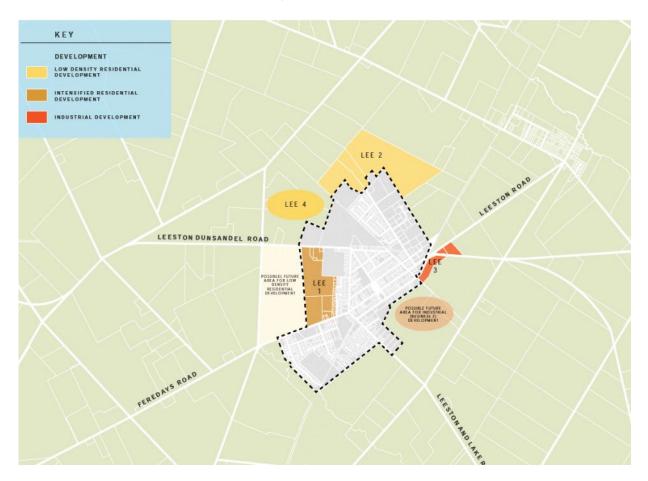
Te Aromatawai Ahurea

Cultural Impact Assessment



Leeston Industrial Zoning

Prepared for Selwyn District Council
In conjunction with Te Taumutu Rūnanga
By Craig Pauling, Boffa Miskell Ltd
Toru/July 2019



<u>Cover image</u>: Leeston Preferred Future Development Areas, Ellesmere Area Plan / Mahere-ā-Rohe o Waihora 2031 p27.

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1. He Kupu Whakataki / Introduction

This report provides an assessment of the potential cultural impacts of a proposed Industrial Zoning extension, near Leeston, being considered by the Selwyn District Council (SDC). The report includes a brief background to the application; the methods undertaken in completing the assessment; the cultural values and potential impacts of the application and its associated area based on an analysis of relevant iwi management plan policies; as well as feedback from Papatipu Rūnanga; and finally, recommendations for dealing with potential impacts.

1.1. Tāhuhu Kōrero / Background

SDC is considering extending the Business 2 (Industrial) Zone in the south-eastern part of Leeston Township. The area subject to the extension proposal (referred to as LEE3) is made up of four separate land parcels, owned by three private landowners and is bordered by Volckman Road to the north, open pasture and rural land to the east, industrial development to the south and Station Street/Leeston Road to the west. This area was initially identified through the Ellesmere Area Plan / Mahere-ā-Rohe o Waihora 2031 which analysed the issues, opportunities, needs and constraints of future development of key Selwyn townships including Leeston.

As part of the zoning process, SDC identified the need to engage with manawhenua and to undertake a Cultural Impact Assessment (CIA) to ensure proper consideration of cultural values, in particular those issues identified by manawhenua in the Ellesmere Area Plan. This assessment is therefore focused on understanding the impact of the proposed zoning extension on the cultural values associated with site and the wider cultural landscape, including downstream impacts of Te Waihora.

The assessment was undertaken by Boffa Miskell Ltd, who were asked by Mahaanui Kurataiao, Te Taumutu Rūnanga, Te Ngāi Tūāhuriri Rūnanga and SDC to complete the assessment.

1.2. Ngā Kauneke / Methods

- ✓ Reading and reviewing SDC documents in relation to the proposal, including the Ellesmere Area Plan; preferred option reports, draft ODPs and technical reports and assessments (Land Constraints, Transport, Urban Design and Landscape).
- ✓ Meeting on-site with representatives from Te Taumutu Rūnanga, SDC and Landowners to further understand the proposal.
- ✓ Identification and evaluation of potential impacts of the proposal against Ngāi Tahu values, objectives, policies and aspirations outlined in the Mahaanui IMP and Ellesmere Area Plan.
- ✓ Preparation of a written report on the proposal, and advice and recommendations on whether/how Ngāi Tahu values, objectives and policies can be addressed, as well as any opportunities to enhance these values and the relationship of Ngāi Tahu through the proposal.
- ✓ Discussion of the draft report with Te Taumutu Rūnanga and SDC to gain feedback.
- ✓ Gaining approval for Te Taumutu Rūnanga and provision of the report to SDC.

2. Manawhenua

Manawhenua refers to the mana or 'authority' held by an iwi, hapū or whanau over the land or territory (and associated resources) of a particular area. This authority is passed down through whakapapa (genealogy) and is based on occupation and continued use and control of natural resources within an area. Manawhenua is also used to describe the people who hold this authority, and who are also considered the kaitiaki of their particular area or takiwā.

2.1 Ngāi Tahu Whānui

Ngāi Tahu Whānui are the iwi (Māori tribe) who hold manawhenua over a large proportion of Te Waipounamu – the South Island. The modern iwi originates from three main tribal strands; Waitaha, Ngāti Mamoe and Ngāi Tahu. Through intermarriage, warfare and alliances, these tribal groups migrated, settled, occupied and amalgamated and established manawhenua over their tribal area prior to European arrival. Specific hapū or sub-tribes established control over distinct areas of the island and have maintained their mana over these territories to this day.

Te Rūnanga o Ngāi Tahu is the mandated iwi authority established by Ngāi Tahu Whānui under Section 6 of the Te Runanga o Ngai Tahu Act 1996 to protect the beneficial interests of all members of Ngāi Tahu Whānui, including the beneficial interests of the Papatipu Rūnanga of those members. Te Rūnanga o Ngāi Tahu is governed by elected representatives from each of the 18 Papatipu Rūnanga and has an administrative office as well as a number of commercial companies.

2.2 Papatipu Rūnanga

Papatipu Rūnanga are the administrative councils of traditional Ngāi Tahu hapū (sub-tribes) based around their respective kāinga / marae based communities and associated Māori reserves, pā, urupā and mahinga kai areas. The takiwā (jurisdiction) of each Papatipu Rūnanga is set out in Schedule 1 of the Te Runanga o Ngai Tahu Act 1996.

Accordingly, the key Ngāi Tahu hapū/Papatipu Rūnanga who have traditional associations with the areas affected by the Leeston zoning proposal include:

Ngāi Tūāhuriri / Te Ngāi Tūāhuriri Rūnanga

The takiwā of Te Ngāi Tūāhuriri Rūnanga centres on Tuahiwi and extends from the Hurunui to Hakatere, sharing an interest with Arowhenua Rūnanga northwards to Rakaia, and thence inland to the Main Divide.

Ngāi Te Ruahikihiki-Ngāti Moki / Te Taumutu Rūnanga

The takiwā of Taumutu Rūnanga centres on Taumutu and the waters of Te Waihora and adjoining lands and shares a common interest with Ngāi Tūāhuriri Rūnanga and Te Rūnanga o Arowhenua in the area south to Hakatere.

With regards to this CIA, Te Ngāi Tūāhuriri Rūnanga provided their support for Te Taumutu Rūnanga to lead the engagement with SDC on this project.

2.3 Mahaanui Kuratajao Ltd and the Mahaanui IMP

Mahaanui Kurataiao Ltd (Mahaanui) is a resource management and advisory consultancy established by the six Ngāi Tahu Papatipu Rūnanga of the central Canterbury area, including Te Ngāi Tūāhuriri and Te Taumutu Rūnanga, to assist councils in fulfilling their statutory responsibilities to tangata whenua and in carrying out functions as planners and consent authorities under the Resource Management Act.

