

Table 1 - Points that Ngai Tahu consider need strengthening in the Proposed Plan Change

	The specific provisions of the Proposed Plan Change that the submission of Ngai Tahu relates to are as follows: (note: specific provisions in <i>italics</i>)	Oppose / Support	Ngai Tahu's Reasons for Support or Opposition are:	Ngai Tahu seek the following decision from the Selwyn District Council: (note: Amendments in bold)
	Issue: Removal of the term "culture/cultural" from several provisions seen as not adequately representing tangata whenua values.			
7 38	<u>Attachment 1: Changes to the District Plan (Township Volume)</u> AND <u>Attachment 2: Changes to the District Plan (Rural Volume)</u> . Heading B3.3 <i>"B3.3 Historic Heritage –Issue".</i>	Oppose In Part	The generic term 'historic heritage' does not adequately encompass tangata whenua cultural values. There needs to be a more direct reference to cultural values.	AMEND the headings in both Township and Rural Volumes to read: <i>"B3.3 Culture and Historic Heritage -Issue".</i>
7 38	<u>Attachment 1: Changes to the District Plan (Township Volume)</u> AND <u>Attachment 2: Changes to the District Plan (Rural Volume)</u> . Statement under heading: <i>"Damage to, destruction of or inappropriate alteration of sites, places, trees and vegetation, buildings or other structures which have historic heritage values".</i>	Oppose In Part	As above	AMEND the statement in both Township and Rural Volumes to read: <i>"Damage to, destruction of or inappropriate alteration of sites, places, trees and vegetation, buildings or other structures which have historic heritage and cultural values".</i>
7 38	<u>Attachment 1: Changes to the District Plan (Township Volume)</u> AND <u>Attachment 2: Changes to the District Plan (Rural Volume)</u> . Sub-heading: <i>"Historic Heritage in Selwyn District".</i>	Oppose In Part	As above	AMEND the sub-heading to in both Township and Rural Volumes to read: <i>"Culture and Historic Heritage in Selwyn District".</i>
7 38	<u>Attachment 1: Changes to the District Plan (Township Volume)</u> AND <u>Attachment 2: Changes to the District Plan (Rural Volume)</u> . Third paragraph: <i>"Sites , areas or buildings may have heritage values if they are places or objects which people associate with their identity, history, events,</i>	Oppose in Part	The paragraph discusses heritage values in a generic manner which effectively excludes any specific referenece to tangata whenua cultural values. There is also an assumption of what "people most often" associate heritage values with. This assumption is based on predominately "pakeha" values that do not incorporate or relate to tangata whenua cultural values. There is a danger in using generic terms such as "people"	AMEND the paragraphs in both Township and Rural Volumes to read: <i>"Sites , areas or buildings may have heritage and cultural values if they are places or objects which people associate with their identity, history, events, customs or practices. Usually these values are shared by more than one person and in the case of tangata whenua they are shared by the local runanga and Ngai Tahu. In particular, wahi</i>

