside of the Pa where they lived.

Tipa and Horowhenua then challenged any one inside the Pa who was bold enough to come out and fight them. Koura, armed with a Taiaha named Huakatoa, came out to answer the challenge. Because it was a woman who answered their challenge Tipa and Horowhenua realised that they had killed all of the senior male line of Koura's family, but did not realise that Koura was indeed their half sister. As there was no more male line and they would not fight a woman, Tipa and Horowhenua declared peace between the two families.

Koura buried the sacred Taiaha, Huakatoa, on the peak of Mount Hangawera. At the same time she declared that all the lands from Mt Hangawera to the West should be invaded and taken over from the Nga Iwi who lived there. This was achieved by her grandson Hotumauea, the renowned warlord, who thereby established the traditional lands of Ngati Koura.

Koura had several husbands, one of whom was Waenganui, a famous war Chief whose descendants, Ngati Waenganui, live at Parawera.

Ngati Koura became numerous and prosperous and constructed a number of Pa, not only along the Waikato River, within what is now the Hamilton City boundaries, but as far afield as Te Awamutu. The Pa at Te Awamutu, called Otawhao, had a fully carved meeting house, which was sketched by George Angus in 1844. When Koura died her bones were deposited in a burial cave named Katokato near Taupiri. The location of this cave is still known to her descendants.

Ngati Koura has many significant people who were part of, or associated with, the hapu. A trader named Merant was one of the first Europeans to settle in the Hamilton area. He married a Ngati Koura woman, Rangikauwau, and they

lived on the Waipa River, near the Te Ohote Stream which discharges into the Waipa River.

Merant was one of the settlers who introduced European gardening practices to the region. He also often acted as an interpreter during the 1830's.

Te Ao Katoa, the last Tohunga Ahurewa (High priest) of the Io cult (the most sacred traditional Maori religion) was also of Ngati Koura. He was described as having a white beard and incomplete facial moko. He regularly accompanied King Tawhiao and assisted with the exhumations of the ancestors of Ngati Koura from the Urupa in the city and their re-interment at Tauhei and Hukanui. He is particularly remembered as accompanying King Tawhiao during his visit to Hamilton in 1881 to mourn over the sacred Urupa that had been built over by the settlers during the construction of Hamilton City. Te Ao Katoa died in 1889 at Aotearoa Marae, near Te Awamutu and was buried there.



Figure 3: "Maaketu" — Meeting house at Otaawhao Paa, Te Awamutu (Source: Orbell & Wood, 1985).

### 6.3 Ngati Hanui

Hanui was the third child of Maramatutahi and Paretahuri. Maramatutahi was the son of Wairere's third wife, Tukapua. Paretahuri was the eldest child of Hekemaru and Hekeiterangi and the elder sister of Mahuta and Paoa.

Hanui became one of Ngati Wairere's greatest hand-to-hand combat warriors. It was Hanui and Hotumauea who conquered the Nga Iwi people of this region and claimed large areas of their lands for Ngati Wairere and their sub-tribes. On his death Hanui was buried at Karamu Pa in Gordonton. In the late 1880's his bones, and those of Hotumauea, were exhumed under the supervision of King Tawhiao and Te Puke Waharoa, to protect them from possible degradation during the land wars. They were reburied at Taupiri mountain. The location of these burial sites is still known to a few of their living descendants.

Ngati Hanui constructed a number of Pa throughout their lands, but the remnants of only one, Miropiko Pa on River Road, is still visible today. Hohaia Ngahiwi of Ngati Hanui, a Christian lay preacher under Reverend Morgan at Te Awamutu was a claimant of the Miropiko Pa site in 1865. His claim was short lived and eventually passed to Colonel Moule in 1867.

#### **6.4 Ngati Ngamurikaitaua**

This hapu derives its name from an event that occurred sometime during the 1600's. Following an unidentified battle, a number of dead warriors' bodies were placed in a canoe moored on the Waikato River to await their burial. However the canoe broke its mooring and floated down stream, where it was seized by a group of Maori as it floated by. They cooked the decomposing bodies in a specially constructed Umu (oven) and ate them. From then onwards this group were known as Ngamurikaitaua, the name describing the eating of these decomposing bodies.

Ngati Ngamurikaitaua warriors took part in the famous Hingakaka battle, fought near Ohaupo close to the shores of Lake Ngaroto. This was one of the largest pre-European battles. Detailed descriptions of this battle are given in Dr Pei Te Hurinui Jones book "Potatau" and Professor Bruce Biggs' book "Nga Iwi O Tainui".

Apart from being fierce warriors, Ngati Ngamurikaitaua were renowned for making a particular type of rain cape called Pureki, woven from very rough flax fibres. The hapu was also renowned for the special rites and rituals that they performed prior to going into battle. Ngati Ngamurikaitaua built and occupied several Pa in what is now known as Hamilton.

#### **6.5 Ngati Parekirangi**

Parekirangi was a direct female descendent of Wairere. Ngati Parekirangi is a small hapu whose traditional lands are now part of Hamilton East.

Pirihi Tomonui was one of Parekirangi's more recent descendants of note. He was a significant member of King Potatau Te Wherowhero's Runanga (parliament) and fought against the British troops at the battle of Rangiriri in 1863. Pirihi Tomonui died at Tauhei in 1891. He was responsible for the dismantling of the large meeting house, named Wairere, which stood at Te Rapa Pa, now Cobham Drive, near the Waikato Hospital. Another famous chief of this hapu was Iraia Papoto, a fully tattooed war chief who fought against Te Ruaparaha in 1816. Iraia Papoto died at an old age from injuries sustained after falling from his horse in 1875. He is buried at Tauhei. It is believed he did not have any direct descendents.

#### **6.6 Ngati Iranui**

Iranui was the second son of Wairere from his first wife Hinemoa. He was famous as a cultivator of Kumara on his land at Taupiri. Because of this fame, Ngati Mahuta attacked and drove him away so that they could occupy and cultivate his fertile land. He later occupied Mangaharakeke Pa, located behind the Anchor Dairy factory site at Te Rapa and "farmed" a number of cultivations within what are now the Hamilton City boundaries.

Iranui was not only a renowned farmer but was also a warrior of note. He led a war party to attack a famous warrior — Rangipotiki — at Aotea Harbour on the west coast. Iranui killed Rangipotiki and hung his body up on a Karaka tree for a time, before cutting it up and distributing parts to various people in the war party.

In retaliation, Rangipotiki's hapu from Aotea Harbour raised a war party that came to Mangaharakeke Pa where Iranui lived. At that time they did not know the specific identity of the people who had killed Rangipotiki. As part of the traditional greeting ceremony at the Pa, Iranui served them cooked human flesh, including parts of Rangipotiki. The leaders of the war party recognised some of Rangipotiki's tattoos on the flesh that they had been given to eat and hence realised that Iranui, their host, had killed Rangipotiki.

Iranui managed to escape from the Pa, pursued by the war party from Aotea Harbour, and swam across the Waikato River. As he travelled along one of the walking tracks to Te Papanui, which is now the Five Cross-roads area, he was caught by the Aotea war party and killed. In retaliation for having killed Rangipotiki, they degraded his body and mana by hanging him upside down from the post of a Pataka (carved food house).

**6.7 Ngati Waikai**

Waikai was the youngest daughter of Maramatutahi, but at present little is now known about her. Her brother was Hanui, the famous warrior described above. From the vast lands that he conquered, Hanui set aside pockets of land for Waikai to settle. This included the present day Puketaha and Chartwell areas.

**6.8 Ngati Te Ao**

Little is known about the origins of this hapu. They occupied Whatanoa Pa, located close to the Waikato Stadium and Waitawhiriwhiri Pa above Fairfield Bridge. They were attacked by Hanui and Hotumaeua who killed their main chief, Taiko. The preserved, tattooed head of Taiko, along with the heads of Mohihotuhotu and another unidentified Ngati Wairere chief were uncovered when an excavator broke into a burial cave in the bank of the Waikato river during the construction of the foundations for the Fairfield Bridge.

**6.9 Ngati Paretaua**

Paretaua was one of the wives of Hanui. Little is known about her except that a hapu bearing her name lived at Opoia Pa, near the Claudelands Bridge. It is believed that she was buried at Karamu Pa at Hukanui alongside Hanui, her husband.

**6.10 Ngati Haumi**

Little is presently known about the origins of this hapu. However it came under the leadership of Hakopa Te Waharoa, a senior chieftain of Ngati Wairere in 1850. It is believed that the name Ngati Haumi derives from an upended prow of a canoe which was used for storing human remains. After the 1863-1864 Waikato Land Wars, Hakopa Te Waharoa settled on his ancestral lands at Hukanui (Gordonton). Hakopa Te Waharoa uplifted ancestral remains from burial grounds and caves within Hamilton from 1865. He died in 1877.



## 7.0 Maori Landmarks on Riverside Reserves

**Introduction:** The sites included in this management plan are those culturally and archaeologically significant sites that are on Council reserve land. Although, in most cases these sites would also have extended to areas that are now privately owned properties. However, this management plan has no effect over sites on privately owned property (Hamilton's Proposed District Plan has controls over activities on both private and public land).

This section provides the following for each of the seventeen Maori landmarks:

- Maori history of the site,
- Reserve land details (reserve land parcels covered by the site (indicative only), Reserves Act classification details, acquisition details, Proposed District Plan Zoning and Grouping),
- Prioritisation of sites key implementation requirements,
- Aerial photograph/site plan for each site.

**Prioritisation of sites:** If there were an unlimited amount of resources available, all of the sites included in this management plan would be given the same level of commemoration. However, that is not realistically possible. Therefore it is necessary to find a way of categorising the sites from the most significant to those of lesser importance to Ngati Wairere. While all of these sites are precious, some have greater significance because of the people who lived and died there, or particular historic events that occurred at the location (accessibility to the site has also been taken into consideration).

**Key Implementations:** The carving of the Pou should be the first stage of implementation for sites where pou are proposed (i.e. prior to the erection of interpretative panels detailing the history of the site), consistent with Tikanga Maori protocols.



Figure 4: An example of a Pou, surrounded by a palisade fence.

## 7.1 Te Totara

<b>Reserve Name:</b>	Featherstone Park
<b>Reserve Location:</b>	East bank, River Road
<b>Legal Description and Reserves Act (1977) classification:</b>	Lots 2 and 4 DPS 62544 (Recreation Reserve), Lot 3 DPS 62544 Local Purpose (esplanade) Reserve
<b>Proposed District Plan Zoning:</b>	Recreation General and Recreation Environment
<b>District Planning Notes:</b>	A small area of the reserve is subject to an Environmental Protection Overlay. Site is subject to the Rototuna Structure Plan.
<b>District Plan site number:</b>	N/A*
<b>District Plan Grouping:</b>	N/A*
<b>Nga Mana Toopu O Kirikiriroa Commemoration Grading:</b>	Priority 3 — site destroyed with minimal evidence remaining, and poor access.

**History:** Mr Mana Martin, a recently deceased Kaumatua of Ngati Wairere, recalled Te Totara as a Papakainga rather than a Pa. Te Totara Papakainga was occupied by Ngati Wairere until British troops were seen travelling up the Waikato River. His grandparents lived at Te Totara Papakainga.



Figure 5: Mr and Mrs Mana Martin. Mr Mana Martin's (c. 1912-2002) grandparents lived at Te Totara prior to the arrival of British troops to the area.

According to Mr Martin the Papakainga was abandoned when the British troops first came to the area, but was re-occupied by Ngati Wairere for a time during the mid to late 1860's. Te Totara derives its name from a large Totara tree that stood close to the Papakainga in ancient times.

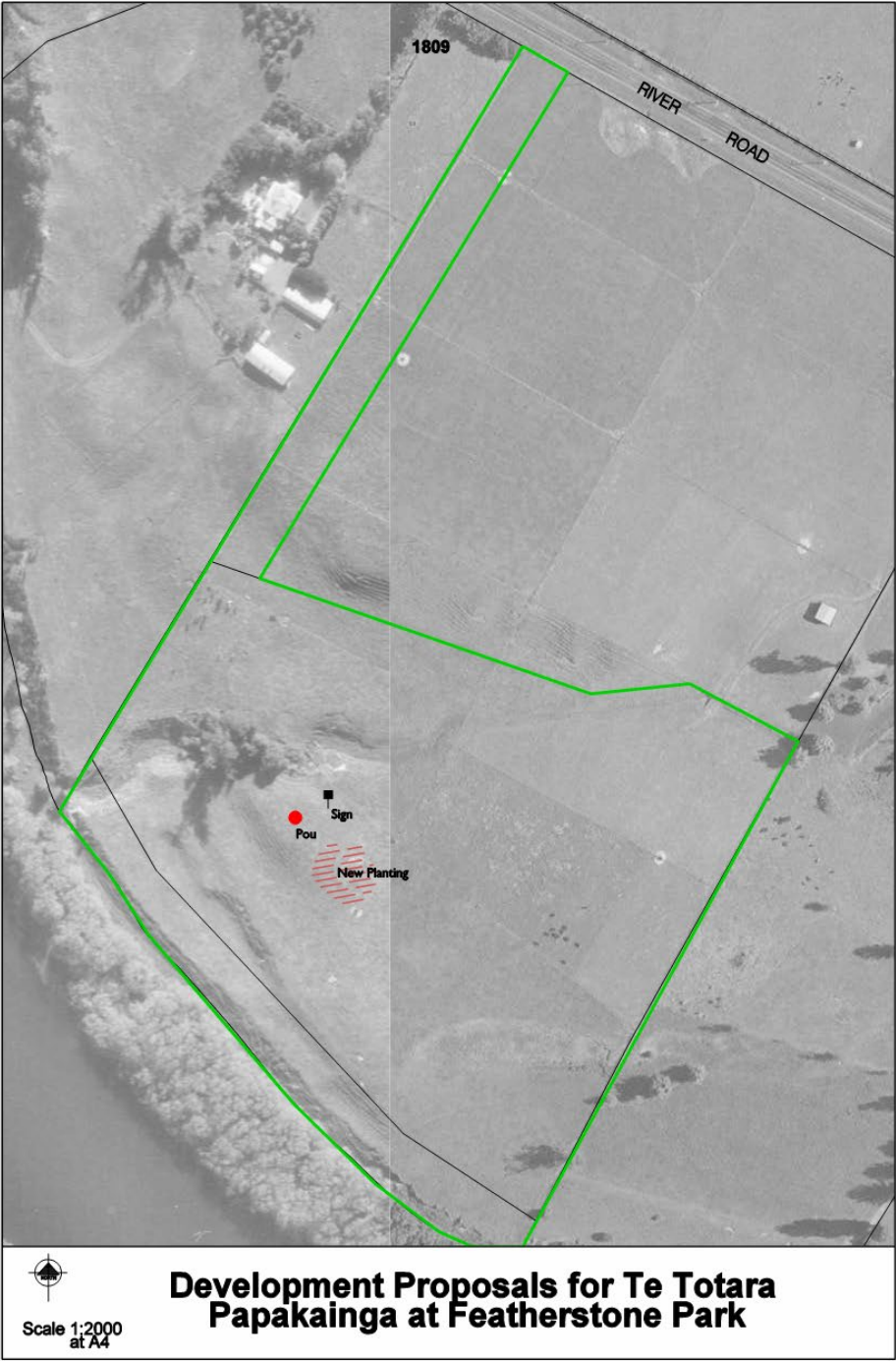
*Featherstone Park: The majority of this site was gifted by M M Brinkworth and L I Gardner in 1992 to Hamilton City Council as recreation reserve. The terms of the trust deed call for Council to name the reserve Featherstone Park. The reserve was transferred to Council on 21 January 1993.*

*Hamilton's Strategic Plan 2002-2012 proposes that the riverside walkway be developed to transverse through Featherstone Park.*

\* No information is listed in the Proposed District Plan for this site (this site should be included during the review of the District Plan).

**Key Implementation:**

- An interpretive panel in Te Reo Maori and English naming the site, describing the history and features, and the conservational/management values for the site.
- Erection of a Waka Haumi surrounded by native plantings.
- Plant a grove of Totara trees to represent the Totara that was once a landmark of this site.