In 2013, Mahaanui and Papatipu Rūnanga, in-conjunction with councils and Te Rūnanga o Ngāi Tahu developed the Mahaanui Iwi Management Plan (IMP) to guide this work. The Mahaanui IMP has been used to help develop this CIA and to ensure it reflects the policies and objectives contained within it.

The Mahaanui IMP is also endorsed by Te Rūnanga o Ngāi Tahu, as the iwi authority, and as such, is applicable to policy and planning processes under the Resource Management Act (RMA) 1991. For further information on the IMP see: http://mkt.co.nz/mahaanui-iwi-management-plan/Mahaanui-IMP-web.pdf

In reading this CIA, it is important to be cognisant that the purpose and principles of an IMP are not derived solely from the RMA, and/or the particular District or Regional plans that they sit alongside. While there are common environmental considerations between an IMP and the plans produced by councils under the RMA, the purpose, principles and outcomes expressed in an IMP are largely based upon a world view derived from the cultural beliefs and practices of particular iwi and hapū.

The Mahaanui IMP is aspirational and presents cultural perspectives where consideration is not limited to the particular effects of a specific application (as with the RMA). The Mahaanui IMP presents objectives and policies which are intended to provide guidance on how future development and activities can be achieved whilst integrating elements or features that protect, restore and/or enhance values of cultural importance. The Mahaanui IMP is not therefore limited to principles of avoiding, remedying or mitigating (as enshrined in RMA practice) but takes the additional position of encouraging and advising environmental enhancements and benefits as a critical part of development.

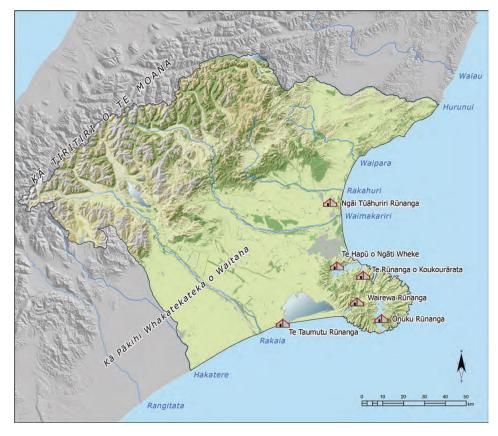


Figure 1. Map showing the location of the Ngãi Tahu Papatipu marae from the Mahaanui Iwi Management Plan, including Te Ngãi Tūāhuriri Rūnanga and Te Taumutu Rūnanga

2.4 Engagement with Manawhenua

SDC initially contacted Mahaanui to undertake engagement over this proposal with both Te Taumutu Rūnanga and Te Ngāi Tūāhuriri Rūnanga. However, following feedback from the rūnanga it was agreed that Te Taumutu Rūnanga would lead the CIA process with SDC. Taumutu in turn recommended to SDC that Boffa Miskell Ltd be engaged to undertake the CIA in conjunction with Te Taumutu Rūnanga.

As part of the CIA process, a site visit was held with SDC and Te Taumutu Rūnanga representatives including on **29 May 2019** involving:

 Raewyn Solomon and Sefeti Erasito (Te Taumutu Rūnanga); Craig Pauling (BML), Benjamin Rhodes (SDC); and Dan and Amy Bell (Landowners).

Following the site visit, a draft CIA was developed and sent to Te Taumutu Rūnanga for their review and feedback. A draft was also sent to SDC for their information. A final draft CIA was submitted to Te Taumutu for their approval, with the final approved version provided to SDC.

2.4.1 Site Visit Notes and Photos

A summary of the feedback and issues raised during site visit is outlined below:

- A number of waterways and springs are located within the proposal area, including a waterway running through the centre of the Bell property, and a waterway running along Volckman Road, both of which flow into Tramway Reserve Road drain and into Te Waihora near the outlet of Waitātari / Harts Creek approximately 5kms downstream. The springs are located around the Bell homestead near Volckman Road which form into wet/marshy areas during winter.
- These waterways are considered significant to manawhenua, particularly due to their connection to Te Waihora, as well as being remnant features of the former wetland area that extended from, and surrounded, Te Waihora up until the late 1800s, and which was an important mahinga kai area for manawhenua known as Karumata (see section).
- It was noted that any future development should protect and enhance the waterways, including appropriate stormwater treatment, sediment and erosion control measures, provision of setbacks, as well as the restoration of indigenous buffer areas, flora, fauna and habitat (eg. sediment traps, swales, retention and treatment basins, riparian strips and/or wetlands).
- > Such measures could be designed and implemented via the Plan Change process, including an Outline Development Plan, as well as through future resource consent requirements.
- > Continued rūnanga involvement in the process of developing/implementing any measures was seen as important.
- > The proximity to the Leeston Sewage Plant was also noted (being on the south western border) as well as the existing and likely continued land use of the surrounding block (pasture, with dairy support grazing and irrigation).

RECOMMENDATION 1: That SDC include a summary of the engagement, issues and recommendations arising from this CIA as part of any plan change application and/or Outline Development Plan.

3. Ngā Uara me Ngā Take / Cultural Values and Issues

The subdivision and zoning of land is a key resource management issue for Ngāi Tahu, due to issues associated with potential impacts on the management and treatment of water, indigenous biodiversity and wāhi tapu/taonga. These issues are particularly important within the Te Waihora catchment and especially for land use activities that are along waterways directly connected and within close vicinity to the lake.

The SDC plan change proposal therefore has the potential to impact on a range of cultural values including those associated with key issues, objectives and policies contained within the Mahaanui IMP. In particular, these are contained within the following sections relating to:

- Kaitiakitanga Recognition of Manawhenua;
- Papatūānuku Land;
- Waimāori Freshwater;
- Tāne Mahuta Mahinga Kai and Indigenous Biodiversity;
- Ngā Tūtohu Whenua Cultural Landscapes, including wāhi tapu and wāhi taonga; and
- Te Waihora Lake Ellesmere and its Catchment.

This section therefore provides an overview of these cultural values, issues and relevant Mahaanui IMP policies – with full wording of the relevant IMP policies provided in Appendix A. The section begins however with an overview of the cultural values associated with the Leeston area, as well as a summary of key cultural issues and opportunities for Leeston identified by manawhenua and contained within the Ellesmere Area Plan / Mahere-ā-Rohe o Waihora 2031.

Section 4 provides an assessment of these values against the proposed application, along with recommendations for dealing with impacts on cultural values.

3.1 Kōrero a Wāhi / Overview of Cultural Values

Leeston township and its surrounding area is situated in the middle of what used to be an extensive wetland connected to Te Waihora (Lake Ellesmere), and as such was utilised as part of the traditional mahinga kai network within the catchment. In particular, these wetlands supported large quantities of native fish, including longfin and shortfin tuna (eels), as well as waterfowl such as pūtakitaki (paradise duck), pārera (grey duck) and raipō (scaup). Harakeke (flax), raupō (bulrush) and tī kouka (cabbage trees) were also present and gathered for food, fibre as well as construction, including for building mokihi.