	<p><i>customs or practices. Usually these values are shared by more than one person. Most often , people associate heritage values with old buildings, ruins or significant trees and vegetation. Many other things have heritage values. For example, plants used in customary practices, land forms, modern buildings that are part of a community's identity, routes , trails and traditional activities and trees planted to commemorate special events".</i></p>		<p>in describing values which predominantly reflect the dominant culture's values and which exclude the "other" namely tangata whenua. Given that this plan change is about providing greater protection of a significant wahi tapu area of significant value to tangata whenua then there needs to be specific mention of tangata whenua cultural values in this section and the avoidance of assumptions that exclude tangata whenua values. Furthermore, tangata whenua values should not read as an 'add-on' or 'tagged on' at the end ' to the general text reflecting an interest group status rather than a treaty partner.</p>	<p><i>tapu, wahi taonga and mahinga kai are sites and/or areas that tangata whenua value as a critical part of their cultural identity. Heritage and cultural values may be associated with, but not limited to, old buildings, ruins, significant trees and vegetation, trees planted to commemorate special events, modern buildings that are part of a community's identity, the plants used in customary practices, land forms, routes, traditional trails and traditional activities".</i></p>
8 39	<p><u>Attachment 1: Changes to the District Plan (Township Volume).</u> AND <u>Attachment 2: Changes to the District Plan (Rural Volume).</u> First Paragraph: <i>"Historic heritage is not only part of our inheritance from the past; it is also a part of our contemporary identity and sense of place. Historic heritage, including cultural connections and associations with places, makes an important contribution to the physical environment. In particular, historic heritage is a vital part of what makes a place unique or important for the people who live there".</i></p>	Oppose in Part	<p>The generic term 'historic heritage' does not adequately encompass tangata whenua cultural values. There needs to be a more direct reference to cultural values.</p>	<p>AMEND the paragraph in both Township and Rural Volumes to read:</p> <p><i>"Cultural and historic heritage values are not only part of our inheritance from the past; it is also a part of our contemporary identity and sense of place. Cultural and historic heritage values, including cultural connections and associations with places, make an important contribution to the physical environment. In particular, cultural and historic heritage values are a vital part of what makes a place unique or important for the people who live there".</i></p>
8 39	<p><u>Attachment 1: Changes to the District Plan (Township Volume).</u> AND <u>Attachment 2: Changes to the District Plan (Rural Volume).</u> Second Paragraph: <i>"Historic heritage is important because it provides a tangible insight into our past and can be an important source of knowledge. Heritage features can The accidental or inadvertent destruction or damage of heritage features can cause the loss of this knowledge as well as a social/cultural link to the past".</i></p>	Oppose in Part	<p>As above.</p>	<p>AMEND the paragraph in both Township and Rural Volumes to read:</p> <p><i>"Cultural and historic heritage values are important because it provides a tangible insight into our past and can be an important source of knowledge. Cultural and heritage features can. The accidental or inadvertent destruction or damage of cultural and heritage features can cause the loss of this knowledge as well as a social/cultural link to the past".</i></p>

10 41	Attachment 1: Changes to the District Plan (Township Volume). AND Attachment 2: Changes to the District Plan (Rural Volume). First Heading: <i>"Damage To Sites With Historic Heritage"</i> .	Oppose in Part	As above.	AMEND the heading in both Township and Rural Volumes to read: <i>"Damage To Sites With Cultural and Historic Heritage Values"</i>
10 41	Attachment 1: Changes to the District Plan (Township Volume). AND Attachment 2: Changes to the District Plan (Rural Volume). First heading, first paragraph: <i>"Sites and buildings with historic heritage values"</i> .	Oppose in Part	As above	AMEND the sentence in both Township and Rural Volumes to read: <i>"Sites and buildings with cultural and historic heritage values"</i> .
10 41	Attachment 1: Changes to the District Plan (Township Volume). AND Attachment 2: Changes to the District Plan (Rural Volume). Second heading: <i>"Protecting Historic Heritage Values"</i> .	Oppose in Part	As above	AMEND the heading in both Township and Rural Volumes to read: <i>"Protecting Cultural and Historic Heritage Values"</i> .
10 41	Attachment 1: Changes to the District Plan (Township Volume). AND Attachment 2: Changes to the District Plan (Rural Volume). Second heading, first sentence: <i>"As well as the specific duties under section 6 of the Act, maintaining sites and buildings with historic heritage values in Selwyn District can:...."</i>	Oppose in Part	As above	AMEND the sentence in both Township and Rural Volumes to read: <i>"As well as the specific duties under section 6 of the Act, maintaining sites and buildings with cultural and historic heritage values in Selwyn District can:...."</i>
10 42	Attachment 1: Changes to the District Plan (Township Volume). Second heading, second sentence: AND Attachment 2: Changes to the District Plan (Rural Volume). First sentence. <i>"Protecting sites and structures with historic heritage values involves costs:...."</i>	Oppose in Part	As above	AMEND the sentence in both Township and Rural Volumes to read: <i>"Protecting sites and structures with cultural and historic heritage values involves costs:...."</i>
10	Attachment 1: Changes to the District Plan (Township Volume). Second heading, second sentence, first bullet point: AND	Oppose in Part	The following sentence which refers specifically to tangata whenua values has been deleted. <i>"Some wahi taonga and wahi tapu sites are on land not owned by tangata whenua for whom</i>	RETAIN the sentence in both Township and Rural Volumes and AMEND the so that the bullet point reads: <i>- "Many sites and structures are privately owned or on</i>