## 7.2 Pukete Pa

<b>Reserve Name:</b>	Braithwaite Park
<b>Reserve Location:</b>	West bank, Pukete Road
<b>Legal Description and Reserves Act (1977) classification:</b>	Lot 1 DPS 55931 (Local Purpose (esplanade) Reserve), Sections 1 and 2 SO 59857 and Section 1 SO 58300 (Recreation Reserve).
<b>Proposed District Plan Zoning:</b>	Recreation Environment
<b>District Planning Notes:</b>	Environmental Protection Overlay
<b>District Plan site number:</b>	A30
<b>District Plan Grouping:</b>	Group 3 — Locations of sites now almost entirely destroyed.
<b>Nga Mana Toopu O Kirikiriroa Commemoration Grading:</b>	Priority 1 — Most significant and in need of maximum protection and commemoration.

**History:** Pukete was a fortified Pa, believed to have been constructed by Nga Iwi. Ngati Koura conquered the Nga Iwi inhabitants and took over the pa and surrounding lands.

The name Pukete is derived from a type of kit or bag. The kit was typically filled with Hinau berries and submerged in fresh water streams and springs, as part of the preparation of the berries for fermenting and preservation. The area around the Pa was renowned as a centre for the manufacture of such kits and the preparation of the Hinau berries. The area is also known for the preparation of Hinau bark, which was beaten on a slab of stone, or hard wood, and placed in a gourd with water and hot hangi stones. The resultant dark brown slurry was used as a dye for materials and textiles.



Tutumua, the eldest son of the warlord Hotumaeua, was one of several famous inhabitants of this Pa. He is remembered for an eel weir (Rauwiri), called Te Raratuna O Tutumua, which he constructed in a small gully to the north of the Pa. Pukete Pa was occupied by Ngati Koura under the leadership of Te Roore Tatangi when they abandoned the Pa prior to the land wars of 1863. However, by this time the wooden palisade fortifications of the Pa had disappeared only the ditch remained.

Figure 6: Te Roore Tatangi (c.1817-1899), Ngati Koura.



Therefore, in its latter days of occupation the Pa served more as a Papakainga (un-fortified village) rather than a fortified Pa.

Ngati Koura also occupied Mangaharakeke Pa, another riverside Pa located to the north, behind the Anchor Dairy factory, but this is outside of the City boundary.



There is no record of the ancient form and fortifications of this Pa. All that can be deduced from the remnant earthworks still showing today is that there was a double ditch structure to the north of the Pa. The eastern edge of the Pa was the sheer drop down to the river. A number of carved wooden artefacts have been found close to this site and these are presently held by the Waikato Museum of Art and History.

Figure 7: Wooden talisman found at Pukete Pa.

*Braithwaite Park: This land was previously owned by the Waikato Hospital Board. The Hospital Board then sold this land to developers in 1990, and the park area was then transferred to Hamilton City Council on the 12<sup>th</sup> June 1990.*

#### Key Implementation:

- Carved Pouwhakarae surrounded with a Manuka fence. All carvings to be in the kawa of Ngati Wairere.
- An interpretive panel in Te Reo Maori and English naming the site, describing the history, features, and the conservational/management values for the site.
- Floodlights to illuminate the Pou.
- Plantings of low growing native shrubs which have traditional medicinal and spiritual significance (e.g. ferns, kawakawa, mahoe, kowhai, hinau, and kahikatea) along the riverside and in front of the ditch of the traditional pa site as a method of protecting this remnant.
- If a drinking fountain is established in the vicinity of this site, a tap should also be provided for purification purposes.
- Path to the site of Pou and interpretative panel.





### 7.3 Te Owhango Pa

<b>Reserve Name:</b>	Te Hikuwai Reserve
<b>Reserve Location:</b>	East bank, River Road
<b>Legal Description and Reserves Act (1977) classification:</b>	Lot 3 DPS 9044 (Local Purpose (esplanade) Reserve), Part 2 DPS 9044 (Recreation Reserve), Lot 15 DPS 71459 (Recreation Reserve), Lots 22 and 25 DPS 64834 (Recreation Reserve), Lot 24 DPS 64834 (Local Purpose (esplanade) Reserve), Lot 33 and 34 DPS 65265 (Recreation Reserve)
<b>Proposed District Plan Zoning:</b>	Recreation Environment
<b>District Planning Notes:</b>	Environmental Protection Overlay
<b>District Plan site number:</b>	A25a
<b>District Plan Grouping:</b>	Group 2 — Sites where all surface evidence has been destroyed but subsurface evidence may still be present.
<b>Nga Mana Toopu O Kirikiriroa Commemoration Grading:</b>	Priority 1 — Most significant and in need of maximum protection and commemoration.

**History:** Te Owhango was a triangular shaped, fortified Pa, positioned on a headland overlooking the river. The Pa was protected on one side by the steep banks of the Waikato River and on another by the Te Hikuwai gully system. The third "landward" side of the triangle was protected by a ditch and palisade construction.

Whilst the greater part of this Pa site is within the Council reserve, a small portion is in private property in River Elm Street.

Te Hikuwai stream that ran through the gully system by the Pa used to carry the out flow water from the Te Hikuwai Lake, near the Flagstaff area, down past the Pa and into the Waikato River. Te Hikuwai Lake no longer exists as it was drained during European development of the area. Te Hikuwai Lake and stream were important resources for the people of the Pa, particularly for the abundant eels which lived in the stream. Rauwiri (eel weirs) were constructed across the stream where it flowed in the gully past the Pa.

The history of the Pa is steeped in accounts of battles for possession of the Pa and its surrounding lands. The Nga Iwi people originally constructed the Pa, but they were dispossessed of the Pa and surrounding lands by Hanui and Hotumaua, the Ngati Wairere warlords.

Because of its position the Pa became a tribal landmark, often referred to in the traditional chants and ancient Maori writings. Later the Pa was attacked and taken over by Ngati Mahuta, a neighbouring hapu, but it was re-occupied by Ngati Wairere when Ngati Mahuta abandoned it.

*Te Hikuwai Reserve: The majority of this site was an esplanade reserve vested in the Waikato County Council. In November 1977 the reserve, then situated in the Waikato County, became part of Hamilton City. The majority of the pa site is now a reserve but a small portion of the site is within a private property.*

**Key Implementation:**

- Carved Pouwhakarae configured as main Pou.
- An interpretive panel in Te Reo Maori and English naming the site, describing the history and features, and the conservational/management values for the site.
- Floodlight to illuminate the Pou.
- Plantings of low growing native shrubs which have traditional medicinal and spiritual significance (e.g. ferns, kawakawa).



## 7.4 Matakanohi Pa

<b>Reserve Name:</b>	Matakanohi Reserve (Ann Street Reserve)
<b>Reserve Location:</b>	West bank, Ann Street
<b>Legal Description and Reserves Act (1977) classification:</b>	Lot 3 DPS 82663 (Local Purpose (esplanade) Reserve), Lot 2 DPS 76908 (Local Purpose (esplanade) Reserve), Lot 4 DPS 74739 (Local Purpose (esplanade) Reserve), Lot 20 DPS 379 (Local Purpose (esplanade) Reserve)
<b>Proposed District Plan Zoning:</b>	Recreation Environment
<b>District Planning Notes:</b>	Environmental Protection Overlay
<b>District Plan site number:</b>	N/A*
<b>District Plan Grouping:</b>	N/A*
<b>Nga Mana Toopu O Kirikiriroa Commemoration Grading:</b>	Priority 2 - site destroyed with minimal evidence remaining, but accessible.

**History:** It is believed that this Pa was also an early Nga Iwi Pa that was taken over by Ngati Te Ao. The name Matakanohi (staring face) refers to this location being a favoured observation point. From this vantage point the river could be scanned for canoes, particularly those carrying war parties, travelling up and down the river. There is also a record of preserved heads being mounted on the palisades of this Pa to taunt or warn off any enemies travelling along the river.

*Ann St Reserve: The majority of this site was acquired by Hamilton City Council on 22 June 1951. This land was formerly part of a private subdivision.*

### Key implementation:

- One Pou (Waka Haumi) carved in the kawa of Ngati Wairere, surrounded by native plantings (flaxes). The Pou should be floodlit.
- An interpretative panel alongside the Pou, and an identification sign at the actual location of the Pa.
- The reserve should be named 'Matakanohi Reserve' after the original name of the Pa.
- A park bench alongside the Waka Haumi.

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\* No information is listed in the Proposed District Plan for this site (this site should be included during the review of the District Plan).







## 7.5 Te Tupari Pa

<b>Reserve Name:</b>	Fairfield Esplanade
<b>Reserve Location:</b>	East bank, Braithwaite Avenue
<b>Legal Description and Reserves Act (1977) classification:</b>	Lot 33 DPS 6071 (Recreation Reserve), Lot 8 DPS 10486 (Local purpose (esplanade)), Lot 3 DPS 28101 (Local purpose (esplanade)), Lot 10 DPS 9657 (Local purpose (esplanade))
<b>Proposed District Plan Zoning:</b>	Recreation Environment
<b>District Planning Notes:</b>	Environmental Protection Overlay
<b>District Plan site number:</b>	N/A*
<b>District Plan Grouping:</b>	N/A*
<b>Nga Mana Toopu O Kirikiriroa Commemoration Grading:</b>	Priority 3 — site destroyed with minimal evidence remaining, or poor access.

**History:** The name Te Tupari refers to the steep riverside cliff immediately below this Pa. Hanui, the warlord, lived for some time at this Pa.

The Ngati Mahuta Chiefs Te Whare and Tapaue invaded this area, attacking and conquering the nearby Inanga Pa. They then attacked Te Tupari Pa and fought a battle called Kukutaruhe, in the gully system behind the Pa. The attack failed and Te Tupari Pa was not taken.

Te Tupari Pa is recalled in tradition for a number of Pataka (carved food store houses) within its enclosure. In 1977 archaeologists recovered a carved threshold, believed to belong to one of these carved Pataka, from a nearby swamp. This is now held in the Waikato Museum of Art and History.

*Fairfield Esplanade: Parts of this reserve were acquired in 1965 and 1980. The majority of the site situated on reserve land was acquired by Council in 1966.*

### Key Implementation:

- A Pou Hakari should be installed on Fairfield Esplanade to recognise the association of this Pa with cultivation and the famous carved Pataka which existed at this site.
- An interpretive panel in Te Reo Maori and English describing the history and features of the site, the original name of the site, and the conservational/management values shall be installed on site.
- Information sign for Days Park identifying the borrow pits and include information on Maori agricultural practices.

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\* No information is listed in the Proposed District Plan for this site (this site should be included during the review of the District Plan).



## 7.6 Waitawhiriwhiri Urupa

<b>Reserve Name:</b>	Milne Park
<b>Reserve Location:</b>	West bank, Victoria Street
<b>Legal Description and Reserves Act (1977) classification:</b>	Allotment 286 Pukete Parish (Recreation Reserve)
<b>Proposed District Plan Zoning:</b>	Recreation Environment
<b>District Planning Notes:</b>	Site is probably Urupa not Pa
<b>District Plan site number:</b>	A37
<b>District Plan Grouping:</b>	Group 2 — Sites where all surface evidence has been destroyed but subsurface evidence may still be present.
<b>Nga Mana Toopu O Kirikiriroa Commemoration Grading:</b>	Priority 3 — site destroyed with minimal evidence remaining, or poor access.

**History:** There have been a number of mis-identifications and considerable mis-information, which has lead to confusion over the existence, and location of maori features for much of the area around Fairfield Bridge. Some recent documentation referred to an historic Pa situated on Milne Park. This is incorrect.

The correct history can be established from events which took place in the late 1920's and early 1930's when Fairfield Bridge construction began. Following the start of excavation for the Fairfield Bridge foundations, construction workers unearthed a cache of human bones in the bank of the Waikato River, right by the present foundations of the bridge. Upon this discovery the Hamilton Police contacted Mr Waharoa Te Puke, the Paramount Chief of Ngati Wairere, who lived at Gordonton. The Police believed the bones to be Maori and requested Ngati Wairere to remove the bones from the site and investigate whether there were others there.



As it was ancient practice for Ngati Wairere to bury their dead in naturally occurring, or man-made caves in the bank of the river, and his personal knowledge of the area, Mr Te Puke immediately recognised that the excavation had opened one or more of these ancient burial caves. Mr Te Puke and elders soon after performed ancient prayers and rituals as part of the preparation for the removal of the bones. These were then removed from their burial location near Fairfield Bridge and transported to Gordonton. It appears most likely that Milne Park is not the site of a Pa, but rather was a major Maori burial cave (Ana Koiwi). The pa, which Maori records confirm was called Waitawhiriwhiri, was sited in the vicinity of Kotahi Avenue (some 200 metres south of Milne Park).

Figure 8: Waharoa Te Puke (c.1869-1957), was a senior chief of Ngati Wairere. He conducted one of the last traditional exhumations of modern times in 1950. The mantle of Waharoa Te Puke is now held by Mr Hare Puke, as the senior Kaumatua of Ngati Wairere and the City of Hamilton. (See Mr Te Puke's obituary — Appendix 4).

*Milne Park: This reserve was originally recreation reserve administered by the Hamilton Domain Board. Council was appointed as Hamilton Domain Board in 1950. This park is named after Councillor Milne who was a Councillor of Hamilton City Council from 1947 to 1956.*

**Key Implementation:**

- A plaque describing the importance of this site.





## 7.7 Kirikiriroa Pa

<b>Reserve Name:</b>	Kirikiriroa Reserve
<b>Reserve Location:</b>	West bank, between London and Bryce Streets
<b>Legal Description and Reserves Act (1977) classification:</b>	Section 2 SO 61140, Lot 3 DPS 65343, Lot 2 DPS 81452 (Recreation Reserve)
<b>Proposed District Plan Zoning:</b>	Recreation Environment
<b>District Planning Notes:</b>	Environmental Protection Overlay
<b>District Plan site number:</b>	A39
<b>District Plan Grouping:</b>	Group 2 — Sites where all surface evidence has been destroyed but subsurface evidence may still be present.
<b>Nga Mana Toopu O Kirikiriroa Commemoration Grading:</b>	Priority 1 — Most significant and in need of maximum protection and commemoration.

**History:** Kirikiriroa Pa is the most significant Pa within the Hamilton City area. It was a fully fortified Pa Whakairo (Pa with carved palisades). It was an half oval in shape with the riverbank as the flat side and the curved front stretching from London Street to Claudelands Road. The curved front was fortified by a ditch and mound structure with an elaborate wooden palisade atop the mound. Unfortunately, most of the surface features of the Kirikiriroa Pa site were destroyed during the early development of Hamilton City before they were accurately recorded or mapped.



Figure 9: Te Puke Waharoa (c.1834-1895) was a traditional Tohunga skilled in the ancient rituals and rites for the Hahunga (exhumation of ancestral remains from burial grounds). This task was continued by his son, Waharoa Te Puke.

Kirikiriroa Pa was constructed to protect the Ngati Wairere people who cultivated the lands upon which Hamilton City is now constructed from marauding war parties. The location was chosen because by having the river on one side, minimum construction was required to fortify the site and thereby make it defensible. Early missionaries recorded two hundred people living permanently within the fortified Pa, with many more living and working outside the Pa. Kirikiriroa Pa was attacked upon many occasions by invaders who travelled along the walking tracks that linked Kirikiriroa Pa to other Pa in the region, or along the river itself.



The first recorded contacts between Ngati Wairere people at Kirikiriroa Pa and Europeans (mainly missionaries) were around the 1840's. Later Ngati Wairere built a Chapel and associated Raupo dwelling within Kirikiriroa Pa for the missionary Benjamin Yates Ashwell. These facilities were used by other missionaries who passed through the area.