Prior to the regular artificial opening of Te Waihora, the level of the lake was also much higher, extending as far as Lochheads Road. Karumata is a name recorded for the Leeston area and associated with the mahinga kai of the former wetland area. Further towards the lake, Kūaowhiti is the name of a key mahinga kai site and settlement near the mouth of Waitātari (Harts Creek).

While today, the extensive wetlands are largely gone and the lake has suffered degradation as a result of drainage, as well as urban and agricultural land and water use – the value of remnant waterways and the habitat they offer to remaining mahinga kai is critical for mana whenua. Surviving waipuna (springs), repo (wetlands), rivers, streams and drains, provide refuge for valued species as well as contributing to the overall health of the lake. To this end, the protection of these waterways is of paramount concern.

Key tributaries flowing into the lake from the Leeston area include Waitātari / Hart Creek (including Birdlings Brook), as well as Leeston Creek, Chapman Drain and the numerous waterways collecting into Tramway Reserve Drain and Puraka/Boggy Creek.

Of greatest significance for activities in the Leeston area, is the ongoing protection and enhancement of Te Waihora. The lake is a tribal taonga and mahinga kai, highlighted by the ownership of the lakebed being returned to Ngāi Tahu through the Ngāi Tahu Claims Settlement Act 1998. It is also subject to the Te Waihora Joint Management Plan 2002, the Te Waihora Water Conservation Order; and the Whakaora Te Waihora Restoration programme as well as the Cultural Land Values Management Area under the Land and Water Plan.



Figure 2. Map showing the location of the proposed site (grey polygon) and Ngãi Tahu Sites of Cultural Significance from the existing and proposed SDC District Plan, including waipuna (orange dots); other wāhi taonga (orange polygons); NZAA sites (red dots); ngã wai (Waitātari, Boggy Creek and Te Waihora) and the Lake Cultural Values Management Area (red line).

3.2 Ellesmere Area Plan / Mahere-ā-Rohe o Waihora 2031

The development of the Ellesmere Area Plan involved engagement with and input from Te Taumutu and Te Ngāi Tūāhuriri Rūnanga. As a result, the plan included a Ngāi Tahu Values Statement setting out manawhenua history, key values, issues, interests and significant sites associated with townships across the Selwyn District.

Key issues across townships included impacts on land, water, indigenous biodiversity and mahinga kai as well as the appropriate management and recognition of culturally significant sites, including wāhi tapu and wāhi taonga. The plan also noted the need to identify opportunities to incorporate mana whenua cultural expression in the development and re-development of townships.

Specific cultural information on Leeston noted that it:

"is one of several townships in the Selwyn District located within what was once the extensive mahinga kai of Te Waihora/Lake Ellesmere and its wetlands....Te Waihora/Lake Ellesmere...is of cultural significance to the local...Rūnanga [and] is subject to a National Water Conservation Order recognising it has outstanding ecological and cultural values" p21

Key issues for mana whenua identified with the future development of Leeston included:

- Concerns with untreated stormwater and land drainage water discharging into local drains and eventually Te Waihora/Lake Ellesmere. There is a need to manage population growth to ensure additional discharges do not add to the sediment or contaminant load entering waterways and the lake.
- Any additional growth will require an integrated approach to stormwater management, including the development of stormwater management plans to coherently manage current and future growth. This is a significant issue given the township's proximity to local drains and tributaries of Te Waihora/Lake Ellesmere.
- that there is an increased risk of flood events associated with climatic cycles and increased groundwater levels that may occur as a consequence of the Central Plains Water Scheme. These factors may inhibit the amount of growth that is sustainable, influence where it is best located and dictate what mitigation measures may be required.
- water quantity issues and shifting public and community perceptions about utilising best practice water use (the Plains area of the District is identified as a Red Zone for both water quality and quantity).
- issues with nutrient loads associated with wastewater systems and the development and growth of townships

Key opportunities included:

- The filtering of rainfall run-off and enhance biodiversity through planting native species along the Leeston drainage network.
- Investigating the possibility of creating a mahinga kai park across the area of the old Te Waihora/Lake Ellesmere footprint and to recreate local wetland areas for stormwater detention.
- > Support for Low Impact Urban Design and Development.

3.3 Kaitiakitanga

"Kaitiakitanga is fundamental to the relationship between Ngāi Tahu and the environment. It is the intergenerational responsibility and right of tāngata whenua to take care of the environment and resources upon which we depend.

The responsibility of kaitiakitanga is twofold: first, there is the ultimate aim of protecting mauri; and second, there is the duty to pass the environment to future generations in a state that is as good as, or better than, the current state"

Kaitiakitanga is associated with the ability for manawhenua to engage with agencies with legislative responsibility for the management natural resources with their takiwā and be involved in the processes under section 6e, 7a and of the Resource Management Act 1991, as well as the rights and interests provided for by the Treaty of Waitangi.

Ngā Take Issues of Significance

Manawhenua: The need to recognise manawhenua, and therefore engage with the appropriate Papatipu Rūnanga.

Kaitiakitanga: Effective recognition of kaitiakitanga in natural resource management and governance processes.

Collaboration: Working together with those agencies, communities and people with responsibilities and interests in the protection of natural resources and the environment.

Ngā Kaupapa Policies

Kaitiakitanga policies are aimed at ensuring Papatipu Rūnanga, as mandated bodies representing manawhenua, are involved within processes affecting natural resource management, including resource consents under the RMA. The policies advocate for a partnership approach with councils and central government based on the Treaty of Waitangi as well as a collaborative approaches with landowners, developers and the wider community. The policies identify Mahaanui Kurataiao as the mandated resource management body of Papatipu Rūnanga and the Mahaanui IMP as the mandated manawhenua planning document to be used to assess activities, consents and plans against.

3.4 Papatūānuku

"Papatūānuku is profoundly important in the Ngāi Tahu worldview, as the birthplace of all things of the world, and the place to which they return. Papatūānuku is the wife of Ranginui, and their children are the ancestors of all parts of nature....An important kaupapa of Ngāi Tahu resource management perspectives and practice is the protection and maintenance of the mauri of Papatūānuku, and the enhancement of mauri where it has been degraded by the actions of humans. Land use and development activities in the takiwā must be managed in way that works with the land and not against it. Papatūānuku sustains the people, and the people must in turn ensure their actions do not compromise the life supporting capacity of the environment. The cultural, social and economic wellbeing of people and communities is dependent on a healthy and resilient environment'

Ngā Take Issues of Significance

Urban and Township Planning: Ngāi Tahu participation in urban and township planning and development.

Sub-division and development: Subdivision and development can have significant effects on Ngāi Tahu values, but can also present opportunities to enhance those values.

Stormwater: The discharge of contaminated stormwater in urban, commercial, industrial and rural environments and can have adverse effects on water quality.

Earthworks: Earthworks activities need to be managed to avoid damaging or destroying sites of significance, and to avoid or minimise erosion and sedimentation.

Soil conservation: The mauri of soil resources can be compromised by inappropriate land use and development.

Discharge to land: Discharge to land can utilise the natural abilities of Papatūānuku to cleanse and filter contaminants but must still be managed to avoid adverse effects on soil and water resources.