42	<p><u>Attachment 2: Changes to the District Plan (Rural Volume).</u></p> <p>First sentence, first bullet point: <i>"Many sites and structures are privately owned or on private land. Protecting them may sometimes prevent the landholder from using the site or structure for other purposes, although adapting heritage buildings for new uses is common".</i></p>		<p><i>they have value".</i></p> <p>There needs to be specific reference or examples of tangata whenua cultural values in the text of the section.</p>	<p><i>private land. For example, some wahi taonga and wahi tapu sites are on land not owned by tangata whenua for whom they have value. Protecting sites and structures may sometimes prevent the landholder from using them for other purposes, although adapting heritage buildings for new uses is common".</i></p>
10 42	<p><u>Attachment 1: Changes to the District Plan (Township Volume).</u></p> <p>Second heading, third sentence: AND <u>Attachment 2: Changes to the District Plan (Rural Volume).</u></p> <p>Second sentence: <i>"Any measures in the District Plan to protect the historic heritage values of sites must....":</i></p>	Oppose in Part	<p>The generic term 'historic heritage' does not adequately encompass tangata whenua cultural values. There needs to be a more direct reference to cultural values.</p>	<p>AMEND the sentence in both Township and Rural Volumes to read:: <i>"Any measures in the District Plan to protect the cultural and historic heritage values of sites must....":</i></p>
16 48	<p><u>Attachment 1: Changes to the District Plan (Township Volume).</u></p> <p>AND <u>Attachment 2: Changes to the District Plan (Rural Volume).</u></p> <p>First heading : <i>"Historic Heritage – Strategy".</i></p>	Oppose in Part	As above	<p>AMEND the heading in both Township and Rural Volumes to read: "Culture and Historic Heritage – Strategy".</p>
16	<p><u>Attachment 1: Changes to the District Plan (Township Volume).</u></p> <p>Second statement <i>"Foster a partnership for protecting sites and buildings with historic heritage...."</i></p>	Oppose In Part	As above	<p>AMEND Second statement in the Township Volume to read: <i>"Foster a partnership for protecting sites and buildings with cultural and historic heritage...."</i></p>
16 48	<p><u>Attachment 1: Changes to the District Plan (Township Volume).</u></p> <p>Second heading AND <u>Attachment 2: Changes to the District Plan (Rural Volume)</u></p> <p>Second heading; <i>"Historic Heritage – Objectives"</i></p>	Oppose In Part	As above	<p>AMEND the heading in both Township and Rural Volumes to read: "Culture and Historic Heritage – Objectives"</p>
16	<p><u>Attachment 1: Changes to the District Plan (Township Volume).</u></p> <p><i>Explanations and Reasons</i></p> <p>Second paragraph: <i>"Objective B3.3.1 develops a partnership approach to heritage protection..... that have</i></p>	Oppose In Part	As above	<p>AMEND: Second paragraph in the Township Volume to read: <i>"Objective B3.3.1 develops a partnership approach to culture and heritage protection..... that have cultural and historic heritage values in the Selwyn District..".</i></p>

	<i>historic heritage values in the Selwyn District.”</i>			
17	Attachment 1: Changes to the District Plan (Township Volume) AND Attachment 2: Changes to the District Plan (Rural Volume). First Heading <i>“Historic Heritage –Policies and Methods”</i>	Oppose In Part	As above	AMEND the heading in both Township and Rural Volumes to read: <i>“Culture and Historic Heritage - Policies and Methods”</i>
20	Attachment 1: Changes to the District Plan (Township Volume) <i>Method</i> <i>District Plan Rules</i> <i>“-Cultural Historic Heritage Sites’</i>	Oppose	There doesn’t appear be a subsequent change of the rules to be consistent with the new Method title <i>“Cultural Historic Heritage Sites’</i> .	RETAIN: heading in TownshipVolume so as to be consistent with Rules. <i>“Sites of Significance to Tangata Whenua”</i>
20 54	Attachment 1: Changes to the District Plan (Township Volume) AND Attachment 2: Changes to the District Plan (Rural Volume). First Heading <i>“Historic Heritage- Anticipated Environmental Results”</i>	Oppose In Part	The generic term ‘historic heritage’ does not adequately encompass tangata whenua cultural values. There needs to be a more direct reference to cultural values.	AMEND the heading in both Township and Rural Volumes to read: <i>“Culture and Historic Heritage- Anticipated Environmental Results”</i> .
20	Attachment 1: Changes to the District Plan (Township Volume) AND Attachment 2: Changes to the District Plan (Rural Volume). Second heading: <i>“Historic Heritage – Monitoring”</i> .	Oppose In Part	As above	AMEND the heading in both Township and Rural Volumes to read: <i>“Culture and Historic Heritage – Monitoring”</i> .
	Issue: replace the word “Maori” with more appropriate term “local runanga’ to be consistent.			
16	Attachment 1: Changes to the District Plan (Township Volume) Explanation and reasons Objective B3.3.2 Second Heading, 4 th paragraph	Oppose in Part	There are a number of references both within rules and policies to “local rūnanga” so for consistency it is appropriate to remove the word “Māori” and replace it with ‘local rūnanga’.	REPLACE : The word “Maori” with “local runanga”.
	Issue: “Landscaping’ which is exempt from the earthworks rules for both township and rural rules is defined as including the provision of “walls”. However, digging for walls is seen as causing adverse disturbance on the WTMA areas and should be subject to rules.			