Ngati Wairere people lived in Kirikiriroa Pa until 1864, when Pirihi Tomonui, who fought in the battle at Rangiriri between the British and the followers of Kingitanga, sent word to the Pa that the British troops were coming up river on a gunboat. In response the old men, women and children who were the main occupants of the Pa abandoned it. Some travelled southwards into the King Country, whilst others crossed the river, and travelled across country to re-occupy other traditional Ngati Wairere Pa at Hukanui, now known as Gordonton.

Hence, from 1864, Hukanui and Tauhei were the centres for the Ngati Wairere people still living on their traditional lands. Although he survived the battle at Rangiriri, Pirihi Tomonui later surrendered to the British at the redoubt at Hamilton East. In later life he lived at Tauhei and died there in 1891.

Following Ngati Wairere abandoning the Pa, it was used as a garrison by British troops. Subsequently W A Graham, who surveyed much of the region and who was an early Mayor of Hamilton City, built his residence on top of the main fortified part of the Pa. Several years later, Ngati Wairere exhumed the bones of their ancestors from the Urupa in the city area, to protect them from being destroyed by settlers building houses over the top of these burial grounds. Because Mr Graham's house was built on the sacred land of Kirikiriroa Pa, he allowed Ngati Wairere to lay the bones of their ancestors out on his lawns prior to their re-burial.

The only current commemoration of this important pre-European Pa in the City, is a bronze plaque placed high up on the corner of the AMP building on Victoria Street. However, appropriate commemoration of this site, involving the erection of a carved Pou Whenua is proposed.

*Kirikiriroa Reserve: The majority of this site was formerly Crown grant road which was stopped. This reserve is also the site of a second archaeological site — a lime kiln from European settlement. "The lime kiln is located just above the riverbank (and below the walkway) some 50m or so from the London Street end of the walkway. The date and operator of the structure is currently unknown but it certainly dates from the latter portion of the nineteenth century. This kiln was used to make lime for mortar in the days before cement mortar was introduced"*<sup>3</sup>.

*"The pa site has been the home to several significant Europeans. The first European was known to Ngati Wairere as Kore Hako. He was captured at Aotea Harbour, Kawhia by a party of Ngati Koura from Te Rapa Pa (see section 7.10) whilst they were fishing their traditional fishing grounds within Kawhia harbour. He later lived with Ngati Wairere at Kirikiriroa Pa. The tribe attribute him to the introduction of peach trees that grew around the vicinity of the pa along what is now Victoria Street. In the 1880's, William Graham, known to Ngati Wairere as Wiremu Kareama, built his house on the site of Kirikiriroa Pa.*

<sup>3</sup> Central City Riverside Archaeological and Cultural Assessment, Pg 35, Opus Consultants.

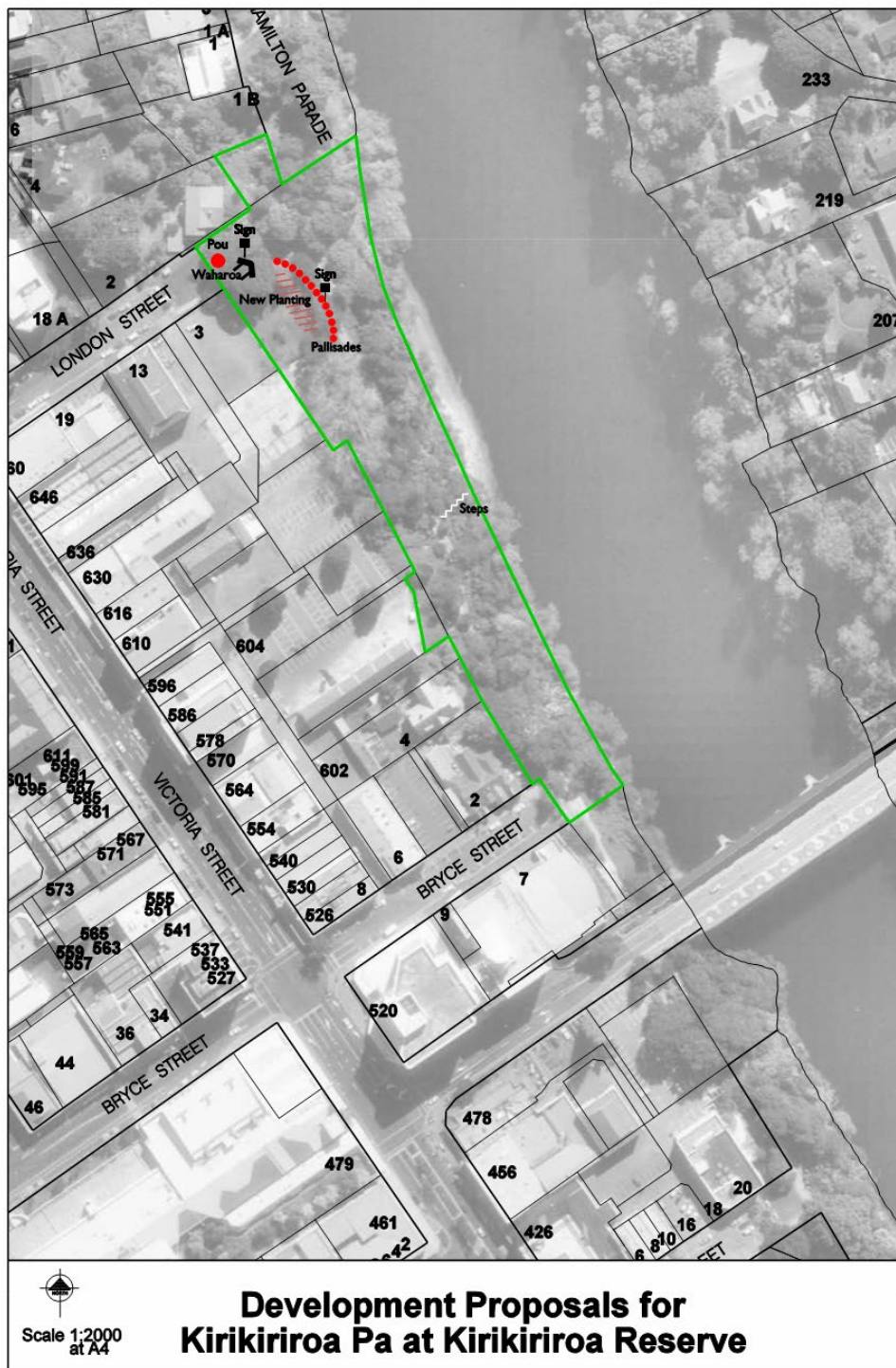
*William, Hamilton's First surveyor, subsequently became Mayor of Hamilton. He was fluent in Maori and had a special affinity with Ngati Wairere, meeting regularly with the chiefs and people, particularly Te Puke, and Hakopa Te Waharoa"<sup>4</sup>.*

**Key Implementation:**

- A Pouwhakarae to be established as a main pou, a Waharoa (gateway) on the London Street entrance into Kirikiriroa Reserve, and a palisade of small pou facing the river.
- New planting will be established behind the palisade fence providing a backdrop to the palisade pou. Plantings should include kowhai, mahoe patete and low growing native shrubs which have traditional medicinal and spiritual significance (ferns, kawakawa). Exotics should be removed from the site where appropriate.
- An interpretive panel in Te Reo Maori and English describing the history and features of the site and the conservational/management values for the site to be established along the walkway, below the palisade pou (mounted to the existing rock retaining wall).
- Floodlight main Pou.
- Steps from the riverside walkway descending down to the old canoe landing site, and the lime kiln.
- Plantings of low growing native shrubs which have traditional medicinal and spiritual significance (ferns, kawakawa).

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<sup>4</sup> Central City Riverside Archaeological and Cultural Assessment, Pg 16, Opus Consultants.



## 7.8 Opoia Pa

<b>Reserve Name:</b>	Jesmond Park
<b>Reserve Location:</b>	East bank, Opoia Road
<b>Legal Description and Reserves Act (1977) classification:</b>	Lots 1, 2 and 3 DPS 14636 (Recreation Reserve)
<b>Proposed District Plan Zoning:</b>	Recreation Environment
<b>District Planning Notes:</b>	Environmental Protection Overlay
<b>District Plan site number:</b>	A41
<b>District Plan Grouping:</b>	Group 2 — Sites where all surface evidence has been destroyed but subsurface evidence may still be present.
<b>Nga Mana Toopu O Kirikiriroa Commemoration Grading:</b>	Priority 1 — Most significant and in need of maximum protection and commemoration.

**History:** Before his death, Mr Mana Martin recounted that Opoia Pa was settled by Maramatutahi, the eldest son of Wairere from his third wife Tukapua. They had a son who was named Karaka ki Opoia after a sacred Karaka tree that grew at Opoia Pa.

In later generations, a great warrior named Poukawa became the Chief of this Pa. He led Ngati Wairere against Ngati Raukawa in the battle of Hurimoana, near Otorohanga. In this battle he captured and killed a Ngati Wakatere (a sub tribe of Ngati Raukawa) Chief called Te Rerenga and took from him a famous Patu Onewa (Mere) made of basalt. This mere, called Te Waimaori, passed to one of Poukawa's descendants Te Ahipainga, on to Te Ironui and hence to his present day descendants who still hold it today.

There was a flat area of land in front of and below the Pa which was a common meeting place for war parties before they went into battle. This land and the Pa itself were destroyed by the construction of the Claudelands Road and railway bridge. The Pa is now buried beneath the car park at Sonning Esplanade Carpark.



*Jesmond Park: "Dr A S Brewis and members of his family have offered to present the Borough of Hamilton for use as a public reserve a piece of land containing 1.314 acres, situated in Opoia Road and bounded by the railway line and the Waikato River. It is already largely used by the neighbourhood as a playground, and many bathe and have canoes at the shore. Some exceptionally fine pines add to the picturesque appearance of a naturally beautiful park"(Waikato Times, Wednesday 9 October 1929).*

Figure 10: Hei Tiki found in the vicinity of Opoia Pa.

- Carved Pouwhakarae configured as main Pou, with manuka palisade fence surrounding the pou and low growing plantings planted around the Pou, within the fence.
- Reconstruction of rampart over a small section of the reserve to replicate the topography that would have been prior to the obliteration of the site.
- Planting of kowhai trees — exotics should be removed from the riverside where appropriate (i.e. not to the detriment of bank stability).
- An interpretive panel in Te Reo Maori and English describing the history and features of the site, the original name of the Pa site, and the conservational/management values.
- Floodlight Pou.
- Plantings of low growing native shrubs which have traditional medicinal and spiritual significance (e.g. ferns, kawakawa).





## 7.9 Urupa (Unnamed)

<b>Reserve Name:</b>	New Memorial Park
<b>Reserve Location:</b>	East bank, river-end of Cook Street
<b>Legal Description and Reserves Act (1977) classification:</b>	Section 2 SO 60256 (Recreation Reserve)
<b>Proposed District Plan Zoning:</b>	Recreation Environment
<b>District Plan Overlay:</b>	Environmental Protection Overlay
<b>District Planning Notes:</b>	N/A*
<b>District Plan Grouping:</b>	N/A*
<b>Nga Mana Toopu O Kirikiriroa Commemoration Grading:</b>	Priority 2 - site destroyed with minimal evidence remaining, but accessible.

**History:** This site is extremely sacred to Ngati Wairere. Waharoa Te Puke, the last traditional paramount Chief of Ngati Wairere, who died in 1957, identified this location as a traditional Urupa (burial ground) for the high Chiefs of Ngati Wairere. It was common practice within pre-European Maori society for abandoned Pa to be used as Urupa (burial grounds), this Urupa was developed at the site of an ancient triangle shaped Pa, built on a prominent headland overlooking the Waikato River. This headland has since been bulldozed away. The name of the Urupa is presently unknown, but is currently being researched from ancient confidential documentation held by members of Ngati Wairere.



Figure 11: King Tawhiao (the second Maori King).

Hakopa Te Waharoa exhumed the bones of all of the Chiefs who had been buried at this Urupa sometime during the 1870's. This was undertaken to prevent their destruction by the early European settlers who were building on the Urupa. The Koiwi were relocated to another Urupa at Hukanui. Some Maori believe that the two fires, each of which burned down the Royal Hotel that was built upon this Urupa, were caused by the Tapu associated with the Urupa.

During his visit to Hamilton in 1881, King Tawhiao, the second Maori King, visited this Urupa, and lamented over the loss of the lands of his ancestors who were originally buried here.

\* No information is listed in the Proposed District Plan for this site (this site should be included during the review of the District Plan).

A large greenstone fragment, which appears to be the lower part of the legs of an exceptionally large Hei Tiki, was found at this site. Based upon the size of this fragment, the complete Hei Tiki would be one of the largest known to Maori. This fragment is now held in the Auckland Museum.

*New Memorial Park: The site (area where the Urupa is on New Memorial Park) is formerly stopped road declared to be Recreation Reserve in 1997.*

**Key Implementation:**

- One Pou, or Waka Haumi, carved in the kawa of Ngati Wairere, surrounded by native plantings (flaxes) and an interpretive panel.



### 7.10 Te Rapa Pa

<b>Reserve Name:</b>	Yendell Park
<b>Reserve Location:</b>	West bank, Cobham Drive
<b>Legal Description and Reserves Act (1977) classification:</b>	Part 86 DP 17643 (Recreation Reserve)
<b>Proposed District Plan Zoning:</b>	Recreation Environment
<b>District Planning Notes:</b>	Environmental Protection Overlay
<b>District Plan site number:</b>	A34
<b>District Plan Grouping:</b>	Group 2 — Sites where all surface evidence has been destroyed but subsurface evidence may still be present.
<b>Nga Mana Toopu O Kirikiriroa Commemoration Grading:</b>	Priority 1 — Most significant and in need of maximum protection and commemoration.

**History:** In regard to Te Rapa Pa, a most important feature to note is that it was located close to what is now Hamilton Hospital and not at the northern area of the city now known as Te Rapa. This confusion over the correct location of “Te Rapa” arose because of a mistake made by early European surveyors and map makers in 1870 which was perpetuated from then onwards.

Survey maps produced by William Graham, the first surveyor of the region, clearly show Te Rapa correctly located at what is now Cobham Drive by the Waikato Hospital. However, subsequent surveyors incorrectly transferred the name to the northern boundary of the City which now bears the name Te Rapa. The reason for this mistake is unknown.



Figure 12: Mrs Kath Sunnex (c. 1928-1996). Mrs Sunnex related the story of Hotumauea, as told to her by her grandmother, Kameta Te Puke (c. 1843-1947).

Te Rapa Pa was constructed by Hotumauea, Chief of Ngati Koura and grandson of Koura. Hotumauea was described as being an exceptionally tall and athletic warrior, envied by his in-laws because of his feats of athleticism. He was an exceptionally fast runner and competed in the traditional Maori sports and hand-to-hand combat. Hotumauea led many war parties that attacked other hapu in neighbouring Pa along the river and its hinterland. His fame was widespread and he was known and feared as far afield as Ngati Kinohaku in the King Country.

When the news came that one of Hotumauea's wives had given birth to a son some of his enemies raised a war party to kill Hotumauea and his new son to ensure that his line and mana would not live on. They came looking for his new son and asked Hotumauea's wife the sex of the child she was holding. Thinking quickly, she tucked the baby's penis between his legs and told them it was a girl. Hence, as they had only come to kill a male child, not a girl, Hotumauea's son survived.

Later, whilst Hotumauea was climbing down into a water spring to draw water at Te Korokoro (near what is now the Waikato breweries in Victoria Street) this war party surrounded him and were ready to pounce upon him and kill him. However they approached him with caution because they did not want to bruise or damage his head, as they wanted to preserve it as a trophy. Hotumauea used his exceptional strength and athleticism to leap out of the spring and over the heads of his enemies and escaped. The war party pursued him to the banks of the Waikato River. Here he climbed a large Tawa tree that overhung the river and from its branches he leapt to the other side of the river. It is said that where he landed his footprints became embedded in the bank of the river and they can still be seen there today.

After escaping his enemies Hotumauea raised a war party and pursued those who had pursued him. He caught them, took them to Te Rapa Pa and killed them. Their bodies were hung up and prepared for the traditional Whangai hau (cannibal feast).