Ngā Kaupapa Policies

Papatūānuku policies aim to address adverse effects of intensive land use on cultural values through improved water use, treatment and management; increased acknowledgement and protection of culturally significant sites and the protection and enhancement of indigenous biodiversity, including a focus on existing waterways, springs and wetlands. The section contains specific guidelines on *Subdivision and Development* (see Appendix C for full wording) which cover cultural landscapes, stormwater, earthworks, water supply and use, waste treatment and disposal, design, landscaping and open space.

The guidelines and policies require and/or advocate for on-site, land-based, multi-functional stormwater and wastewater treatment, such as swales, retention and treatment basins and constructed wetlands that include the use of indigenous species to restore cultural values, create buffer areas, protect soil, improve water quality and reduce erosion, contamination and sedimentation. Another key aspect is the use cultural design elements including traditional place names, materials, artwork as well as indigenous species as shelter, boundary or landscape planting. The use of low impact urban design principals for future development is also advocated, particularly associated with water and energy use, such as low energy and water use infrastructure, rain water collection, grey water recycling, solar passive design, and solar and other alternative energy options. Specific management of erosion and sediment during any earthworks and construction, as well as incorporating accidental discovery protocols, and the reuse of excess soil on-site is also encouraged.

3.5 Waimāori

"Ko te wai te oranga o ngā mea kātoa

Water is the life giver of all things

Water is a significant cultural resource that connects Ngāi Tahu to the landscape and the culture and traditions of the tūpuna. All water originated from the separation of Rangi and Papatūānuku and their continuing tears for one another. Rain is Rangi's tears for his beloved Papatūānuku and mist is regarded as Papatūānuku's tears for Rangi.

For tangata whenua, the current state of cultural health of the waterways and groundwater is evidence that water management and governance in the takiwa has failed to protect freshwater resources. Surface and groundwater resources are over-allocated in many catchments and water quality is degraded as a result of urban and rural land use. This has significant effects on the relationship of Ngāi Tahu to water, particularly with regard to mauri, mahinga kai, cultural wellbeing and indigenous biodiversity.

Fundamental to tāngata whenua perspectives on freshwater is that water is a taonga, and water management and land use should reflect this importance".

Ngā Take Issues of Significance

Water quality: The decline in water quality in the region as a result of point and non-point source pollution, low flows and loss of wetlands and riparian areas.

Beds and Margins: Activities occurring within the beds of rivers and lakes and their riparian zones can adversely affect Ngāi Tahu values associated with these areas.

Wetlands, waipuna and riparian margins: Loss of wetlands, waipuna and riparian margins, and the cultural and environmental values associated with them.

Ngā Kaupapa Policies

Waimāori policies seek improved outcomes for water quality and quantity through actions that reciprocate the use of and discharge to water, regardless of effect. The policies advocate for indigenous riparian planting, buffers and setbacks, on-site treatment and disposal systems for stormwater, such as vegetated swales, constructed wetlands and retention basins, and the careful management of water, including utilising reduction, collection and reuse technologies. Many policies are concerned with the protection of water quality and quantity and recognise the relationship of Ngāi Tahu with freshwater, highlighting issues that the degradation of waterways has on cultural values and customary use. Furthermore, the policies specifically prohibit the drainage, destruction and/or modification of springs, wetlands and riparian areas as well as promoting the restoration of these areas.

3.6 Tāne Mahuta

"Tāne Mahuta is the atua of the forests and birds, and the son of Ranginui and Papatūānuku. It is Tāne that broke the tight embrace of his parents, forcing Rangi high into the heavens and leaving Papatūānuku on earth to care for their children.

Ngāi Tahu has a particular interest in indigenous biodiversity, both for its inherent value on the landscape and the ecosystem services it provides, and with regard to mahinga kai. Indigenous flora and fauna has sustained tāngata whenua for hundreds of years, providing food, fibre, building materials, fuel, medicine and other necessities.

The relationship between tāngata whenua and indigenous biodiversity has evolved over centuries of close interaction and is an important part of Ngāi Tahu culture and identity. The protection and enhancement of indigenous biodiversity and mahinga kai underpins many of the issues and policies in...[the] IMP"

Ngā Take Issues of Significance

Mahinga kai: Loss of mahinga kai areas and opportunities in the takiwā.

Indigenous biodiversity: The widespread loss of indigenous biodiversity has significant adverse effects on the relationship of Ngāi Tahu with ancestral land, water and sites, and the health of land, water and communities.

Restoration of indigenous biodiversity: Tangata whenua have a particular interest in the restoration of indigenous biodiversity.

Ngā Kaupapa *Policies*

Tane Mahuta policies are focussed on the protection, re-instatement and/or enhancement of indigenous biodiversity as a key element of all land use, management and development. The intent of the policies

are to recognise the loss of indigenous biodiversity across the region, to halt further decline or loss and, most importantly, to ensure a tangible improvement and reflection of indigenous biodiversity that is central to ongoing cultural identity and customs, including mahinga kai.

In particular, the planting of indigenous vegetation, the control and pests and weeds, and the enhancement of valued mahinga kai species, as an inherent part of land development is supported. This includes planting indigenous species as a way to avoid, remedy or mitigate land use activities and discharges, as part of stormwater infrastructure, and along waterways, boundaries, corridors, and in and around culturally significant sites.

3.7 Ngā Tūtohu Whenua

"A cultural landscape is a geographical area with particular (and often related) traditional, historical, spiritual and ecological value to Ngāi Tahu. This includes wāhi tapu, wāhi taonga, mahinga kai and other sites of significance, and the traditional and contemporary landscapes within which they occur. An area may be identified as a cultural landscape due to the concentration of values in a particular location, the particular importance of the area to Ngāi Tahu cultural, history or identity, or the need to manage an area as a particular landscape unit.

Cultural landscapes are integral to Ngāi Tahu culture, identity and history, and are testament to relationship of tāngata whenua with the land over time. They are intergenerational: providing future generations (our tamariki and mokopuna) the opportunity to experience and engage with the landscape as their tūpuna once did"

Wāhi tapu are places of particular significance that have been imbued with an element of 'sacredness' or 'restriction' (tapu). Of all wāhi tapu, urupā (burial grounds), including waiwhakaheketūpapaku (water burial sites), are considered to be the most important. Often, wāhi tapu and wāhi taonga are associated with recorded archaeological sites and are specifically identified within the Selwyn District Plan. Wāhi taonga are places treasured due to the vital role they have in tribal traditions, historic and contemporary occupation and use, as well as containing and/or sustaining specific resources (e.g. spawning / nesting grounds). Wāhi taonga can include features such as kāinga, pā and mahinga kai sites. Waipuna or springs and repo or wetlands are also considered wāhi taonga (and in some cases wāhi tapu) and rūnanga advocate for their protection from inappropriate activities.

Ngā Take Issues of Significance

Cultural landscapes: The need to recognise and provide for Ngāi Tahu cultural landscapes.

Wāhi tapu me wāhi taonga: Identification, protection and management of wāhi tapu and wāhi taonga.

Access: Access to wāhi tapu and wāhi taonga.

Ingoa wāhi: Increasing the use of traditional ingoa wāhi on the landscape.