21	Attachment 1: Changes to the District Plan (Township Volume). Part C , 2 Living Zone Rules –Earthworks Notes 1	Oppose In Part	<i>Part C , 2 Living Zone Rules –Earthworks Notes 1 and Part C, 1 Rural Rules - Earthworks Notes 1</i> both list activities that are exempt from earthworks rules. This includes “ <i>Landscaping....of gardens, lawns or public spaces</i> ” of which “ <i>Landscaping</i> ” is defined in pp 35 and 73 as including the provision of “ <i>walls</i> ”. It is argued that providing for walls most likely will involve digging the ground a considerable depth more than 20cm. As such, it needs to be removed from the definition.	DELETE the word “ <i>walls</i> ” from the definition of “Landscaping” in both Attachment 1: Changes to the District Plan (Township Volume) and Attachment 2: Changes to the District Plan (Rural Volume). and ADD the word “ <i>post holes</i> ” instead which is already exempt from the earthworks rules. Or REPLACE: the current proposed definition of “Landscaping” with new definitions of “soft landscaping” and “hard landscaping” which will respectively allow for activities that are permitted and those that are not.
54	Attachment 2: Changes to the District Plan (Rural Volume). Part C, 1 Rural Rules - Earthworks Notes 1			
35	Attachment 1: Changes to the District Plan (Township Volume). Definitions: And			
73	Attachment 2: Changes to the District Plan (Rural Volume). Definitions: Definitions: <i>“Landscaping: means the visual improvement of an area through designed live planting of trees, shrubs and ground cover for amenity purposes and may include provision of physical features such as paving, walls, art and seating. For the purposes of this definition, landscaping does not include the re-contouring of land by removing or displacement of earth or soil”.</i>			
	Issue : Written approval process needs tools and methods to implement this.			
23	Attachment 1: Changes to the District Plan (Township Volume). <u>Part C, 2 Living Zone Rules – Earthworks</u> <i>Controlled Activities – Earthworks and Sites of Significance to Tangata Whenua (Wahi Taonga Management Areas).</i> 2.1.2; 2.1.3 <i>Restricted Discretionary Activities – Earthworks and Sites of Significance to Tangata Whenua (Wahi Taonga Management Areas).</i> 2.1.6; 2.1.7 <u>Part C , 4 Living Zone Rules - Buildings</u>	Support	Te Taumutu Runanga and Te Runanga o Ngai Tahu support the proposed process of a written consent from the local runanga as a requirement for a controlled activity. To ensure that this is carried through without it becoming a capacity issue for Te Taumutu Runanga, Ngai Tahu would like to discuss methods or tools to implement this process with Council.	DISCUSS: the methods or tools to implement this written approval process with Council.