From that time onwards the Tawa tree that overhung the river became a Moari (a Maori swing). This refers to the ancient custom where ropes, made of braided flax, were hung from the branches of the tree and his descendants would swing out over the river on these ropes, thereby commemorating Hotumauea's feat in escaping across the river.

During Hotumauea's lifetime, Te Rapa Pa was also attacked by Ngati Mahuta who came stealthily up the Waikato River in their famous war canoe called Te Ruaki Kai Tangata. However, Hotumauea's lookouts recognised the canoe before it reached the Pa and the people in the Pa were therefore prepared for battle. Before the battle began there was a traditional pre-battle exchange of Haka and speech making. During this each side gave their Whakapapa and thereby recognised that they had common lines of descent back to the ancestor Koura. Because of this the battle was averted and from that time onwards Ngati Koura and Ngati Mahuta shared alliances and fought together in many later battles.

When Hotumauea died his body was taken by canoe down the Waikato River to Taupiri, up the Komakorau stream, and was finally buried at Karamu Pa (Gordonton), next to his relative Hanui. One of Hotumauea's descendants Parengaope, was the mother of Potatau Te Wherowhero the first Maori King.

Porokoru was one of the last chiefs to occupy Te Rapa Pa and he is recorded as fully bearded, with a full Rape pattern tattoo on his buttocks, and a full facial moko. He was approximately six feet in height and of solid, muscular build.

He was one of the leading Chiefs who attended the several Hui held to debate the selection of the first Maori King Potatau Te Wherowhero. One of these Hui

was held at Pukawa Pa on the southwestern shores of Lake Taupo. Te Rapa Pa was abandoned around 1862 when the people who occupied it travelled inland to re-establish at Hukanui (Gordonton) and Tauhei. Others travelled to the Te Awamutu and Waipa area.

Porokoru was famed as an accomplished builder of traditional thatched houses such as carved Whareroa (Maori meeting house). He was one of the Chiefs responsible for building the meeting house called Wairere at Te Rapa Pa, which was recorded by the European settlers in the 1850's. This was one of several buildings in the Waikato carved by the four famous carvers who lived at Kirikiriroa Pa (Tauhinu, Paewaka, Tumukuru and Tamaiti).

In design, Te Rapa Pa was essentially a terraced square, completely fortified with ditch and palisade structures on all sides. It was a large Pa, occupied by Ngati Koura and next to Kirikiriroa Pa in importance in the traditions of the Ngati Wairere hapu. It has a long history of battles and wars that were fought around the Pa and in this general area. The Pa was still occupied by Ngati Koura when Europeans first arrived in the area.

*Yendell Park: This site was added to the Hamilton Domain to be administered by the Hamilton Domain Board in 1925. Hamilton City Council was appointed as the Hamilton Domain Board in 1950. In 1981 the reserve was then classified as Recreation Reserve under the Reserves Act 1977. This park is named after Councillor Yendell who was a Councillor between 1956 and 1962.*

**Key Implementation:**

- Carved Pouwhakarae configured as main Pou and smaller subsidiaries (placed in a group, surrounded with a Manuka fence and encircled with a deep ditch to discourage access to the Pou), or other appropriate structure (indicative of ancient maori occupation). All carvings to be in the kawa of Ngati Wairere, tangata whenua for all of these sites.
- An interpretive panel in Te Reo Maori and English describing the history and features of the site, the original name of the site, and the conservational/management values.
- Floodlights to illuminate the Pou.
- Plantings of low growing native shrubs which have traditional medicinal and spiritual significance (ferns, kawakawa).





### 7.11 Te Kourahi Pa

<b>Reserve Name:</b>	Yendell Park
<b>Reserve Location:</b>	West bank, Cobham Drive
<b>Legal Description and Reserves Act (1977) classification:</b>	Lot 514 DPS 9477 (Recreation Reserve), Part Allotment 25, Te Rapa Parish (land held for better utilisation by the Crown (Transit New Zealand))
<b>Proposed District Plan Zoning:</b>	Recreation Environment
<b>District Planning Notes:</b>	Environmental Protection Overlay
<b>District Plan site number:</b>	A59
<b>District Plan Grouping:</b>	Group 2 — Sites with some surface features preserved. Sites worth preservation at all costs. A) Currently in good state of preservation. B) Historically and scientifically important. C) Traditionally important. D) Suitably located for permanent preservation.
<b>Nga Mana Toopu O Kirikiriroa Commemoration Grading:</b>	Priority 3 — site destroyed with minimal evidence remaining, or poor access.

**History:** Te Kourahi Pa was the second smaller Pa located at what is now Yendell Park. The Pa derives its name from the gully system and stream, which travels through the area known as Yendell Park. Te Kourahi Pa was a satellite Pa of Te Rapa. It is believed that most visiting war parties that shared allegiances with Ngati Koura stayed at this Pa rather than at Te Rapa Pa.

*Yendell Park: This site was added to the Hamilton Domain to be administered by the Hamilton Domain Board in 1925. Hamilton City Council was appointed as the Hamilton Domain Board in 1950. In 1981 the reserve was then classified as Recreation Reserve under the Reserves Act 1977. This park is named after Councillor Yendell who was a Councillor between 1956 and 1962.*

**Key implementation:**

- A grove of Tawa trees will be planted at Te Kourahi to commemorate the Tawa tree which assisted Hotumaua (Ngati Koura Chief) to jump across the river to escape his enemies. It is believed that the sacred Tawa tree existed near this location.
- An interpretive panel in Te Reo Maori and English describing the history and features of the site, the original name of the site, and the conservational/management values.



## 7.12 Te Moutere O Koipikau Pa

<b>Reserve Name:</b>	Graham Island
<b>Reserve Location:</b>	River Island (Yendell Park to the west, Hayes Paddock to the east).
<b>Legal Description and Reserves Act (1977) classification:</b>	Allotment 449 Town of Hamilton East (Recreation Reserve)
<b>Proposed District Plan Zoning:</b>	Recreation Environment
<b>District Planning Notes:</b>	Environmental Protection Overlay
<b>District Plan site number:</b>	N/A*
<b>District Plan Grouping:</b>	N/A*
<b>Nga Mana Toopu O Kirikiriroa Commemoration Grading:</b>	Priority 3 — site destroyed with minimal evidence remaining, or poor access.

**History:** Te Moutere O Koipikau Pa was constructed on an island in the middle of the Waikato River. It held a carved Pataka (food house) named Koipikau, which is believed to have been constructed during the time of Hotumauea and Hanui. This Pataka, carved using greenstone adzes, held a variety of items including the flesh of the slain Nga Iwi people. A century or more after the time of Hotumauea and Hanui, Hongi Hika and his northern Nga Puhi warriors armed with muskets, invaded this area. A carved Pataka, also called Koipikau, which stood in the Pa was dismantled and buried to protect it from Hongi Hika. It is not clear whether this was the same Pataka which existed during Hotumauea's time. The precise burial place of this Pataka is unknown.



There is an ancient myth associated with this tapu (sacred) Pataka. According to this one day the island upon which the Pataka stood transformed into a Taniwha (spiritual deity) who carried the Pataka down the river on his back. As with most myths, this one may have a basis in fact and could refer to a flood in the 1600's or 1700's, which carried the Pataka from the island and deposited it further down stream.

Figure 13: Mrs Rangiwhakaewa Skinner (c. 1919-1991). Mrs Skinner was shown the footprints of Hotumauea that run along the banks of the Waikato River.

\* No information is listed in the Proposed District Plan for this site (this site should be included during the review of the District Plan).



*Graham Island: This is an island in the middle of the Waikato River. It was originally Crown land and vested in Council in January 1974.*

**Key Implementation:**

- The exotic trees on Graham Island should be progressively re-planted with Kowhai trees to commemorate Te Moutere O Koipikau Pa. However, before the trees are removed, an archaeological assessment should be undertaken to establish any remnants of the site of the original Pa.
- A Pouwhakarae.





### 7.13 Te Nihinihi Pa

<b>Reserve Name:</b>	Dillicar Park
<b>Reserve Location:</b>	East bank, between Sillary Street and Cobham Drive
<b>Legal Description and Reserves Act (1977) classification:</b>	Part Section 23 Hamilton East Town Belt (Recreation Reserve)
<b>Proposed District Plan Zoning:</b>	Recreation Environment
<b>District Planning Notes:</b>	Sections of the park are subject to an Environmental Protection Overlay, and a proposed road stoppage.
<b>District Plan site number:</b>	A66
<b>District Plan Grouping:</b>	Group 3 — Locations of sites now almost entirely destroyed.
<b>Nga Mana Toopu O Kirikiriroa Commemoration Grading:</b>	Priority 1 - Most significant and in need of maximum protection and commemoration.

**History:** Little is known about this Pa except that Ngati Koura and Ngati Hanui occupied it at various time during its existence. It is believed that the elongated shape of this Pa resembled and hence commemorated Hotumauea's footprint (referred to in Section 6.10 and 6.11).

*Dillicar Park: A portion of this historic Pa site is in private ownership. Part of this site is road vested in Hamilton City Council. This park is named after Councillor Dillicar who was in Council from 1935 until he resigned in 1945.*

**Key implementation:**

- Carved Pouwhakarae configured as main Pou surrounded with a Manuka fence and encircled with a deep ditch.
- Floodlight to illuminate the Pou.
- Plantings of low growing native shrubs which have traditional medicinal and spiritual significance (e.g. ferns, kawakawa).
- An interpretive panel in Te Reo Maori and English describing the history and features of the site, the original name of the site, and the conservational/management values.



### 7.14 Te Parapara Pa

<b>Reserve Name:</b>	Hamilton Gardens
<b>Reserve Location:</b>	East bank, Cobham Drive
<b>Legal Description and Reserves Act (1977) classification:</b>	Part Allotment 252A Kirikiriroa Parish (Recreation Reserve)
<b>Proposed District Plan Zoning:</b>	Recreation Major
<b>District Planning Notes:</b>	Sections of the park are subject to an Environmental Protection Overlay.
<b>District Plan site number:</b>	A60
<b>District Plan Grouping:</b>	Group 2 — Sites where all surface evidence has been destroyed but subsurface evidence may still be present.
<b>Nga Mana Toopu O Kirikiriroa Commemoration Grading:</b>	This site will be commemorated as part of the development of a Maori theme garden at within Hamilton Gardens.

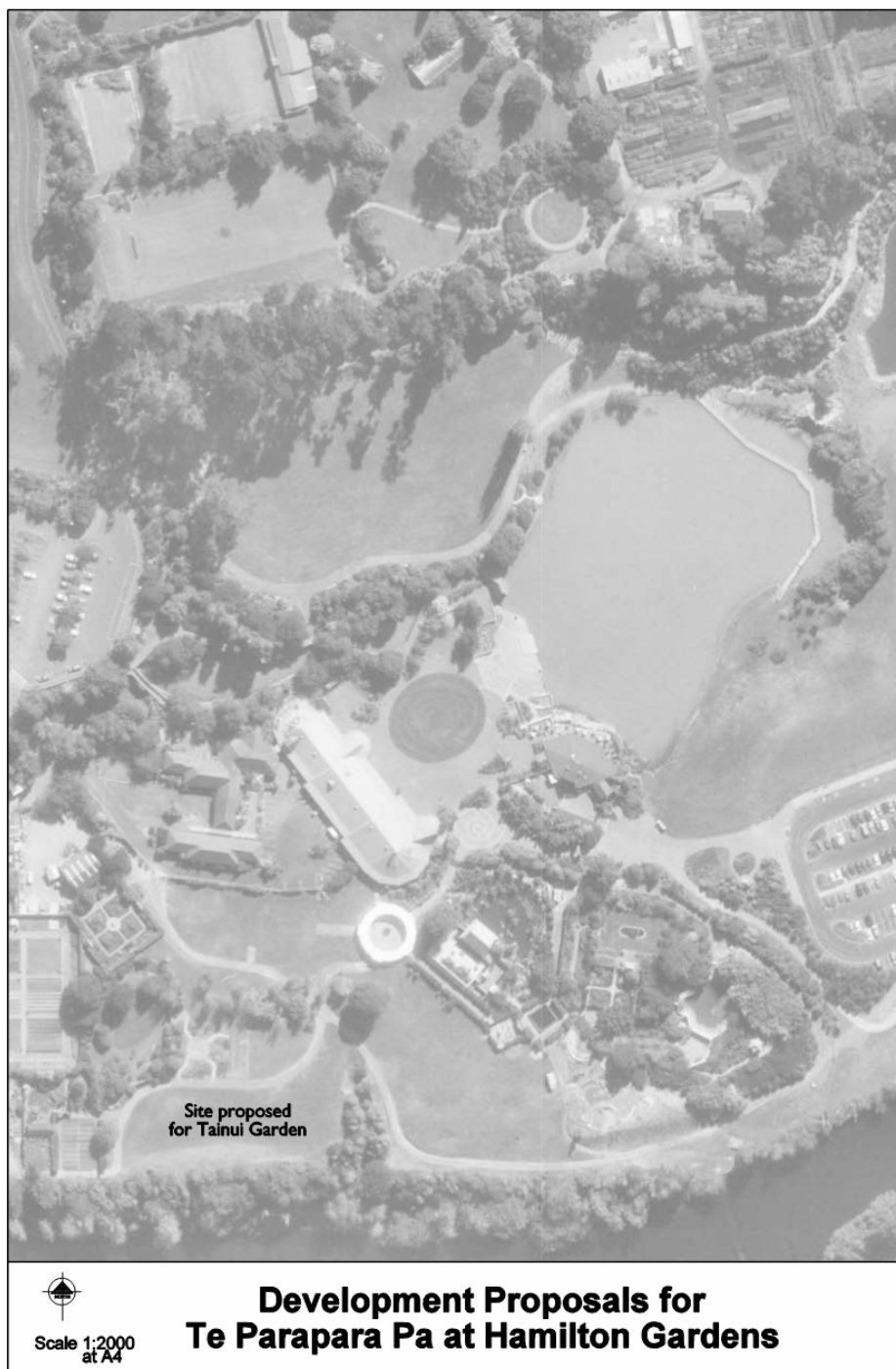
**History:** Te Parapara Pa was located in what is now the Hamilton Gardens. It was occupied by Hanui and his Ngati Wairere descendants. The Pa was particularly renowned as a site of sacred rituals associated with harvesting of food crops and the collection of the first berries from forest stands in the area. There was a Tuahu (sacred altar or shrine) called Te Ikamauroa at the Pa.

*Hamilton Gardens: This site is included in the Hamilton Gardens grounds. This reserve has its own Reserves Act Management Plan and will be developed and maintained consistent with the Hamilton Gardens (second review) Management Plan.*

#### **Key Implementation:**

The 'Tainui Garden' is proposed as part of the 'Productive Garden Collection' in Section 2 of Hamilton Gardens (second review) Management Plan. The Productive Garden Collection is a collection of gardens demonstrating forms of productive gardens illustrating the relationship between people and useful plants.

The Tainui Garden will be called 'Te Parapara Pa' and will be prepared as a Pre-European Maori garden showing the significant heritage and tikanga of the locality. The garden is being developed in partnership with Nga Mana Toopu O Kirikiriroa.



### 7.15 Unnamed Pa (Hammond Park)

<b>Reserve Name:</b>	Hammond Park
<b>Reserve Location:</b>	East bank, below Malcolm Street
<b>Legal Description and Reserves Act (1977) classification:</b>	Lot 1 DPS 16456 and Lot 48 DPS 13635 (Local Purpose (esplanade) Reserve)
<b>Proposed District Plan Zoning:</b>	Recreation Environment
<b>District Planning Notes:</b>	Sections of the park are subject to an Environmental Protection Overlay.
<b>District Plan site number:</b>	A77
<b>District Plan Grouping:</b>	Group 1 (a & d) Sites with some surface features preserved. Sites worth preservation at all costs: a) Currently in a good state of preservation, and d) Suitable located for permanent preservation.
<b>Nga Mana Toopu O Kirikiriroa Commemoration Grading:</b>	Priority 2 - Evidence remaining and accessible.