Ngāi Tahu tikanga tūturu: The use and interpretation of Māori cultural traditions, tikanga, values, language and symbols in the takiwā of Ngāi Tahu.

Maunga: Recognising and providing for the relationship of tangata whenua to maunga.

Ngā Kaupapa Policies

Ngā Tūtohu Whenua policies focus on opportunities to recognise and provide for the enhancement and tangible reflection of Ngāi Tahu cultural values as a key element of land use, management and developments, particularly where these are associated with wāhi tapu, wāhi taonga and other culturally significant species, habitats, sites and areas. Specifically, the policies advocate for the establishment and incorporation of indigenous biodiversity, but go further, and promote consideration of other elements of land management and landscape design. This can include the provision of open space, the use of traditional names, materials, design elements, artwork and interpretation, and providing access to and protecting and enhancing views and connections to significant landscape features.

The policies also stipulate the use of accidental discovery protocols (ADP) for all activities involving ground disturbance, as well as undertaking archaeological or cultural assessments and/or monitoring, and/or gaining archaeological authorities in the vicinity of known and/or registered wāhi tapu, wāhi taonga, HNZPT or NZAA sites.

3.8 Te Waihora

"Te Waihora is a tribal taonga representing a major mahinga kai and an important source of mana. For the last 160 years, management of the lake and its catchment has reflected farming and settlement values, at the expense of Ngāi Tahu values....The effect of intensive land use on the lake, waterways and groundwater in the catchment is a key kaupapa...Resolving the issues required to restore the cultural health of Te Waihora will ultimately restore the cultural health of the wider catchment"

Ngā Take Issues of Significance

Cultural health of Te Waihora: The cultural health of Te Waihora is degraded as a result of lake margin land use and settlement, land use in the catchment and lake level management.

Mahinga kai: Loss of mahinga kai resources and opportunities in Te Waihora and its catchment.

Wetlands, waipuna, and riparian margins: Degradation and loss of wetlands, waipuna and riparian margins in the catchment.

Wāhi tapu me wāhi taonga: Protection of wāhi tapu me wāhi taonga in the Te Waihora catchment.

Ngā Kaupapa Policies

Te Waihora catchment policies acknowledge the outstanding cultural significance of Te Waihora to Ngāi Tahu and the rights and interests of Ngāi Tahu requiring their involvement in all areas of resource management within the catchment. This is highlighted by the Ngāi Tahu ownership of the Te Waihora lakebed and Statutory Acknowledgement, the Te Waihora Joint Management Plan, Water Conservation Order, Te Waihora Co-Goverance arrangements and the Whakaora Te Waihora programme.

The policies also acknowledge Te Waihora as the ultimate receiving environment within the Selwyn District and re-inforce general policies contained within other sections, particularly with regards to improving land use outcomes, water quality, significant site protection and biodiversity.

4. Ngā Hua Pai me Ngā Hua Kino / Potential Impacts and Improvements

4.1 Kaitiakitanga – Recognition of Manawhenua

SDC have made significant efforts to involve manawhenua in the proposed zoning and plan change process, not only through the resourcing and development of this CIA, but also through the previous work on the Ellesmere Area Plan and current work around the District Plan review. This level of engagement is acknowledged and supported by rūnanga, as well as aligning with Mahaanui IMP policy.

Ongoing engagement for rūnanga is critical however, particularly around how existing waterways, including the two waipuna near the Bell Homestead, will be protected and enhanced as well as how the future design and development of the plan change area will be implemented, including any stormwater treatment, wider landscaping and other cultural landscape and design opportunities.

Any future engagement should be appropriately resourced and involve either a working party and/or advisor approach. Any arrangement should be agreed by rūnanga and included as part of any future plan change application or Outline Development Plan.

RECOMMENDATION 2: That SDC commit to resourcing ongoing engagement with Papatipu Rūnanga to provide input into and feedback on the zoning plan change as well as the future design and development of the site.

4.2 Papatūānuku - Land

The proposed plan change has the potential to impact on cultural values associated with the protection and enhancement of the mauri of land and soil. These impacts relate to earthworks, erosion and sediment control, stormwater treatment and discharge, as well as flooding arising from the future design and development of the site.

4.2.1 Stormwater, Erosion and Sediment Control during Earthworks and Construction

Earthworks to cut and fill the site and to construct roads, reserves and business lots as well as installing services, can lead to soil erosion and sedimentation issues. It is anticipated that future earthworks consents from Environment Canterbury will be required, along with an appropriate Erosion and Sediment Control Plan. This is supported by Papatipu Rūnanga and Mahaanui IMP policies. Standard measures such as minimising bare ground exposure, compaction with gravels, re-grassing, use of sediment control fences/filter fabric and vehicle wash/shake down is also supported. Furthermore, the use of purposely constructed on-site stormwater retention ponds (SRP) are critical. These should be designed to accommodate at least a 50 year/10 hour event and allow stormwater to be released slowly via soakage to ground. It is important however to ensure soil testing is undertaken to confirm that soakage rates, any contamination issues, and soil type are appropriate for this. The protection and enhancement of wāhi taonga, including existing waipuna (springs) as well as managing accidental discovery of taonga as part of earthworks are also important. These are dealt with in sections 4.3, 4.4 and 4.5 below.

RECOMMENDATION 3: That SDC ensure that all future earthworks and construction on the site are managed with an appropriate erosion and sediment control plan, as well as incorporating on-site stormwater management that is directed to appropriately designed and constructed retention/treatment areas.

4.2.2 Ongoing Stormwater Treatment and Discharge

The Mahaanui IMP requires that all future development provided by the plan change should incorporate on-site stormwater treatment of all impervious areas, with the ultimate goal of protecting and enhancing both existing soil and waterways. This should include the consideration of vegetated swales, rain gardens, retention/treatment basins and constructed wetlands that utilise indigenous plant species to reduce stormwater quantity and achieve better water quality outcomes, as well as improving biodiversity. Utilising storm filters and/or incorporating permeable pavers/surfaces for any future carparks should also be considered.

The IMP also advocates for the use of on-site water reduction, collection and reuse technologies (eg. rainwater tanks; water efficient fixtures and alternative grey water/sewage systems) as part of future development. The IMP also supports monitoring and reporting of stormwater discharges to ensure any systems installed are not adversely effecting waterways. These are dealt with separately in sections 4.2.3 and 4.3 below.

RECOMMENDATION 4: That SDC ensure that future development of the site is required to provide on-site stormwater retention and treatment to account for all impervious surfaces created, and that these systems consider the incorporation of indigenous species to provide additional biodiversity benefits.

4.2.3 Low Impact Design and Development

The future use of the land also raises potential issues associated with the contribution of waste water to the Leeston system and its resulting discharge to the environment, as well as both the use of freshwater for potable supply as well as the generation of electricity, which have wider environmental impacts of concern to Papatipu Rūnanga. The Mahaanui IMP therefore advocates for the use of low impact urban design and sustainability options to reduce the development footprint on existing infrastructure and the environment. This includes sustainable building design, landscaping, solar passive design, rainwater collection and greywater recycling, low energy/water fittings, insulation and alternative energy generation. Therefore, it is recommended that these measures be considered and incorporated into future development. Cultural design elements should also be considered and are dealt with in section 4.5.2.