25	<p>4.14 Buildings and Sites of Significance to Tangata Whenua (Wahi Taonga Management Areas).</p> <p><i>Controlled Activities – Buildings and Sites of Significance to Tangata Whenua (Wahi Taonga Management Areas).</i></p> <p>4.14.2; 4.14.3</p> <p><i>Restricted Discretionary Activities - Buildings and Sites of Significance to Tangata Whenua (Wahi Taonga Management Areas).</i></p> <p>4.14.4; 4.14.3 (5?)</p>			
27	<p><u>Part C, 10 Living Zone Rules - Activities</u></p> <p>10.4 Activities and Sites of Significance to Tangata Whenua (Wahi Taonga Management Areas).</p> <p><i>Controlled Activities – Activities and Sites of Significance to Tangata Whenua (Wahi Taonga Management Areas).</i></p> <p>10.4.2; 10.4.3</p> <p><i>Restricted Discretionary Activities – Activities and Sites of Significance to Tangata Whenua (Wahi Taonga Management Areas).</i></p> <p>10.4.4; 10.4.5.</p>			
	Issue: Significant change of land use through large scale planting of trees e.g. plantations or forests are NOT exempt from Earthworks rules and are therefore a permitted activity.			
23	<p>Attachment 1: Changes to the District Plan (Township Volume).</p> <p><u>Part C, 2 Living Zone Rules – Earthworks Notes</u></p> <p><u>1</u></p> <p><i>Rule 2 does not apply to any of the following activities:.....</i></p>	Oppose in Part	Notes 1 in the Township and in the Rural Volumes, list Earthwork <i>activities</i> that are exempt and those not exempt. However, these lists do NOT prevent the possibility of large scale plantings of trees e.g. plantations or forests. It is possible to plant trees in a hole dug 20cm deep or less which can be planted on a large scale. This activity is exempt from the Earthworks rules. Therefore, this effectively does not protect the areas from significant land use change. In addition, the deep root structure of a large scale number of trees may have a significant impact on wahi tapu and wahi taonga than a smaller amount of trees planted randomly. Although this is really an issue for the rural zone it is	<p>ADD:</p> <p><u>Part C, 2 Living Zone Rules – Earthworks Notes</u></p> <p><u>1</u></p> <p><i>Rule 2 does not apply to any of the following activities:...</i></p> <p><i>-Sowing, tending or cultivating crops, grazing, or planting trees of a scale less than ...(an appropriate measure yet to be calculated)</i></p> <p><i>- Planting of trees greater than a scale of ...(an appropriate measure yet to be calculated) except in Wahi Taonga Management Area C39(b).....</i></p>
54	<p>Attachment 2: Changes to the District Plan (Rural Volume).</p> <p><u>Part C, 1 Rural Rules- Earthworks Notes</u></p> <p><u>1</u></p>			<p><u>Part C, 1 Rural Rules- Earthworks Notes</u></p> <p><i>Rule 1 –Earthworks, does not apply to any of the following</i></p>

	Rule 1 –Earthworks, does not apply to any of the following activities.....		appropriate to include the township zone to be consistent and cover any possibilities. As such, earthworks activities that are of a large scale should not be exempt from the rules.	activities.... -Sowing, tending or cultivating crops, grazing, or planting trees of a scale less than (an appropriate measure yet to be calculated) -Planting of trees greater than a scale of (an appropriate measure to be calculated) except in Wahi Taonga Management Area C39(a).
	Issue: In Rural Rules, significant change of land use through large scale planting under Shelterbelt, Amenity Planting and Plantations Rules is a permitted activity.			
58	Attachment 2: Changes to the District Plan (Rural Volume). <u>2 Rural Rules – Tree Planting and Removal of Protected Trees</u> <u>2.1 Shelterbelts and Amenity Planting</u> <u>Permitted Activities - Shelterbelts and Amenity Planting</u> 2.1.1 The planting of any trees for amenity planting, shelterbelts shall be a permitted activity if all of the following conditions are met:.....	Oppose In Part	In the Rural Rules for <i>Shelterbelt, Amenity Planting and Plantations</i> there is the same issue as above for Earthworks. It is possible to plant trees in a hole dug 20cm deep or less which can be planted on a large scale. This activity is permitted according to the rules as it could be planted in areas that were 'previously disturbed by cultivation, planting (trees, pasture or crops, building or earthworks'. Therefore, this effectively does not protect the WTMA C39(a) from significant land use change from tilled land to plantations etc.	ADD: to <u>Permitted Activities - Shelterbelts and Amenity Planting</u> 2.1.1 The planting of any trees for amenity planting, shelterbelts shall be a permitted activity if all of the following conditions are met:..... 2.1.1.9 .In the area listed in Appendix 5 and shown on the Planning Maps as WTMA C39(a), any Any disturbance within those areas shall be limited to a maximum depth of 20cm and less than a scale of (an appropriate measure yet to be calculated)
59	<u>2.2 Plantations</u> <u>2.2.1Permitted Activities – Plantations</u> The planting or harvesting of any plantation shall be a permitted activity if all of the following conditions are met:.....		Any planting of <i>Shelterbelt, Amenity Planting and Plantations</i> trees on a large scale needs to be stated as not permitted. Otherwise large scale land use activities which have the potential to significantly adversely affect the wahi tapu area could occur uncontrolled.	ADD: to <u>2.2.1Permitted Activities – Plantations</u> 2.2.1.3 In the area listed in Appendix 5 and shown on the Planning Maps as WTMA C39(a), any Any disturbance within those areas shall be limited to a maximum depth of 20cm and less than a scale of (an appropriate measure yet to be calculated)
	Issue: Insufficient direction to decline an application that may cause significant change of land use through large scale plantings under Rural Rules for Earthworks, Shelterbelt, Amenity Planting and Plantations.			