**History:** There is little known about this Pa. Research regarding the history of this site is still underway. Evidence of the traditional use of the site is still visible.

*Hammond Park: The majority of this reserve was acquired by Hamilton City Council on the 27<sup>th</sup> November 1972. A small portion was acquired in December 1969.*

**Key Implementation:**

- An interpretive panel in Te Reo Maori and English describing the history and features of the site, the original name of the site, and the conservational/management values shall be installed on site.





### 7.16 Te Pa O Ruamutu

<b>Reserve Name:</b>	Hammond Park
<b>Reserve Location:</b>	East bank, below Balfour Crescent
<b>Legal Description and Reserves Act (1977) classification:</b>	Lot 45 DPS 9899 & Lot 28 DPS 4101 (Local Purpose (esplanade) Reserve)
<b>Proposed District Plan Zoning:</b>	Recreation Environment
<b>District Planning Notes:</b>	Sections of the park are subject to an Environmental Protection Overlay.
<b>District Plan site number:</b>	A78 (currently over privately owned property only).
<b>District Plan Grouping:</b>	Group 2 — Sites where all surface evidence has been destroyed but subsurface evidence may still be present.
<b>Nga Mana Toopu O Kirikiriroa Commemoration Grading:</b>	Priority 2 - site destroyed with minimal evidence remaining, but accessible.

**History:** This Pa was named after Ruamutu, the Chief of the Nga Iwi people who constructed the Pa and occupied it until Ngati Wairere dispossessed them. Ruamutu was killed in the battle for the Pa. Ngati Wairere occupied the Pa until the arrival of the British. Under Ngati Wairere ownership, this was a large boundary Pa, certainly one of the largest Pa within the Hamilton City area. It was sited close to, and guarding, the boundary between the lands of Ngati Wairere and Ngati Haua.

The Pa was rectangular in shape, built on a headland close to the Waikato River, just upstream from the Mangaonua gully. Balfour Crescent crosses what was the ditch fortification of the Pa, but this ditch is now unrecognisable as it was filled in during the development of Balfour Road. The ridge upon which the houses at the end of Balfour Crescent, closest to the river, are built was the original central raised terrace of the Pa. There are no remnants of any of the original structures remaining today.



Figure 14: 1961 Aerial photograph of Te Pa O Ruamutu.

A number of battles were fought at Te Pa O Ruamutu, and along the riverbank close to the Pa, in the mid 1600's during the wars with Ngati Raukawa. At one time during these wars the warriors of Ngati Raukawa, led by their Chief Nga Tokowaru, came up river by canoe. The canoe was spotted by the people of Te Pa O Ruamutu pa who abandoned the Pa in a ploy to convince the invaders that they were in unopposed control and possession of the area. This ploy worked and the Ngati Raukawa warriors passed by the Pa and continued up the river to Taupiri where they were defeated by the combined forces of Ngati Mahuta, Ngati Makirangi and Ngati Wairere.

Whare Koata, a paramount chief of Ngati Wairere, lived at this Te Pa O Ruamutu pa. He was killed by an invading war party from Hauraki whilst on a bird hunting expedition at Tauhei. Upon the news of his death this Pa was abandoned, and following ancient Maori custom, became an Urupa.

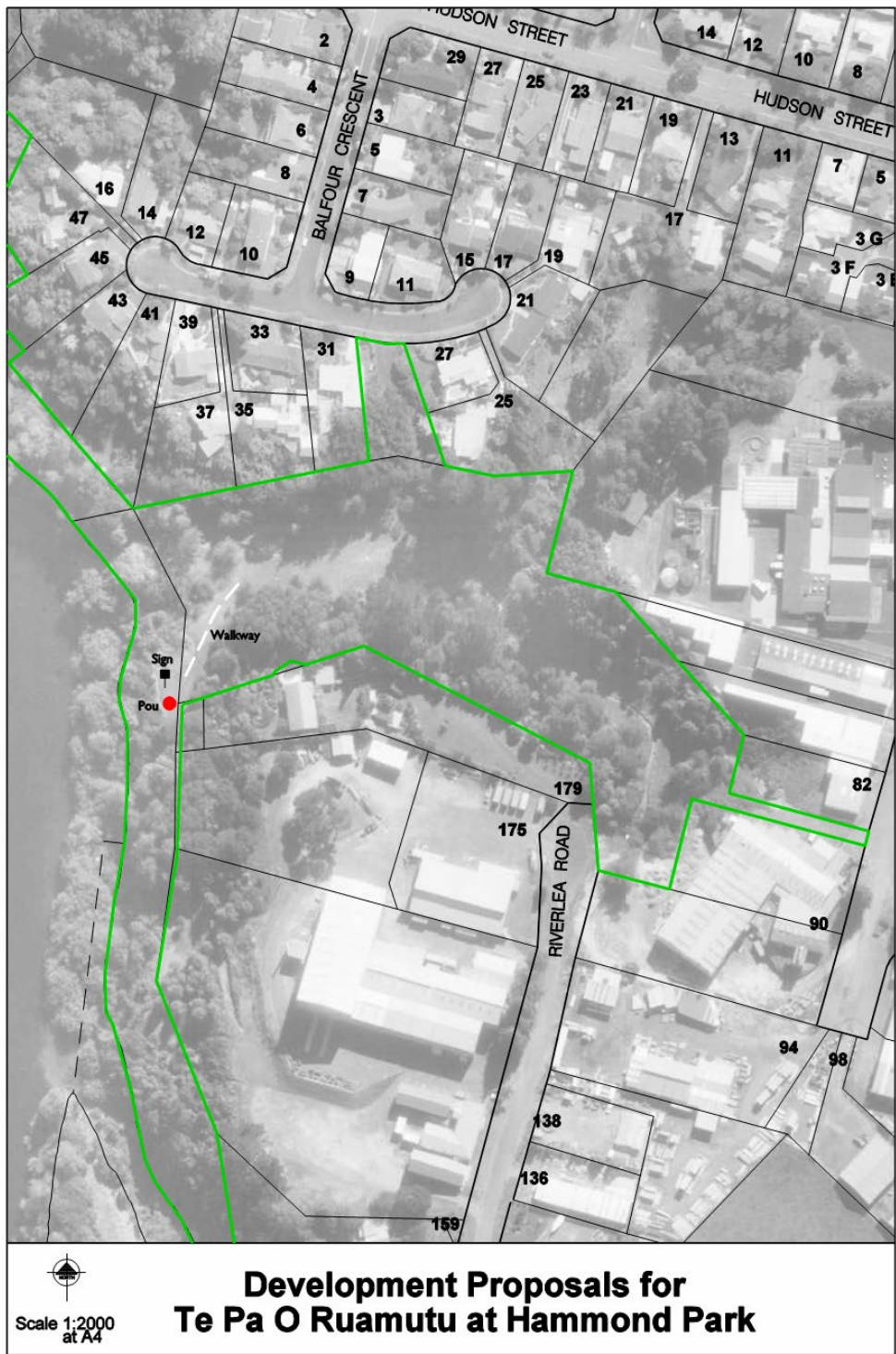
King Tawhiao is reported to have visited this Urupa when he travelled through Hamilton in 1881.

Human bones (Koiwi), and numerous green stone artefacts have been found at this site by the bulldozer drivers who constructed Balfour Crescent and subsequently by house owners digging in their gardens.

*Hammond Park: The majority of this reserve was acquired by Hamilton City Council on the 27<sup>th</sup> November 1972. A small portion was acquired in December 1969. This section (see legal description above) of Hammond Park adjoins site A78 notated as Pa in the District Plan. In the District Plan the historic site is over private property only and does not extend over this section of the reserve — a plan change should be made to the District Plan upon review.*

**Key Implementation:**

- One Pou, or Waka Haumi, carved in the kawa of Ngati Wairere, surrounded by native plantings (flaxes) and an interpretive panel.
- An interpretive panel in Te Reo Maori and English describing the history and features of the site, the original name of the site, and the conservational/management values shall be installed on site.



### 7.17 Mangaonua Pa

<b>Reserve Name:</b>	Mangaonua Esplanade
<b>Reserve Location:</b>	East bank, below Riverlea Road
<b>Legal Description and Reserves Act (1977) classification:</b>	Lot 17 DPS 988 (Recreation Reserve)
<b>Proposed District Plan Zoning:</b>	Recreation Environment
<b>District Planning Notes:</b>	Environmental Protection Overlay
<b>District Plan site number:</b>	N/A*
<b>District Plan Grouping:</b>	N/A*
<b>Nga Mana Toopu O Kirikiriroa Commemoration Grading:</b>	Priority 3 — site destroyed with minimal evidence remaining, or poor access.

**History:** Not a great deal is known about Mangaonua Pa. It was a small boundary Pa occupied by the people of Ngati Wairere. The Pa marked and guarded the boundary between the lands of Ngati Haua to the south and Ngati Wairere to the north. Mangaonua Pa is close to Te Pa O Ruamutu and the two Pa were joined by a walking track.

*Mangaonua Esplanade: This reserve has been included in the Gully Reserves Management Plan which became operative in 2000. This section of Mangaonua Esplanade adjoins site A79 notated as Pa in the District Plan. In the District Plan the historic site is over private property only and does not extend over this section of the reserve — a plan change should be made to the District Plan upon review.*

Key implementations recommended below will not occur until access has been developed. A Mangaonua Walkway Feasibility Study has been undertaken and Hamilton's Walkway/Cycleway Strategy proposes a walkway through Mangaonua Esplanade.

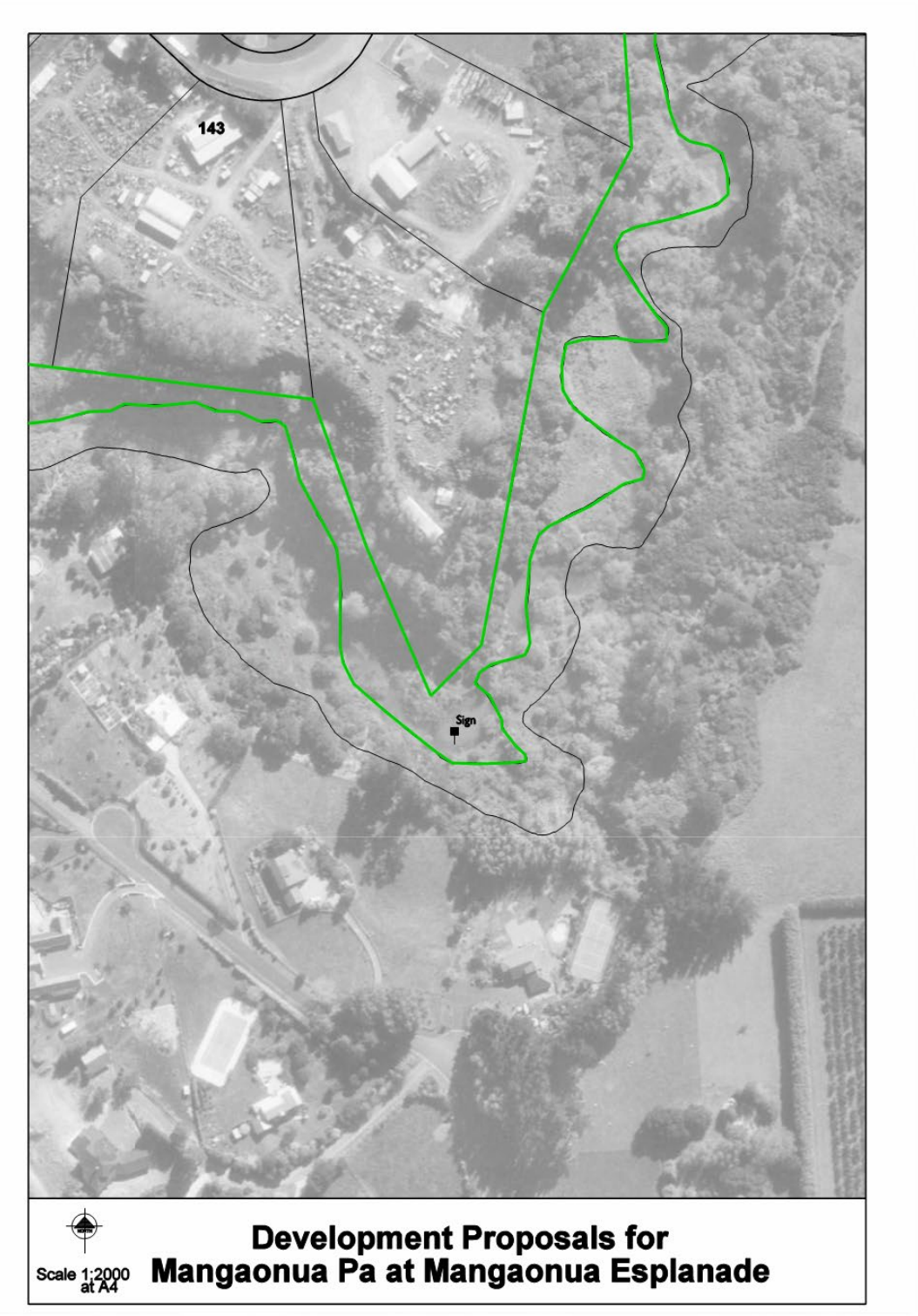
**Key implementation:**

- An interpretive panel in Te Reo Maori and English naming the site, describing the history and features of the site and the conservational/management values for the site.

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\* No information is listed in the Proposed District Plan for this site (this site should be included during the review of the District Plan).





## References:

- Gibbons, P J                      Astride the River: A history of Hamilton (Christchurch, 1977).
- Norris, H C M                    Armed Settlers: The story of the founding of Hamilton, New Zealand, 1864-1874 (Hamilton, 1956).
- Norris, H C M                    Settlers in Depression, 1875-1894 (Hamilton, 1964).
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- Hamilton City and the Waikato — A Profile (Hamilton City Council, 2000).
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- "The Fourth Waikato arrives at Hamilton 1864" from Journal of the Auckland-Waikato Historical Societies No. 32 (Morris E, 1978).
- Visions from the Past — Kirikiriroa: An information kit on early Maori settlement in the Hamilton areas, HPL Infokit no: 72, compiled by Fiona Corcoran (Hamilton Public Library, 1998).

## Illustrations/Photos:

- Figure 1:                      Captain John F C Hamilton — Photograph provided by Waikato Museum of Art and History.
- Figure 2:                      "Kaitotehe Pa" — The Natural World of the Maori (Orbell & Moon, 1985).
- Figure 3:                      "Maaketu" — The Natural World of the Maori (Orbell & Moon, 1985).
- Figure 4:                      "Pou" — Illustration by Wiremu Puke, 2003.
- Figure 5:                      Mr and Mrs Mana Martin — Private collection of Wiremu Puke, 2003.
- Figure 6:                      Te Roore Tatangi — Private collection of Wiremu Puke, 2003.
- Figure 7:                      Talisman found at Pukete Pa, Photo from Waikato Museum of Art and History.
- Figure 8:                      Waharoa Te Puke — Private collection of Wiremu Puke, 2003.
- Figure 9:                      Te Puke Waharoa — Private collection of Wiremu Puke, 2003.
- Figure 10:                    Hei Tiki, Photo from Waikato Museum of Art and History.
- Figure 11:                    King Tawhiao — Private collection of Wiremu Puke, 2003.
- Figure 12:                    Mrs Sunnex — Private collection of Wiremu Puke, 2003.
- Figure 13:                    Mrs Skinner — Private collection of Wiremu Puke, 2003.
- Figure 14:                    1961 Aerial Photograph of Te Pa O Ruamutu — Hamilton Central Library Aerial Photograph Collection, 244 series:802.

## Appendix

**Item 8**

**Attachment 15**



## Appendix 1 — Location Plan

**Item 8**

**Attachment 15**





## Appendix 2 - Structures found inside Pa

A number of structures - living accommodation, religious/ceremonial buildings and shrines — were commonly found particularly within fortified Pa, and sometimes in Papakainga and Marae. These included:

### 1.0 **Pataka:** elaborately carved, elevated storehouses:

Pataka were especially sacred and venerated by the people of Pa, because they commonly contained Taonga (precious and sacred artefacts) which were highly valued by the Chief, as well as food. These Taonga were items such as:

- Ancestors' bones
- Green stone pendants (e.g. Hei Tiki)
- Items that were Tapu (sacred) to the Chief of the hapu, such as talisman, weapons, feathers and other personal adornments.