RECOMMENDATION 5: That SDC incorporate low impact urban design within future development of the property, including landscape design, rainwater collection, low energy/water infrastructure, insulation and alternative energy sources/systems.

4.3 Waimāori – Freshwater

The proposed plan change has the potential to impact on the cultural health of waterways within and around the site, as well as Te Waihora. These impacts largely relate to stormwater discharge from future development on the site as well as the potential for increased flooding, sediment and erosion. There are also other potential impacts associated with potable water use and wastewater discharge contributions into the Leeston system. These issues have been dealt with in section 4.2 above.

The major freshwater issue with the plan change, and highlighted in the Mahaanui IMP, relates to the protection of existing waterways, waipuna (springs) and wetlands. Waipuna are considered taonga by manawhenua and require protection to maintain the special qualities they possess. Generally, the favoured approach is to protect and enhance any springs with planting and/or fencing and the

incorporation of these into developments as features to be celebrated. Any springs unearthed during construction should also be protected and enhancement, including daylighting and/or piping to existing waterways.

To this end, the two known springs on the site located near the Bell homestead, which are also identified as wāhi taonga as part of the proposed District Plan, should be specifically identified for protection and enhancement as part of the plan change and/or any ODP developed going forward.

Further to the above, there are a number of other existing waterways within the plan change area that should also be protected and enhanced. These include the main stream running through the middle of the Bell property and the waterway running along Volckman Rd, both of which are part of Leeston Creek and flow on to discharge into Te Waihora. Again, fencing and planting and incorporating the waterway as a feature of future development is the favoured approach of rūnanga.

Ecological assessment and ongoing monitoring of waterways as an inherent part of land use activities is also supported by Papatipu Rūnanga and Mahaanui IMP policy. This can include the opportunity for undertaking cultural monitoring. Monitoring is particularly important for subdivision, zoning and plan change proposals and the associated stormwater, flooding, sediment, erosion and contamination issues that can arise from future development. Incorporating this into the plan change is therefore important for minimizing impacts on cultural values associated with waterways, including mahinga kai.

RECOMMENDATION 6: That SDC ensure existing waipuna within the plan change area (and others discovered during future development) are protected and enhanced via fencing and indigenous planting (and/or by redirecting or daylighting), and that this involves resourced input from Papatipu Rūnanga.

RECOMMENDATION 7: That SDC ensure that existing waterways within the plan change area are protected and enhanced via fencing and indigenous riparian planting (as well as the implementation of appropriate stormwater treatment), and that this involves resourced input from Papatipu Rūnanga.

RECOMMENDATION 8: That SDC ensure that existing waterways are assessed and monitored before, during and after development of the site, with a particular focus on water quality, freshwater ecology and mahinga kai values, and that this involves resourced input from Papatipu Rūnanga.

4.4 Tāne Mahuta - Mahinga Kai and Indigenous Biodiversity

The proposed plan change has the potential to have both positive and negative impacts on mahinga kai values. Negative impacts largely relate to reducing available habitat amongst the existing vegetation and open land, as well as stormwater, wastewater and potable water generation and use that can in-turn impact existing and downstream freshwater habitats and species, including Te Waihora.

Due to the current state of the site and existing land-use, however, the area is largely devoid of mahinga kai values. Furthermore, there is potential for new areas of indigenous planting and habitat to be created through appropriate design and development, particularly around stormwater infrastructure as well as in both streets and reserves.

Because no detailed plot, landscape or stormwater plan has been developed at this stage, it is difficult to fully assess potential impacts or benefits. However, as noted above, the incorporation and integration of indigenous biodiversity as part of future development can lead to positive cultural outcomes, as well as satisfying Mahaanui IMP policies and manawhenua aspirations.

RECOMMENDATION 9: That SDC ensure the future development of the site requires the incorporation of valued indigenous species as part of street, park/open space and stormwater infrastructure, including those that support habitat for valued mahinga kai.

Appropriate species include (but are not limited to):

- Tōtara (primary/large street/reserve tree);
- Kānuka (secondary/medium street/reserve tree);
- Horoeka/Lancewood (secondary/medium street/reserve tree);
 - Kōwhai (secondary/medium street/reserve tree);
 - Houhi/Lacebark (secondary/medium street/reserve tree);
- Manatū/Ribbonwood (secondary/medium street/reserve tree);
- -Ti Kouka/cabbage tree (secondary street/reserve tree/amenity plant);
 - Harakeke/Flax (reserve/amenity plant); and
- Hebe, coprosma, native tussock and grass species (reserve/amenity plants)

RECOMMENDATION 10: That SDC encourage indigenous planting regimes as part of design guidelines for the future development of industrial zoned land.

4.5 Ngā Tūtohu Whenua – Heritage and Significant Sites

As noted previously, there are two waipuna within the plan change area, both of which are identified in the proposed District Plan as wāhi taonga. Recommendations for the protection and enhancement of these are dealt with in section 4.3 above.

4.5.1 Archaeological Sites and Accidental Discovery

Beyond the above, there are no other known or recorded sites of cultural significance within the plan change area. Moreover, the Leeston area was not known as an area of traditional settlement, other than for mahinga kai. Therefore, it is considered a low risk area for the discovery of archaeological sites and artefacts, and just requires the implementation of an Accidental Discovery Protocol (ADP) with Te Taumutu Rūnanga as part of the plan change. The Mahaanui IMP ADP is included in Appendix C.

RECOMMENDATION 11: That SDC include an Accidental Discovery Protocol (ADP) developed in conjunction with Papatipu Rūnanga as part of the plan change, and as part of any future consents or development on the site.

4.5.2 Cultural Design

Mahaanui IMP policies support the incorporation of cultural design elements into future development. This can include specifically designed stormwater infrastructure and indigenous planting, as well as other forms of design, including access ways, view shafts, artwork as well as street, facility and reserve naming. These are aimed at improving the recognition and incorporation of Ngāi Tahu heritage values into development.

In particular, cultural design elements can include:

- retaining physical landscape features (natural mounds/bunds/basins) and planting patterns;
- > the use of appropriate native plantings, both in streets and reserves, as well as part of stormwater systems;
- > developing specific street/park furniture (seats, bins, playground equipment, lighting etc) and sculpture/artwork; and
- considering the design, shape and materials used for pathways, roadways, bridges, fences and entranceways.

This can also include consideration and utilisation of the Te Aranga Māori Design Principles and/or the Matapopore Urban Design Guidelines, both of which provide guidance for the incorporation of Māori values in urban design. For more information please see:

- http://www.aucklanddesignmanual.co.nz/design-thinking/maori-design/te_aranga_principles
- https://matapopore.co.nz/wp-content/uploads/2016/05/Matapopora-UDG-Finalv3-18Dec2015.pdf

RECOMMENDATION 12: That SDC consider the incorporation to cultural design elements as part of the future development of the plan change area.

5. Kā Tūtohu / Recommendations

RECOMMENDATION hat SDC include a summary of the engagement, issues and recommendations arising from this CIA as part of any plan change application and/or Outline Development Plan.