56	Attachment 2: Changes to the District Plan (Rural Volume). <u><i>Restricted Discretionary Activities – Earthworks and Sites of Significance to Tangata Whenua 1.2.3</i></u> <i>Under Rule 1.2.2 the Council shall restrict its discretion to the consideration of:.....</i>	Oppose in Part	In the Rural Rules for Earthworks, Shelterbelt, Amenity Planting and Plantations, Matters that Council has to consider under a Restricted Discretionary activity does not include the scale of the activity. Large scale activities such as plantings may result in significant changes of land use. There is the need to specifically include in the matters to consider the scale of the activity and its adverse effects on the WTMA areas so as to provide protection from inappropriate use. Rules must retain sufficient discretion to decline an application that may have adverse effects on wahi tapu values.	ADD: to <u>Restricted Discretionary Activities- for Earthworks, Shelterbelt, Amenity Planting and Plantations</u> <i>The Council shall include in its discretion to consideration of: the scale of the activity and the degree of change of land use and these effects on wahi tapu and wahi taonga and certain conditions to address this.</i>
58	<u><i>Restricted Discretionary Activities – Shelterbelts and Amenity Planting 2.1.9</i></u> <i>Under Rule 2.1.8 the Council shall restrict its discretion to all of the following matters:.....</i>			
60	<u><i>Restricted Discretionary Activities – Plantations 2.2.7</i></u> <i>Under Rule 2.2.6 the Council shall restrict its discretion to the consideration of:.....:.....</i>			
	Issue: List of Statutory Acknowledgment Areas incomplete			
39	Attachment 2: Changes to the District Plan (Rural Volume) <i>Statutory Acknowledgment and Nohoanga Sites</i>	Oppose in Part	Statutory Acknowledgment Areas are identified which are culturally significant to Ngai Tahu. However, both Te Waihora and Coopers Lagoon are missing from this list.	ADD: to list under heading <i>Statutory Acknowledgment and Nohoanga Sites, in</i> Attachment 2: Changes to the District Plan (Rural Volume), p.39. -Te Waihora -Coopers Lagoon
	Issue: Insufficient range of robustness included in 'matters that Council shall consider' for restricted discretionary activities to manage any risk of activities that may threaten wahi tapu values especially monitoring.			
	All rules for Restricted Discretionary Activities for both Township and Rural Volumes – Matters that Council shall restrict its discretion to consideration of: .	Oppose in Part	Restricted Discretionary Activities for all activities for both Township and Rural areas need to provide more robustness in the <i>"Matters to be considered"</i> by Council to better manage any risk of an activity to adversely affect wahi tapu values. These include providing for the local runanga to be	ADD: to <i>"matters to be considered"</i> by Council for all Restricted Discretionary Activities for all activities for both Township and Rural areas. - Special consideration of the risk of activities in the boundaries of the WTMA areas, especially in the western boundary of the Living Zone, to adversely disturb potential urupa in these locations.