Because Pataka held such Tapu items they were regarded as religious shrines and only opened on ceremonial occasions. Their style of construction and the extent and quality of their carvings demonstrated the wealth and Mana of the Chief and the tribe to people visiting the Pa.

### 2.0 **Elevated Platforms and racks.** Within the Pa there were a number of wooden platforms, elevated on poles, each used for a different purpose. Examples of these elevated platforms are:

#### 2.1 **Atamira** (a platform for dead bodies):

When a tribe member died, there were particular funeral rites that had to be followed. First a Tangi was held immediately after the person died. If the person who died was a highborn member of the tribe, after the Tangi the head was removed and preserved. The body was then laid on an Atamira for several months, exposing it to the elements and thereby accelerating the decomposition of the flesh. Visitors to the Pa would often lament for the deceased person lying on the Atamira.

When most of the flesh had decomposed, the Hahunga was performed over a period of four weeks. In this ceremony any remaining flesh was scraped from the bones using shells of sharpened sticks. The cleaned skeleton was painted with Kokowai (Iron oxide), which coloured the bones red. The bones were displayed on Whariki (ceremonial mats) for a period before being buried in Tomo (Caves) along the riverbank, inside houses within the Pa, in Urupa or in hollow trees.

#### 2.2 **Whatarangi** (a platform for offerings):

Food was placed on Whatarangi as offerings to Maori deities to seek their help in warding off Makutu (curses or witchcraft) placed on the Pa by other tribes or opponents. At other times offerings were made on the Whatarangi during traditional planting and harvesting ceremonies to ensure the bounty of the crop.

#### 2.3 **Whata** (a drying platform):

Locally grown Kumara and eels caught in the Waikato River were laid out to dry, thereby preserving them for future use. Whata were still being used at Aotea and Hukanui up to the mid 1930's.

#### 2.4 **Tuwhara** (Tihi/watchtower):

The Tihi was an elevated platform used as a watchtower or look out post, often constructed close to the entrance of the Pa. Sentinels would keep watch for hostile visitors or invading war parties from atop the Tihi.

#### 2.5 **Raratuna** (drying racks):

Raratuna were wooden frames used for drying and curing eels, gourds, shellfish, fern roots, Kumara and even human flesh and preserved heads.

#### 3.0 **Whangai Hau** (Ceremonial oven):

Pre-European Maori constructed Umu (in ground ovens) for cooking food. The Whangai Hau was a special ceremonial oven, used only for cooking the bodies of slain enemy warriors prior to consuming their flesh. Because of this use, Whangai Hau were often given their own name, which was usually associated with a famous slain Chief whose body was cooked in the oven. In this way Whangai Hau were often remembered in Maori legends.

Several Whangai Hau are recorded in the history and traditions of Ngati Wairere. One famous oven, known as Te Para O Te Rohi, was used to cook the bodies of the chief Te Rohi and his warriors who were slain in a battle with Ngati Wairere.

#### 4.0 **Houses and sheds** - There were a variety of roofed structures in the Pa, which were used for housing people, covering objects, or for ceremonies.

##### 4.1 **Whare Moe** (sleeping quarters):

Whare Moe were houses used as sleeping quarters. They were constructed using Totara for the framing, wood panels for the walls and Raupo (reed and bull rushes) for thatching the roof. The Totara used for the superstructure of the house was traditionally fashioned using hafted stone or greenstone adzes. Following the arrival of European settlers, the stone adzes were replaced by steel adzes and the Totara by pit-sawn timbers.

Mr. Hare Puke, Mr. Honiti Apiti and Mr. Mana Martin all lived in Whare Moe in their youth (1920's) at Hukanui, Tauhei and Hoe O Tainui, and they recall the experience as follows:

*"If looked after, the houses had a life expectancy of 70 years. However footings in the ground and the Poupou (wall panels) commonly got wet rot as they got old. Provided these and the Raupo thatching (roof) were replaced every 5 years, the houses would last a lifetime. The size of Whare varied, but most were about 14ft long by 7ft wide, with a sliding wooden door only just wide enough to crawl through.*

*The houses were used as sleeping quarters for the people living in and around the Pa. They were very warm, with fern spread on the earth floor and Whariki (mats) laid on top of the ferns".*

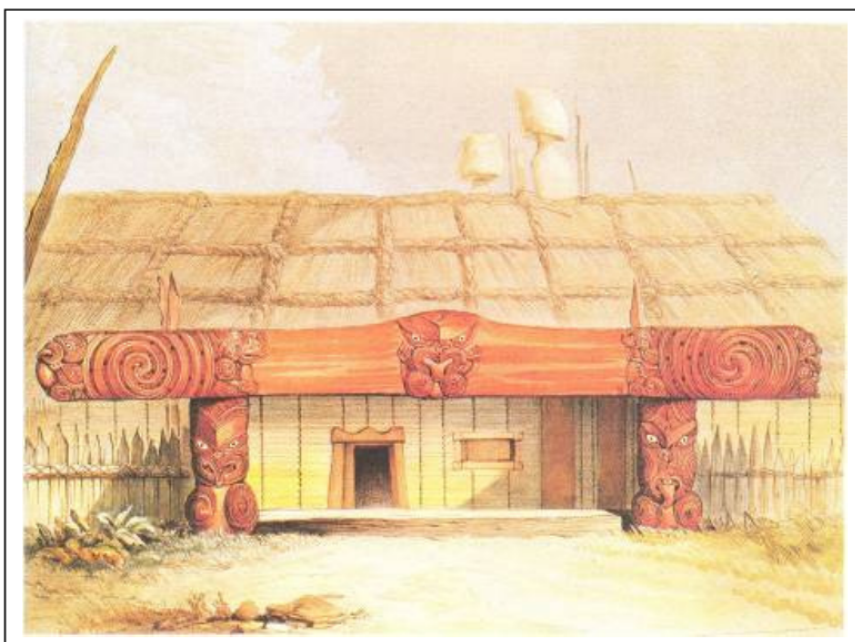
##### 4.2 **Whareroa** (meeting house):

Whareroa (long house) is a dialectic variation used by Ngati Wairere for the word Wharenui (meeting house) more commonly used by other tribes. Whareroa were commonly named after ancestors, usually female ancestors. The Whareroa at Kirikiriroa Pa was called Tohikiterangi.

The Whareroa was the central focus for ceremonial meetings for the people of the Pa. The early European missionaries who converted some Maori to Christianity also converted Tohikiterangi to be the first Christian church in Hamilton.

##### 4.3 **Whare Kopae** (Chief's House):

Whare Kopae is another dialectic term, peculiar to Waikato Tainui. It describes a house, usually the Chief's house, which had a carved side entrance which usually faced the sun. Because this was a house of special and superior quality, and the Chief lived here, the Whare Kopae was tapu. Ancient rituals and ceremonies to greet the rising sun and farewell the ancestral spirits were often performed in the house.



This Wharekopae stood within the ruins of Raroera Pa near Te Awamutu in 1844. It was named 'Te Urutomokia', and was built for Te Wherowhero who later became the first Maori King in 1858 (Source: Early Paintings of the Maori (Angus, G.) 1844).

#### 4.4 **Whare Pora** (manufacturing houses):

Whare Pora were houses specially constructed for the preparation of flax (muka) and the manufacture of textiles and garments from the flax fibres. In the Whare Pora women, and sometimes men, scraped the flesh from the flax leaves to extract the strong flax fibres. These were then woven in the Whare Pora into Korowai (cloaks), other garments, kete (baskets), lashings, cords and ropes. Manufacturing flax into lashings, cords and particularly ropes for sailing ships provided Maori with an important economic base once Europeans arrived in the area

#### 4.5 **Tawharau** (long shed for storing Wakataua (war canoe)):

Tawharau were long, open sided, wooden framed sheds with thatched Raupo roofs. Whilst they were most commonly used for storing war canoes, on occasions they were used as temporary accommodation for warriors from another hapu who had come to assist Ngati Wairere in a battle.

#### 4.6 **Kauta** (shed for storing firewood and hangi stones):

Kauta were thatched sheds, similar in construction to Tawharau, but much shorter. They were used for storing firewood and hangi stones to keep them

dry. Often, in bad weather, the hangi would be constructed and the food cooked under the cover of the Kauta.

**5.0 Tuahu** (Ceremonial shrines):

Ngati Wairere deities were believed to reside in Tuahu. They had a variety of shapes and construction depending on the origin of the deity which they commemorated.

One form of Tuahu derived from the Ngati Wairere practice of giving a chief who was slain in battle the status of a deity. These chiefly deities were commemorated by construction of a Tuahu which was a fenced off area in which the preserved, tattooed head of the chiefs were displayed, mounted on sticks. One famous tuahu, recorded in Ngati Wairere traditions, was named Te Ikamauroa.

Other Tuahu were simply earthen mounds with talisman stones placed on their surface. Tuahu, and other such ceremonial structures within the Pa, were usually fenced around their perimeter to keep dogs out. The fences also protected the Tuahu from damage by pigs, once they were introduced by European settlers.

**6.0 Waka Tupapaku and Waka Haumi** (Chief's tombs which became commemorative structures):

Waka Tupapaku were tombs constructed from parts of canoes. Large canoes are constructed from a number of sections lashed together to produce the whole canoe structure. The forepart of a large canoe is known as the Haumi. Often, old canoes, which were no longer sea worthy were dismantled and the Haumi stored. When a chief of the tribe died, two Haumi were planted together vertically in the ground, prows upwards, thereby forming a shell or tomb (Waka Tupapaku) into which the Chief's body was placed. With the same purpose as an Atamira, the Waka Tupapaku provided an environment that hastened the decomposition of the flesh from the skeleton prior to the Uhunga ceremony.

Once the skeleton was removed, the Waka Tupapaku was left standing as a ceremonial marker (Pouwhenua) commemorating the life and Mana of the Chief that it had contained. In some cases only one of the two Haumi was left standing, in which case this structure was known as a Waka Haumi.

**7.0 Pou tumu:** There were a number of commemorative, ceremonial or memorial wooden posts erected inside or outside of Pa. These had a variety of shapes and designs ranging from 5 meters high, elaborately carved, structures, to short, simple and uncarved posts usually used as strainers for the palisades.

**7.1 Pouwhakarae** (a carved ceremonial post):

Pouwhakarae were large posts, distinguished by the elaborateness of their carvings. A famous Pouwhakarae named Te Pou O Tahuwawa stood in Kirikiriroa Pa. This post is fabled in Ngati Wairere traditions and Waiata because of its elaborate carvings, produced by Tauhinu, Paewaka, Tamaiti, and Kura, the four master carvers who lived at Kirikiriroa Pa. Modern day examples of Pouwhakarae, produced by Nga Mana Toopu O Kirikiriroa and erected to commemorate the ancient riverside Mangaharakeke Pa, can be seen behind the Anchor Dairy factory at Te Rapa.

**7.2 Pouwhakamaharatanga** (a carved memorial or commemorative post):

Sometimes the carvings on a Pouwhakamaharatanga portrayed an abstract figure and in other cases they portrayed, and thereby commemorated a dead ancestor. Pouwhakamaharatanga were often erected as a memorial to a Chief whose body had not been recovered because he had been killed in distant lands. Pouwhakamaharatanga were often given names after the ancestor to



keep alive his memory or to keep alive the memory of unsettled “scores” which still had to be settled.

**7.3 Pou Taingakawa** (a post commemorating the Taingakawa ceremony):

The Pou Taingakawa was a carved post erected inside the Pa commemorating, acknowledging, and reminding the Chief of the Pa of his duty imposed by the Taingakawa ceremony.

In the Taingakawa ceremony supplicants brought the bones and other remains of a slain chief, often wrapped up in bundles or kits (woven flax bags), to the Pa of a Chief who he commanded forces which were superior to those of the supplicants. The remains of the slain Chief were laid out and ceremonially displayed at the foot of the Pou Taingakawa. This thereby laid the responsibility of revenging the death of the slain Chief on the living Chief who was resident at the Pa.

Such a Taingakawa ceremony took place at Maniapoto Pa, at Tamahere, where Te Waharoa (the King Maker's father) was given the responsibility to avenge the death of a Ngati Haua relative. Te Waharoa's grandson was named Tupu Taingakawa in memory of this ancient custom.

**7.4 Pou Hakari:**

A raised triangular platform consisting of three poles with a covered thrashed roof used for storing and displaying food items. Often erected within the gardens and cultivations as part of a hakari (feast).

**7.5 Pou Niu** (a ritual post):

The Pou Niu was used in religious rituals at which the Tohunga (priest) would recite ritual chants invoking the assistance of ancient ancestral deities. These ranged in size for a typically fairly small and plain post without elaborate carvings, through to cross-beam structures as seen during the late 1860's.

## Appendix 3 —

### PROTOCOLS FOR UNDERTAKING EARTHWORKS

#### NGA MANA TOOPU O KIRIKIRIROA

##### PURPOSE

These protocols set out the particular procedures that any developer must follow during any construction works within the rohe of Nga Mana Toopu O Kirikiriroa.

These protocols recognise and provide for the relationship of NaMTOK, as the mandated and recognised representative of Tangata Whenua for the rohe, and their culture and traditions with their ancestral lands, water, sites, Waahi Tapu and other Taonga and to have particular regard to Kaitiakitanga.

##### DEFINITIONS

In these protocols words will have meanings as follows

"Archaeological materials" means any chattel, carving, object or thing, which relate to the history, art, culture, traditions, or economy of European or any other non-Maori inhabitants of New Zealand.

"Koiwi" means human skeletal remains.

"Kokowai" means a deposit of iron oxide.

"Nga Mana Toopu O Kirikiriroa's nominated representative" means Mr Wiremu Puke.

"Taonga" means any chattel, carving, object or thing, which relate to the history, art, culture, traditions, or economy of Maori or any other pre-European inhabitants of New Zealand.

"The developer" means any person who is responsible for, or has control over, the carrying out of any earthworks at a site.

"The immediate vicinity" means an area around the discovery site that:

a. The New Zealand Historic Place Trust (NZHPT) or NaMTOK considers has a high probability of containing archaeological material, Koiwi or Taonga similar or those found at the discovery site and that warrants careful consideration.

and/or

b. The Developer determines is necessary as a safety buffer zone separating those investigating or retrieving archaeological material, Koiwi or Taonga, from those carrying out other construction activities, so as to provide an acceptable level of safety to all persons, and to the archaeological material, Koiwi or Taonga. The Developer will fence off the area using stakes and tapes.

"Rohe" means the area defined in the map appended to these Protocols.

##### GENERAL PROCEDURES FOLLOWING THE DISCOVERY OF ARCHAEOLOGICAL MATERIAL, KOIWI OR TAONGA

If archaeological material, Koiwi or Taonga, are uncovered which pre-date 1900, then the site is an archaeological site in terms of the Historic Places Trust Act and the relevant provisions of the Act will apply. The site, archaeological material, Koiwi and Taonga contained within the site must therefore be treated in accordance with the conditions of any relevant NZHPT authority existing at the time of the discovery. If no such authority exists, one must be obtained before the site is further excavated or modified.

Notwithstanding the terms of Clause 3.1 above, no site at which Koiwi or Taonga which are uncovered shall be in any way disturbed, altered, modified, or destroyed without the approval of NaMTOK.

Immediately following the discovery of archaeological material, Koiwi or Taonga, the developer will cease all excavation in the immediate vicinity of the discovery site.

The developer will then immediately advise the following of the discovery:

NaMTOK's nominated representative (07) 843 4472

The New Zealand Historic Places Trust (04) 472 4341

The NZ Police — if any Kōiwi are uncovered. This is a requirement of the Coroners Act 1988. The Police will report the findings to the nearest Coroner in accordance with Sections 5 (4) of the Coroners Act 1988

The Developer will then secure the discovery area to avoid further disturbance by weather, scavengers, wandering animals or fossickers.