RECOMMENDATION That SDC commit to resourcing ongoing engagement with Papatipu Rūnanga to provide input into and feedback on the zoning plan change as well as the future design and development of the site.

RECOMMENDATION That SDC ensure that all future earthworks and construction on the site are managed with an appropriate erosion and sediment control plan, as well as incorporating on-site stormwater management that is directed to appropriately designed and constructed retention/treatment areas.

RECOMMENDATION That SDC ensure that future development of the site is required to provide onsite stormwater retention and treatment to account for all impervious surfaces created, and that these systems consider the incorporation of indigenous species to provide additional biodiversity benefits.

RECOMMENDATION That SDC incorporate low impact urban design within future development of the property, including landscape design, rainwater collection, low energy/water infrastructure, insulation and alternative energy sources/systems.

RECOMMENDATION That SDC ensure existing waipuna within the plan change area (and others discovered during future development) are protected and enhanced via fencing and indigenous planting (and/or by redirecting or daylighting), and that this involves resourced input from Papatipu Rūnanga.

RECOMMENDATIO That SDC ensure that existing waterways within the plan change area are protected and enhanced via fencing and indigenous riparian planting (as well as the implementation of appropriate stormwater treatment), and that this involves resourced input from Papatipu Rūnanga.

RECOMMENDATIO That SDC ensure that existing waterways are assessed and monitored before, during and after development of the site, with a particular focus on water quality, freshwater ecology and mahinga kai values, and that this involves resourced input from Papatipu Rūnanga.

RECOMMENDATIONThat SDC ensure the future development of the site requires the incorporation of valued indigenous species as part of street, park/open space and stormwater infrastructure, including those that support habitat for valued mahinga kai. Appropriate species include (but are not limited to):

- Tōtara (primary/large street/reserve tree);
- Kānuka (secondary/medium street/reserve tree);
- Horoeka/Lancewood (secondary/medium street/reserve tree);
- Kōwhai (secondary/medium street/reserve tree);
- Houhi/Lacebark (secondary/medium street/reserve tree);
- Manatū/Ribbonwood (secondary/medium street/reserve tree);
- -Ti Kouka/cabbage tree (secondary street/reserve tree/amenity plant);
- Harakeke/Flax (reserve/amenity plant); and
- Hebe, coprosma, native tussock and grass species (reserve/amenity plants).

RECOMMENDATION: That SDC encourage indigenous planting regimes as part of design guidelines for the future development of industrial zoned land.

RECOMMENDATIO: That SDC include an Accidental Discovery Protocol (ADP) developed in conjunction with Papatipu Rūnanga as part of the plan change, and as part of any future consents or development on the site.

RECOMMENDATION That SDC consider the incorporation to cultural design elements as part of the future development the plan change area.

Apitihanga / Appendices

Appendix A – Relevant Mahaanui IMP Policies

Appendix B – Mahaanui IMP Subdivision and Development Guidelines

Appendix C – Mahaanui IMP Accidental Discovery Protocol

Appendix A – Relevant Mahaanui IMP Policies

Kaitiakitanga

- K3.3 To require that local authorities engage with Papatipu Rūnanga in the spirit of Te Tiriti o Waitangi and the purpose and principles of the RMA. This includes, but is not limited to:
 - (a) Establishment of robust processes to facilitate engagement with Ngāi Tahu, at operational and political levels;
 - (b) Increased kaitiaki control, partnership or influence over taonga (i.e. species or places) of value to Ngāi Tahu culture and identity, including joint or co-management, or the transfer of powers, duties and/or functions to Ngāi Tahu;
 - (c) Implementation of Iwi Management Plans, in territorial and regional planning processes;
 - (d) Involvement of Ngāi Tahu in the 'front end' of the planning process for plan and policy statement development and review;
 - (e) Appointment of Ngāi Tahu commissioners on hearings panels and planning committees;
 - (f) Ensuring that resource consent applications identify and assess effects on Ngāi Tahu cultural values;
 - (g) Recognition that tāngata whenua interests are greater than that of an affected party; and
 - (h) Recognition of Ngāi Tahu developed planning tools as mainstream techniques for monitoring and assessing the state of the environment (e.g. State of Takiwā Monitoring; COMAR).
- > K3.4 To require that Mahaanui IMP 2013 is recognised and implemented as a collective and mandated manawhenua planning document.
- ➤ K4.1 To enhance the exercise of kaitiakitanga through establishing relationships and recognising collaborative opportunities with external agencies (e.g. local government, Historic Places Trust, Crown Research Institutes) and the wider community, including but not limited to:
 - (a) Collaborative management opportunities for areas of particular cultural significance; and
 - (b) Research partnerships.

Papatūānuku

Urban and Township Planning

- P3.1 To require that local government recognise and provide for the particular interest of Ngãi Tahu Papatipu Rūnanga in urban and township planning.
- ➤ P3.2 To ensure early, appropriate and effective involvement of Papatipu Rūnanga in the development and implementation of urban and township development plans and strategies, including but not limited to:
 - (a) Urban development strategies;
 - (b) Plan changes and Outline Development Plans;
 - (c) Area plans;
 - (d) Urban planning guides, including landscape plans, design guides and sustainable building guides;
 - (e) Integrated catchment management plans (ICMP) for stormwater management;
 - (f) Infrastructure and community facilities plans, including cemetery reserves; and
 - (g) Open space and reserves planning.
- ▶ P3.3 To require that the urban development plans and strategies as per Policy P3.2 give effect to the Mahaanui IMP and recognise and provide for the relationship of Ngāi Tahu and their culture and traditions with ancestral land, water and sites by:
 - (a) Recognising Te Tiriti o Waitangi as the basis for the relationship between Ngãi Tahu and local government;
 - (b) Recognising and providing for sites and places of importance to tāngata whenua;
 - (c) Recognising and providing for specific values associated with places, and threats to those values;
 - (d) Ensuring outcomes reflect Ngāi Tahu values and desired outcomes; and
 - (e) Supporting and providing for traditional marae based communities to maintain their relationship with ancestral land.

Sub-division and development

P4.1 To work with local authorities to ensure a consistent approach to the identification and consideration of Ngāi Tahu interests in subdivision and development activities, including:

- (a) Encouraging developers to engage with Papatipu Rūnanga in the early stages of development planning to identify potential cultural issues; including the preparation of Cultural Impact Assessment reports;
- (b) Ensuring engagement with Papatipu Rūnanga at the Plan Change stage, where plan changes are required to enable subdivision;
- (c) Requiring that resource consent applications assess actual and potential effects on tangata whenua values and associations;
- (d) Ensuring that effects on tāngata whenua values are avoided, remedied or mitigated using culturally appropriate methods;
- (e) Ensuring that subdivision consents are applied for and evaluated alongside associated land use and discharge consents; and
- (f) Requiring that 'add ons' to existing subdivisions are assessed against the policies in this section.
- P4.2 To support the use of the following methods to facilitate engagement with Papatipu Rūnanga where a subdivision, land use or development activity may have actual or potential adverse effects on cultural values and interests:
 - (a) Site visit and consultative hui;
 - (b) Cultural Impact Assessment (CIA) reports; and
 - (c) Tāngata Whenua Advisory Groups.
- P4.3 To base t\u00e4ngata whenua assessments and advice for subdivision and residential land development proposals on a series of principles and guidelines associated with key issues of importance concerning such activities, as per Ng\u00e4i Tahu subdivision and development guidelines.