			<p>actively involved in monitoring which can include a ruanga representative to be on the site.</p> <p>There also needs to be specific consent conditions and consideration of the location of potential urupa in the boundaries of the WTMA. Dan Witter who wrote the “Archeology Report of the Rakaia River Mouth Moa Hunter Site Precinct” of which the “Rakaia Huts Conservation Management Plan” is based, purposely made the size of the archaeological site larger to include the possibility of urupa which are usually positioned away from the settlement (pers.com.Witter, 2011).</p>	<p>-Consent conditions requiring specific requirements for:</p> <ul style="list-style-type: none"> • cultural monitoring; • a local rūnanga representative on site during the works; • ensuring that a Accident Discovery Protocol is followed; • An agreement with local runanga as to for what happens to any found artefacts; and • a briefing on detection of archaeological artefacts for contractors and sub-contractors on site.
	Issue: Lack of clear list of conditions for consents for all rules			
	All rules in proposed plan change regardless of whether controlled or restricted discretionary.	Neither	There needs to be a standard list of conditions for consents and for written approval to provide clear guidance.	<p>ADD to all rules:</p> <p>-Consent and written approval conditions requiring specific requirements for:</p> <ul style="list-style-type: none"> • cultural monitoring; • a local rūnanga representative on site during the works; • ensuring that a Accident Discovery Protocol is followed; • An agreement with local runanga as to what happens to any found artefacts; and • a briefing on detection of archaeological artefacts for contractors and sub-contractors on site.
	Issue: Insufficient robustness of Rural Rules for Utilities which has the potential to have some significant adverse effects on wahi tapu values.			
	Attachment 2: Changes to the District Plan (Rural Volume).	Oppose In Part	The Rural Rules for Utilities has the potential to have some significant adverse effects on wahi tapu values. There needs to be some additional levels of control.	<p>ADD: to “<u>Permitted Activities - Utility Structures and Sites of Significance to Tangata Whenua</u>”</p> <p><u>5.10.1.2</u></p> <p><i>-In the area listed in Appendix 5 and shown on the</i></p>

65	<p>Part C Rural Rules – Utilities</p> <p><i>5.10 Utility Structures and Sites of Significance to Tangata Whenua</i></p> <p>Permitted Activities - <i>Utility Structures and Sites of Significance to Tangata Whenua</i></p> <p><i>5.10.1.2</i></p>			<p><i>Planning Maps as WTMA C39(a) , any earthworks associated with any utility structure is limited to... repairing existing utilities provided that they are replaced in the same trench/hole</i></p> <p>ADD: If the utilities are “new” then they default to a Restricted Discretionary Activity with specific conditions (yet to be developed) that are required to be met.</p>
	<p>Issue: A clause under the “Matters that Council shall restrict its consideration ” for Restricted Discretionary Activities may undermine the protection of wahi tapu values.</p>			
20-29	<p>Attachment 1: Changes to the District Plan (Township Volume).</p> <p><u>Restricted Discretionary Activities</u></p> <p>2.1 Earthworks; 4.14 Buildings10.4 Activities.</p> <p>AND;</p>	Oppose	<p>In most of the Township and Rural Rules for Restricted Discretionary Activities there is a statement under “Matters that Council shall restrict its consideration” that allows the Council to grant the activity based on the “costs of the owner to not undertake that activity”. This “clause’ may effectively mean that the Council can override the local runanga’s concerns for protecting their wahi tapu values.</p>	<p>REMOVAL: in <u>Restricted Discretionary Activities</u></p> <p>1.2 Earthworks, 2.1 Shelterbelts and Amenity Planting; 3 Buildings; 4.3 Rooding; 5.10 Utilities; 5.11 Utility Buildings ; B6.6 Outdoor Signs and Noticeboards</p> <p>Of</p> <p>Matters that Council shall restrict its consideration of:</p> <p><i>Any potential costs to the landowner/occupier of not being able to undertake the proposed activity on that site.</i></p>
54-72	<p>Attachment 2: Changes to the District Plan (Rural Volume).</p> <p><u>Restricted Discretionary Activities</u></p> <p>1.2 Earthworks, 2.1 Shelterbelts and Amenity Planting; 3 Buildings; 4.3 Rooding; 5.10 Utilities; 5.11 Utility Buildings ; B6.6 Outdoor Signs and Noticeboards.</p> <p>Matters that Council shall restrict its consideration of:</p> <p><i>Any potential costs to the landowner/occupier of not being able to undertake the proposed activity on that site.</i></p>			

	Issue: Empty paddock owned by Council not identified as to which WTMA.			
MAP 133 Sheet 2	Map 3 Amended District Plan Map 133		<p>Ngai Tahu consider that the empty paddock owned by Council on the western boundary of C39(b) should be appropriately treated as C39(a) not as C39(b). This is because the land would be given a higher level of protection by the Rural Rules than the Township Rules. This is particularly important given that there is (or high possibility) an urupa sited there. In addition, this site is also proposed as a “storage area” for any found artefacts/objects from the WTMA’s and it would be beneficial to have a higher level of protection.</p>	<p>AMEND: Map 133 to indicate that the empty paddock on the western boundary of C39 (b) is identified as C39 (a).</p>