The Developer will arrange for a staff member of representative to be available to meet and guide the New Zealand Historic Places Trust representative, the Police and the NaMTOK representative to the discovery site. The Developer will assist with any reasonable request that any of these people may make.

As public notification of the discovery may result in the desecration of the site and fossicking of archaeological material, Kōiwi or Taonga, no information will be released to the media about the discovery except as authorised by NaMTOK.

All construction work in the immediate vicinity of the discovery will remain halted until the NZHPT representative, the Police and NaMTOK have given approval for the work to recommence.

#### **FURTHER PROCEDURES IN THE EVENT THAT KOIWI ARE DISCOVERED**

With four (4) hours of the Developer giving notice to the NaMTOK representative that Kōiwi have been discovered, the NaMTOK representative will inspect the site and advise the developer whether NaMTOK wish to undertake any cultural ceremonies at the site.

If NaMTOK wish to undertake such ceremonies, the NaMTOK representative will arrange for Kaumatua of NaMTOK to undertake the appropriate cultural ceremonies at the site within twelve (12) hours.

Once these ceremonies are completed, the NZHPT representative in consultation with the Police and NaMTOK representative will inspect the remains.

The Developer will record details of the Kōiwi, the site of discovery and any other relevant facts and these records will be made available to the Police and/or NaMTOK.

If the Kōiwi are Māori, and the Police and/or Coroner have no suspicion about the Kōiwi, the NaMTOK representative and Kaumatua will then gather up the Kōiwi and remove them from the site.

In the event that the Police and/or the Coroner have any uncertainty or suspicion about the Kōiwi, they are responsible for making any record they require and for any Kōiwi that they remove from the site.

If the Kōiwi are Māori and the Police and/or Coroner remove only part of the Kōiwi, the NaMTOK representative and Kaumatua will remove the remaining Kōiwi.

If the Kōiwi are non-Māori, the Police and /or the Coroner will be responsible for removing any remaining exposed Kōiwi.

Provided there are no conditions in the relevant HPT authority to the contrary, and with the agreement of the NaMTOK representative, the Police and /or Coroner, excavation of the site may then continue.

#### **CUSTODY OF ARCHAEOLOGICAL MATERIAL OR TAONGA EXCLUDING KOIWI**

The Developer will have initial control of, and responsibility for, any Archaeological material or Taonga which is uncovered.

No object will be removed from the site until it has been determined, in consultation with the NaMTOK representative and NZHPT representative whether the object is archaeological material or Taonga.

If the object is Archaeological material, the NZHPT representative will record the object and notify the Secretary of Internal Affairs on the prescribed form of the finding of the archaeological material within the requirements of the ANTIQUITIES Act 1975. The NZHPT representative will then hand the material to the local Public Museum.

If the object is a Taonga, the NaMTOK representative will record the object and will notify the Secretary of Internal Affairs on the prescribed form of the finding of a Taonga within the requirements of the Antiquities Act 1975. The NaMTOK representative will then remove the Taonga from the site.

**PROCEDURES FOLLOWING A DEATH ON THE WORKSITE**

Following a death on the worksite, work in the vicinity of the place of death will cease. The normal statutory procedures relating to the recovery of the deceased persons body and investigation of the death by the Police and Department of Labour (Occupational Safety and Health) will be followed.

Immediately following the death, the Developer will advise the NaMTOK representative that the death has occurred and the NaMTOK representative will advise the Developer whether or not NaMTOK wishes to carry out any cultural ceremony at the site. If required, the ceremonies will be performed following the recovery of the deceased persons body from the site.

If cultural ceremonies are to be performed the Developer will arrange for a staff member or representative to be available and guide NaMTOK Kaumatua to the site. The Developer will assist with any reasonable request that NaMTOK may make associated with the performance of these ceremonies.

Following the completion of :

- a. The statutory investigation of the site of the death, and
  - b. NaMTOK having carried out any ceremonies or have advised the Developer that they do not wish to carry out any ceremonies
- work on the site may resume.

**SAFETY REQUIREMENTS**

Prior to any NaMTOK person entering any site, the Developer will inform the NaMTOK representative of the Developers Health and Safety procedures and practices on the site. NaMTOK hereby warrants that all NaMTOK persons will comply with these procedures and practices provided the Developer provides NaMTOK persons with any requisite safety items such as hard hats, for the time during which NaMTOK persons are on the site.

The Developer shall have the right to order any NaMTOK person who fails to comply with these procedures and practices, to leave the site. NaMTOK hereby further warrants that all NaMTOK persons will comply with any such order.

**INSTRUCTING THE DEVELOPER**

NaMTOK hereby agrees that NaMTOK shall have no authority to issue instructions to the Developer's staff about any physical work on the site. Any request of which NaMTOK may make with regard to NaMTOK persons performing any ceremony or duty on the site pursuant to these Protocols, shall be addressed to the Developer only.

**VARIATION OF THESE PROTOCOLS**

The terms and conditions of these protocols may be varied at any time by mutual written agreement of the Developer and NaMTOK.

**ADDRESS FOR SERVICE**

Mr Wiremu Puke  
Nga Mana Toopu O Kirikiriroa  
PO Box 5216  
HAMILTON

Ph (07) 843 4472  
Fax (07) 843 4472  
e-mail : namtok@paradise.net.nz

## Appendix 4 — Obituary of Waharoa Te Puke

## Obituary

### TE WAIHAROA TE PUKE

The death has occurred at Gordonton of one of the last remaining chiefs of the Waikato tribes, Te Waharoa Te Puke, aged 88 years.

A descendant of the two canoes Tainui and Mataatua, the late Mr Te Puke was a well-known figure among the leading Maoris in the Waikato and was known on every marae of the Waikato and Tuwharetoa tribes.

Mr Te Puke was a descendant of the renowned chief Mahanga of the Tainui canoe among whose descendants were Tukotuku and Tamainupo, whose issue was Wairere.

The body of the late chieftain Te Puke is lying in state at Gordonton Pa and will be interred at the ancestral burying ground at Taupiri tomorrow at 2 p.m.

Waikato Times

(Source: Waikato Times, 13 January 1957).



**From:** [Rawiri Bidois](#)  
**To:** [Nicolas Wells](#)  
**Subject:** 191 - 197 River Road - Sonning Carpark - Name Change Application - THaWK Response - Email from Rawiri Bidois to Nicolas Wells 7/08/2023 8:00 am  
**Date:** Monday, 7 August 2023 8:03:02 am  
**Attachments:** [image001.gif](#)  
[image002.gif](#)  
[image003.gif](#)

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Tena koe Nicolas,

Thank you very much for meeting with the 12 THaWK members from the 5 manawhenua hapuu of Kirikiriroa on Thursday 3 August via Teams and providing the background to the below kaupapa regarding the change of name for the Sonning Carpark to Opoia Paa.

During our discussions many unknowns were raised including whether the Council had decided on the future use of the land upon which the carpark is situated, and the many hurdles that needed resolving prior to that decision could possibly be made. eg: It might be inappropriate to have the new name assigned to projects above the whenua.

As you heard at the conclusion of the Teams hui on 3 August, that ....

..... Whilst Te Haa O Te Whenua O Kirikiriroa (THaWK) SUPPORTs the change of name itself, THaWK does not support its adoption and implementation UNTIL all other matters regarding the Future long term use of the whenua and other identified hurdles are resolved by Council.....

Noho ora mai  
 Rawiri Bidois  
 Manager  
 For THaWK

On Mon, Jul 10, 2023 at 10:29 AM Nicolas Wells <[Nicolas.Wells1@hcc.govt.nz](mailto:Nicolas.Wells1@hcc.govt.nz)> wrote:

Greetings

The Hamilton City Council has received an application from Mr Wiremu Puke on behalf of Ngaati Wairere to change the name of the Sonning Carpark to Opoia Paa. A copy of Mr Puke's application is attached. This application will be considered by the Council in early September 2023.

The Council has identified this land for future commercial development (mixed-use including some combination of residential apartments, hotel and commercial activities being the preferred options) – and has most recently supported utilising the land for an innovative affordable-housing development (based on the successful “Nightingale” housing developments in Sydney and Melbourne) comprising 262 apartments. This scheme was promoted by creditable parties and supported by the Council and Kaianga Ora.

The Council has engaged Mr Julian Williams to provide independent advice around the significance of the area (which has been documented quite well), engage with Mana Whenua to get an understanding of various positions, and provide some considerations for potential developers.

Please provide THaWK's comments on the name change application. It would be helpful if you could provide your comments before COB Friday 21 July 2023. I look forward to hearing from you in due course. Please let me know if you require any further information at this stage. Thanks.

Regards

**Nicolas Wells**

Strategic Property Manager | Strategic Property Unit | Strategy, Growth and Planning Group

DDI: 07 838 6891 | Mobile: 027 1800 2232 | Email: [nicolas.wells1@hcc.govt.nz](mailto:nicolas.wells1@hcc.govt.nz)



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# Council Report

**Committee:** Council **Date:** 07 September 2023  
**Author:** Michelle Hawthorne **Authoriser:** David Bryant  
**Position:** Governance and Assurance Manager **Position:** General Manager Business Services  
**Report Name:** Electoral Decisions for 2025 Triennial Election

<b>Report Status</b>	<i>Open</i>
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## Purpose - *Take*

1. To seek the Council's decision pursuant to section 27 of the Local Electoral Act 2001 concerning the electoral system for the 2025 Election.

## Staff Recommendation - *Tuutohu-aa-kaimahi*

2. That the Council:
  - a) receives the report;
  - b) pursuant to section 27 of the Local Electoral Act 2001 Council resolves for the 2025 Hamilton City Council triennial elections to:
 

**EITHER**

    - i. retain the Single Transferable Voting electoral system;

**OR**

    - ii. change to the First Past the Post electoral system;

**OR**

    - iii. undertake a poll of electors on the electoral system;
  - c) notes that public notice be given by 19 September 2023 of the decision and of the right of electors to demand a poll on the electoral system to be used; and
  - d) notes that representation arrangements review will be undertaken during the 2025-2028 triennium.

## Executive Summary - *Whakaraapopototanga matua*

3. The Local Electoral Act 2001 provides for local authorities in 2023 to consider certain electoral matters for the 2025 triennial elections. Electoral Services provides a report (**Attachment 1**) on the matters.
4. The first matter is consideration of the electoral system. In 2020, Council resolved to implement the STV electoral system for the 2022 and 2025 triennial elections. Section 27 of the Local Electoral Act 2001 requires the resolution to be in place for two triennial elections **or** until a further resolution takes effect **or** a poll of electors takes effect. Therefore, Council **can** decide by 12 September 2023 whether:

- i. the Single Transferable Voting (STV) electoral system is retained; or
  - ii. the First Past the Post (FPP) electoral system is re-introduced; or
  - iii. a poll of electors is held on which electoral system is to be used for the next two triennial elections.
- 5. The second matter is consideration of Maaori wards (where applicable). However, as Council established a Maaori ward in 2020 (for the 2022 and 2025 triennial elections), no action is required in 2023.
- 6. The third matter is undertaking representation arrangements review (where applicable). As a representation arrangements review was undertaken in 2021 (for at least the 2022 triennial elections), no action is required in 2024 unless Council wishes to undertake a further representation review (this may be undertaken after three-years if required) or make any minor boundary alterations.
- 7. Staff consider the decision in this report are of significance and that the recommendations comply with the Council's legal requirements.

## Discussion – *Matapaki*

### Electoral system

- 8. The Local Electoral Act 2001 (LEA) provides for greater flexibility and local choice in several electoral related matters. The principal matters requiring consideration by most local authorities in 2023/2024 for the 2025 triennial elections are:
  - i. the choice of electoral system (STV or FPP);
  - ii. for some whether or not to establish Maaori wards (if not already established) and
  - iii. for some to undertake a representation arrangements review.
- 9. Consideration of the electoral system is to be made by 12 September 2023 with a public notice required by 19 September 2023; consideration of Maaori wards is required by 23 November 2023 (not applicable to Council); and consideration of whether to undertake further representation arrangements review or to make any minor boundary alterations should be made as soon as practicable.
- 10. Council resolved in 2020 to adopt the STV electoral system for its 2022 and 2025 triennial elections.
- 11. However, legislation permits a further resolution (to change the electoral system back to FPP if desired) after three years i.e. by 12 September 2023 (sec 27 LEA), and is required to give public notice of the electoral system to be used for the 2025 triennial elections (sec 28 LEA) by 19 September 2023, where the public is given an opportunity to demand a poll.
- 12. Staff have assessed that there are three reasonable and viable options for the Council to consider. The options are set out below:
  - i. retain the Single Transferable Voting electoral system;
  - ii. change to the First Past the Post electoral system;
  - iii. undertake a poll of electors on the electoral system;

### Representation Arrangements

- 13. A representation arrangements review must be undertaken at least once every six years (section 19H of the LEA).

14. Current representation arrangements are:
  - i. Mayor elected at-large,
  - ii. 14 councillors elected from three wards:
    - a. East General Ward (6)
    - b. West General Ward (6)
    - c. Kirikiriroa Maaori Ward (2)
15. As the last review was undertaken in 2021 (following the establishment of a Maaori ward) the next review is not required until 2027. Council can undertake further representation arrangements review after three-years in 2024 if it so wishes.
16. It was recommended by the Council of 2019-22 Triennium that Wider Representation Review be reviewed in 2023/24 (for the 2025 triennial elections).
17. Staff recommend reviewing the arrangements three years after initial implementation as part of the 2025-28 triennium to enable the current representation arrangement time to consolidate which would enable a robust review to be undertaken.
18. Alongside this consolidation benefit and any identified issues with the current representation arrangement, key considerations for any of the identified representation arrangements include simplicity, diversity of representation proportional to the significant communities of interest in Hamilton, and associated costs.

### **Financial Considerations - *Whaiwhakaaro Puutea***

19. The development of this report is a regular operating activity funded through the Long-Term Plan.

#### **Electoral system poll costs**

20. The estimated cost of conducting a poll are:
21. The estimated cost for a stand-alone referendum or poll for 110,000 electors is in the order of \$265,000 + GST or \$2.41 + GST per elector, noting postage costs alone (reflecting a 30% increase as announced from 1 July) is \$137,600 + GST and the voting mailer cost is \$83,000 + GST (totalling \$220,600 + GST or 83% of the total estimated cost).
22. Additional costs for other components of holding a poll such as promotional material, are estimated to be approximately \$20,000 for a standalone poll.
23. Council can hold a poll at the same time as an election. Staff time and any campaign budget would be on top of this.
24. Costs for a poll and associated components are currently unbudgeted.

#### **Representation Arrangements**

25. The last representation review process undertaken by Council cost \$150,000.
26. The 2021-2031 Long Term Plan approved \$100,000 to fund a Maaori representation/wider representation review.

### **Legal and Policy Considerations - *Whaiwhakaaro-aa-ture***

27. Staff confirm that this matter complies with the Council's legal and policy requirements. Legislative responsibilities regarding electoral system reviews are set out in the LEA.



28. The purpose of the LEA recognises that the law governing the conduct of local elections and polls needs to provide sufficient flexibility to readily accommodate new technologies and processes. The legislation also outlines some rules around matters (such as timing of elections, representation reviews) and aims to allow individual councils and communities to select their preferred electoral system.
29. The principles of the LEA include fair and effective representation for individuals and communities. The decision on an electoral system should consider how that system enables fair and effective representation to occur.
30. The LEA provides that Council “may” resolve that the next two triennial elections will be held using a specified electoral system other than that used for the previous triennial general election (that is, the legislation is permissive rather than directive). If no decision was made in accordance with the requirements of the LEA, then the current system (FPP) would continue to be used for the next election.
31. If the Council resolves to change the electoral system ahead of the next triennial election, it must so by 12 September 2023 and publicly notify the electors of their right to demand a poll on the electoral system by 19 September 2023.

### **Climate Change Impact Statement**

32. Staff have assessed this option against the Climate Change Policy for both emissions and climate change adaptation. Staff have determined that no adaptation assessment or emissions assessment is required.

### **Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga***

33. The purpose of Local Government changed on 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future (‘the 4 wellbeings’).
34. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
35. Elected representatives make decisions in relation to social, economic, environmental and cultural wellbeings on behalf of the communities they represent, for the term they are elected.
36. A large number of the community will be affected by a decision on the electoral system as the community (via triennial elections) decide who makes decisions on their behalf through a specified electoral system.
37. The principles of the LEA seek fair and effective representation for individuals and communities to enable councils to choose between two electoral systems as a mechanism to respond to this.
38. The decision on electoral systems should therefore consider how that system enables fair and effective representation for individuals and communities to occur.
39. The recommendations set out in this report are consistent with that purpose.

### **Risks - *Tuuraru***

40. There are no known risks associated with the decisions required for this matter.

## **Significance & Engagement Policy - *Kaupapa here whakahira/anganui***

### **Significance**

41. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matter(s) in this report has/have a medium level of significance.

### **Engagement**

42. Given the medium level of significance determined, the engagement level is medium. No engagement is required.
43. The Council may choose to further engage with the community on this matter by resolving to hold poll of electors.

## **Attachments - *Ngaa taapirihanga***

Attachment 1 - Electoral Decision report



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PO Box 5135, Victoria Street West, Auckland 1142  
Level 2, 198 Federal Street, Auckland 1010

// bringing change

Item 9

**Title:** Electoral Decisions

**Report to:** Hamilton City Council

**Author:** Dale Ofoske, Electoral Officer

**Date:** 24 August 2023

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## 1.0 Summary / Te Whakarāpopotanga

The Local Electoral Act 2001 provides for local authorities in 2023 to consider certain electoral matters for the 2025 triennial elections.

The first matter is consideration of the electoral system. In 2020, Council resolved to implement the STV electoral system for the 2022 and 2025 triennial elections. Section 27 of the Local Electoral Act 2001 requires the resolution to be in place for two triennial elections **or** until a further resolution takes effect **or** a poll of electors takes effect. Therefore, Council **can** decide by 12 September 2023 whether:

- the Single Transferable Voting (STV) electoral system is retained; or
- the First Past the Post (FPP) electoral system is re-introduced; or
- a poll of electors is held on which electoral system is to be used for the next two triennial elections.

The second matter is consideration of Māori wards (where applicable). However, as Council established a Māori ward in 2020 (for the 2022 and 2025 triennial elections), no action is required in 2023.

The third matter is undertaking a representation arrangements review (where applicable). As a representation arrangements review was undertaken in 2021 (for at least the 2022 triennial

Attachment 1

elections), no action is required in 2024 unless Council wishes to undertake a further representation review (this may be undertaken after three-years if required) or make any minor boundary alterations.

## **2.0 Recommendation / Te Whaikupu**

THAT the report titled 'Electoral Decisions' be received; and

THAT pursuant to section 27 of the Local Electoral Act 2001 Council resolves for the 2025 Hamilton City Council triennial elections to:

*either*

- (i) retain the Single Transferable Voting electoral system;  
*or*
- (ii) change to the First Past the Post electoral system;  
*or*
- (iii) undertake a poll of electors on the electoral system;

and that public notice be given by 19 September 2023 of the decision and of the right of electors to demand a poll on the electoral system to be used; and

THAT Council considers (this is optional) whether to undertake a further representation arrangements review or make any minor boundary alterations in 2024 for the 2025 triennial elections (under sections 19H or 19JA of the Local Electoral Act 2001).

## **3.0 Background / Te kōrero ā mua**

The Local Electoral Act 2001 (LEA) provides for greater flexibility and local choice in several electoral related matters. The principal matters requiring consideration by most local authorities in 2023/2024 for the 2025 triennial elections are (i) the choice of electoral system (STV or FPP), (ii) for some whether or not to establish Māori wards (if not already established) and (iii) for some to undertake a representation arrangements review.

Consideration of the electoral system is to be made by 12 September 2023 with a public notice required by 19 September 2023; consideration of Māori wards is required by 23 November 2023 (not applicable to Council); and consideration of whether to undertake a further representation arrangements review or to make any minor boundary alterations should be made as soon as practicable.

## 4.0 The issues / Ngā take

The LEA requires a local authority, when considering certain electoral matters, to comply with set requirements and timeframes. These are detailed in **Appendix 1**, which reflects date changes included in the Local Government Electoral Legislation Bill which passed its Third Reading on 23 August 2023.

The dates contained in Appendix 1 are generally the last compliance dates and it is anticipated that most of the matters can be completed prior to these dates.

### 4.1 Electoral System

Council resolved in 2020 to adopt the STV electoral system for its 2022 and 2025 triennial elections. However, legislation permits a further resolution (to change the electoral system back to FPP if desired) after three years i.e. by 12 September 2023 (sec 27 LEA), and is required to give public notice of the electoral system to be used for the 2025 triennial elections (sec 28 LEA) by 19 September 2023, where the public is given an opportunity to demand a poll.

For the 2022 triennial elections, 63 of 78 local authorities used the FPP electoral system, and 15 of 78 local authorities used the STV electoral system. Local authorities currently using the STV electoral system are:

Dunedin City Council, Far North District Council, Gisborne District Council, Greater Wellington Regional Council, Hamilton City Council, Hamilton City Council, Kapiti Coast District Council, Marlborough District Council, Nelson City Council, New Plymouth District Council, Palmerston North City Council, Porirua City Council, Ruapehu District Council, Tauranga City Council and Wellington City Council.

A table comparing FPP and STV (as used in a territorial authority's electoral system poll and approved by DIA) follows.



COMPARING FPP AND STV	
<p>A typical FPP voting document could look like this</p> <p><b>HYPOTHETICAL CITY COUNCIL DOWNTOWN WARD ELECTING THREE (3) COUNCILLORS</b> You can tick up to three (3) candidates</p> <p>Vote Here</p> <p><input checked="" type="checkbox"/> BROWN, Sandy</p> <p><input checked="" type="checkbox"/> JONES, Sam</p> <p><input type="checkbox"/> OWENS, Harry</p> <p><input checked="" type="checkbox"/> TAWHIRI, Ngaire</p> <p><input type="checkbox"/> WATSON, Alice</p>	
<p>A typical STV voting document could look like this</p> <p><b>HYPOTHETICAL CITY COUNCIL DOWNTOWN WARD ELECTING THREE (3) COUNCILLORS</b> Rank candidates in order of preference ... '1' '2' '3' etc</p> <p>Number Here</p> <p><b>3</b> BROWN, Sandy</p> <p><b>1</b> JONES, Sam</p> <p><b>5</b> OWENS, Harry</p> <p><b>2</b> TAWHIRI, Ngaire</p> <p><b>4</b> WATSON, Alice</p>	
FPP	STV
FPP has long been widely used in New Zealand, is familiar and is generally easy to understand.	STV is currently used in Australia, United States, Ireland and Malta. Along with all the DHBs it is also being used by fifteen New Zealand Councils in 2022. STV is also used by companies like Fonterra, to select board members.
Each voter is able to cast one vote for each vacancy to be filled. Voters place a tick beside the name of the candidate or candidates they wish to vote for.	Each voter gets one vote, no matter how many vacancies. Voters rank candidates in order of preference - "1" beside their most preferred candidate "2" beside the second-most preferred candidate, and so on. Voters do not have to rank all candidates, but must use consecutive numbers.
The candidate who receives the most votes is elected. Where there is more than one vacancy, the candidates (equal to the number of vacancies) who receive the most votes are elected.	A candidate must reach the quota to be elected. Where there is more than one vacancy, the candidates (equal to the number of vacancies) who reach the quota are elected.
FPP is not a form of proportional representation. Each tick is counted as a vote for that candidate and the candidate or candidates with the most votes are elected. A candidate may be elected by a small margin.	STV is a proportional electoral system. Proportional systems are intended to provide more effective representation for all significant points of view, although it cannot be guaranteed that STV will provide an increased diversity of representation.
A candidate may receive more votes than they need to get elected.	A candidate would not receive more votes than they would need to get elected, as surplus votes are transferred to the next preference.
Some voters may not have supported any of the candidates who get elected.	If voters rank every candidate, they are likely to have supported at least one successful candidate.
Where political parties or organised political groupings contest the elections, and there are say 3 vacancies, voters can vote for the 3 candidates representing a political party or organised political group ("block" voting). This can result in all candidates from a political party or organised political group being elected.	STV can moderate "block" voting as voters can rank every candidate therefore making it more difficult for all candidates from a political party or organised political group to be elected.

The process that Council can follow to determine its electoral system is:

- (i) Council can resolve which electoral system is to be used, with a required public notice;
- (ii) five per cent of electors can demand a poll at any time;
- (ii) Council can choose to hold a poll, irrespective of whether or not a poll is demanded by electors.

**(I) COUNCIL TO RESOLVE WHICH ELECTORAL SYSTEM IS TO BE USED**

Council can resolve to retain the current electoral system (STV) or resolve to change the electoral system to FPP. Such a resolution must be made no later than 12 September 2023 (two years prior to the next triennial election) unless it decides to hold a poll of electors prior to the 2025 triennial elections.

Any resolution that changes the electoral system would take effect for the 2025 triennial elections and continue in effect until either Council resolves otherwise, or a poll of electors is held.

**(II) ELECTORS' RIGHT TO DEMAND A POLL**

Under section 28 of the LEA, Council **must** give public notice, by 19 September 2023, of the right of electors to demand a poll on the electoral system to be used for the 2025 triennial elections. If Council passes a resolution under section 27 of the LEA to change the electoral system from STV to FPP the public notice must include:

- (a) notice of that resolution; and
- (b) a statement that a poll is required to countermand that resolution.

Section 29 of the LEA allows 5% of the electors enrolled at the previous triennial election to demand a binding poll be held on which electoral system is to be used for the next two triennial elections. The poll demand must be made in writing to the Chief Executive by a number of electors equal to or greater than 5% of the electors (5,510 electors) and can be made anytime, but to be effective for the 2025 triennial elections, must be made by 11 December 2023.

If a valid demand for a poll is received after 11 December 2023, a poll must be held after 14 March 2024 (e.g. with the 2025 triennial elections), the outcome effective for the 2028 and 2031 triennial elections.

**(III) COUNCIL MAY DECIDE TO HOLD A POLL OF ELECTORS**

Council can decide to hold a poll of electors at any time (section 31 of the LEA), but to be effective for the 2025 triennial elections, must decide no later than 11 December 2023, irrespective of whether a valid demand has been received, or the time has expired for electors to demand a poll.

Public notice of the poll must be given as soon as practicable after the resolution and the poll itself must be completed by 14 March 2024 (to be effective for the 2025 triennial elections).


The result of the poll is binding and will determine whether STV or FPP is to be used for at least the next two triennial elections (2025, 2028) and for all subsequent elections until either a further resolution takes effect or a further poll is held.

#### 4.2 Representation Arrangements Review

A representation arrangements review must be undertaken at least once every six years (section 19H of the LEA). As the last review was undertaken in 2021 (following the establishment of a Maaori ward) the next review is not required until 2027. However, Council is able to undertake a further representation arrangements review after three-years, or make any minor boundary adjustments, in 2024 if it so wishes.

Current representation arrangements are:

- mayor elected at-large
- 14 councillors elected from three wards
  - East General Ward (6)
  - West General Ward (6)
  - Kirikiriroa Maaori Ward (2)

	Name and title of signatory	Signature
Author	Dale Ofsoske, Electoral Officer	

## APPENDIX 1



election  
services

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## 2023/2024 ELECTORAL SYSTEM, MĀORI REPRESENTATION & REPRESENTATION ARRANGEMENTS REVIEW TIMETABLE

### LEGISLATIVE REQUIREMENTS

By 12 September 2023*	A local authority <b>MAY</b> resolve to change the electoral system (from the system it used at the 2022 general election) for the next two triennial elections.	Section 27 of LEA
By 19 September 2023*	A local authority <b>MUST</b> give public notice that electors may at any time demand that a poll be held on the future electoral system to be used by the local authority for the next two triennial elections, and if a poll outcome is to apply to the next triennial election, a demand for a poll must be received by 11 December 2023. If a resolution has been made by a local authority by 12 September 2023, this must be included in the notice.	Section 28 of LEA
By 23 November 2023*	A local authority <b>MAY</b> resolve to introduce Māori representation for the next two triennial elections.	Section 19Z of LEA
By 11 December 2023*	<b>IF</b> a demand for a poll that a specified electoral system be used for the next two triennial elections is received by 11 December 2023, a poll must be held by 14 March 2024.	Sections 29 and 30 of LEA
By 11 December 2023*	A local authority <b>MAY</b> also resolve to undertake a poll of electors that a specified electoral system be used for the next two triennial elections.	Section 31 of LEA
From 20 December 2023	Period commences for formal consultation/resolution of initial proposal for Representation Arrangements Review by local authority.	Section 19K (1AA) of LEA
By 14 March 2024*	If a successful demand for a poll has been received by 11 December 2023, or a resolution for a poll has been made by a local authority by 11 December 2023 (that a specified electoral system be used for the	Section 33 of LEA

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	next two triennial elections), then a poll <b>MUST</b> be held within 89 days of notification.	
By 31 July 2024*	Period concludes for consultation/resolution of initial proposal for Representation Arrangements Review by local authority.	Section 19H of LEA
By 8 August 2024*	A local authority <b>MUST</b> give public notice of resolution of initial proposal. One-month submission period.	Section 19M of LEA
By 8 September 2024*	Submission period closes.	Section 19M of LEA
By 3 November 2024*	Submissions heard by local authority and resolution of final proposal made by a local authority.	Section 19N of LEA
By 3 November 2024*	A local authority <b>MUST</b> give further public notice of its resolution of final proposal (within eight weeks of public notice). -One-month appeal/objection period.	Section 19N of LEA
By 3 December 2024*	Appeal/objection period closes.	Section 19O of LEA
By 20 December 2024*	Forward all Representation Arrangements Review material to LGC (if appeal/objection received).	Section 19Q of LEA
Before 11 April 2025*	Determination by LGC	Section 19R of LEA

\* may be earlier than but not later than

Dale Ofoske, 23 August 2023



# Council Report

Item 10

**Committee:** Council

**Date:** 07 September 2023

**Author:** Nicholas Hawtin

**Authoriser:** Michelle Hawthorne

**Position:** Governance Advisor

**Position:** Governance and Assurance  
Manager

**Report Name:** Recommendations from Open Committee Meetings

Report Status	Open
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## Purpose – *Take*

1. To seek the Council's approval of the following recommendations from the Finance and Monitoring Committee meeting of 31 August 2023 ([Agenda and Minutes](#)), in Financial Performance & Strategy Report.

## Recommendations from the Finance and Monitoring Committee meeting of 31 August 2023

### Financial Performance & Strategy Report

That the Council:

- i) approves the capital movement as identified in paragraph 29 of the 30 June 2023 Capital Portfolio Monitoring Report; and
- ii) approves the revised Financial Strategy position for Debt to Revenue, Net Debt and Balancing the Books as set out in paragraphs 54 to 56 of the staff report.

## Attachments - *Ngaa taapirihanga*

No Attachments.

## Resolution to Exclude the Public

### Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of the Council Unconfirmed Public Excluded Minutes 3 August 2023	) Good reason to withhold ) information exists under ) Section 7 Local Government ) Official Information and ) Meetings Act 1987 )	Section 48(1)(a)
C2. Confirmation of the Elected Member Briefing Closed Notes - 2 August 2023		
C3. District Licensing Committee Appointments		
C4. Peacocke Programme Update		
C5. Recommendations from Public Excluded Committee Meetings		
This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:		
Item C1.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C2.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C3.	to protect the privacy of natural persons	Section 7 (2) (a)
Item C4.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
	to enable Council to carry out negotiations	Section 7 (2) (i)
	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C5.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
	to enable Council to carry out negotiations	Section 7 (2) (i)