Stormwater

- P6.1 To require on-site solutions to stormwater management in all new urban, commercial, industrial and rural developments (zero stormwater discharge off site) based on a multi-tiered approach to stormwater management:
 - (a) Education engaging greater general public awareness of stormwater and its interaction with the natural environment, encouraging them to take steps to protect their local environment and perhaps re-use stormwater where appropriate;
 - (b) Reducing volume entering system implementing measures that reduce the volume of stormwater requiring treatment (e.g. rainwater collection tanks);
 - (c) Reduce contaminants and sediments entering system maximising opportunities to reduce contaminants entering stormwater e.g. oil collection pits in carparks, education of residents, treat the water, methods to improve quality; and
 - (d) Discharge to land based methods, including swales, stormwater basins, retention basins, and constructed wetponds and wetlands (environmental infrastructure), using appropriate native plant species, recognising the ability of particular species to absorb water and filter waste.
- ▶ P6.2 To oppose the use of existing natural waterways and wetlands, and drains, for the treatment and discharge of stormwater in both urban and rural environments.

Earthworks

- > P11.1 To assess proposals for earthworks with particular regard to:
 - (a) Potential effects on wāhi tapu and wāhi taonga, known and unknown;
 - (b) Potential effects on waterways, wetlands and waipuna;
 - (c) Potential effects on indigenous biodiversity;
 - (d) Potential effects on natural landforms and features, including ridge lines;
 - (e) Proposed erosion and sediment control measures; and
 - (f) Rehabilitation and remediation plans following earthworks.
- > P11.8 To require the planting of indigenous vegetation as an appropriate mitigation measure for adverse impacts that may be associated earthworks activity.
- ➤ P11.9 To require stringent and enforceable controls on land use and earthworks activities as part of the resource consent process, to protect waterways and waterbodies from sedimentation, including but not limited to:
 - (a) The use of buffer zones;
 - (b) Minimising the extent of land cleared and left bare at any given time; and
 - (c) Capture of run-off, and sediment control.

Soil conservation

P9.1 To sustain and safeguard the life supporting capacity of soils, mô tâtou, â, mô kâ uri â muri ake nei.

- > P9.2 To require the appropriate valuation of soil resources as taonga and as natural capital, providing essential ecosystem services.
- P9.3 To protect the land from induced soil erosion as a result of unsustainable land use and development.
- > P9.4 To support the following methods and measures to maintain or improve soil organic matter and soil nutrient balance, and prevent soil erosion and soil contamination:
 - (a) Matching land use with land capability (i.e. soil type; slope, elevation);
 - (b) Organic farming and growing methods;
 - (c) Regular soil and foliage testing on farms, to manage fertiliser and effluent application levels and rates;
 - (d) Stock management that avoids overgrazing and retires sensitive areas;
 - (e) Restoration and enhancement of riparian areas, to reduce erosion and therefore sedimentation of waterways;
 - (f) Restoration of indigenous vegetation, including the use of indigenous tree plantations as erosion control and indigenous species in shelter belts; and
 - (g) Avoiding leaving large areas of land/soil bare during earthworks and construction activities.

Discharge to land

- P8.1 To require that discharge to land activities in the takiwā:
 - (a) Are appropriate to the soil type and slope, and the assimilative capacity of the land on which the discharge activity occurs;
 - (b) Avoid over-saturation and therefore the contamination of soil, and/or run off and leaching; and
 - (c) Are accompanied by regular testing and monitoring of one or all of the following: soil, foliage, groundwater and surface water in the area.
- ▶ P8.2 In the event that that accumulation of contaminants in the soil is such that the mauri of the soil resource is compromised, then the discharge activity must change or cease as a matter of priority.

Waimāori

Water Quality

- > WM6.1 To require that the improvement of water quality in the takiwā is recognised as a matter of regional and immediate importance.
- WM6.2 To require that water quality in the takiwā is of a standard that protects and provides for the relationship of Ngāi Tahu to freshwater.
- WM6.8 To continue to oppose the discharge of contaminants to water, and to land where contaminants may enter water.
- WM6.9 To require that local authorities work to eliminate existing discharges of contaminants to waterways, wetlands and springs in the takiwā, including treated sewage, stormwater and industrial waste, as a matter of priority.
- > WM6.10 To require that the regional council classify the following discharge activities as prohibited due to significant effects on water quality:
 - (a) Activities that may result in the discharge of sewage (treated or untreated), stormwater, industrial waste, animal effluent or other contaminants to water, or onto land where contaminants may enter water; and
- WM6.11 Consented discharge to land activities must be subject to appropriate consent conditions to protect ground and surface water, including but not limited to:
 - (a) Application rates that avoid over saturation and nutrient loading;
 - (b) Setbacks or buffers from waterways, wetlands and springs;
 - (c) Use of native plant species to absorb and filter contaminants; including riparian and wetland establishment and the use of planted swales; and
 - (d) Monitoring requirements to enable assessment of the effects of the activity.
- WM6.16 To require, in the first instance, that all potential contaminants that may enter water (e.g. nutrients, sediments and chemicals) are managed on site and at source rather than discharged off site. This applies to both rural and urban activities.
- ➤ M6.17 To require the development of stringent and enforceable controls on the following activities given the risk to water quality:
 - (a) Intensive rural land use (see Issue WM.7);
 - (b) Subdivision and development adjacent to waterways;

- (c) Discharge to land activities associated with industry;
- (d) Activities in the bed and margins of waterways, including gravel extraction; and
- (e) Upper catchment activities such as forestry and vegetation clearance.
- WM6.19 To promote the restoration of wetlands and riparian areas as part of maintaining and improving water quality, due to the natural pollution abatement (treatment) functions of these taonga.
- WM6.20 To require that the regional council prohibit any further drainage, destruction or modification of remnant wetlands or existing native riparian vegetation, particularly given the function of these taonga in mitigating the effects of land use on water quality.
- WM6.22 To require that local authorities afford appropriate weight to tangata whenua values when assessing the costs and benefits of activities that may have adverse effects on water quality.
- WM6.23 To ensure that economic costs do not take precedence over the cultural, environmental and intergenerational costs of poor water quality.

Beds and Margins

- WM12.2 To require the protection and restoration of native riparian vegetation along waterways and lakes in the takiwā as a matter of priority, and to ensure that this can occur as a permitted activity.
- WM12.4 All waterways in the urban and built environment must have indigenous vegetated healthy, functioning riparian margins.
- WM12.5 To require that all waterways in the urban and built environment have buffers or set back areas from residential, commercial or other urban activity that are:
 - (a) At least 10 metres, and up to 30 metres; and
 - (b) Up to 50 metres where there is the space, such as towards river mouths and in greenfield areas.
- WM12.6 In the urban environment, it is accepted that waterways may have existing exotic vegetation along margins (e.g. exotic specimen trees in waterside reserves). However the objective is still to promote native riparian vegetation, as taonga valued for flood control, the maintenance of water quality, mahinga kai and cultural wellbeing.
- WM12.7 To require all esplanade reserves and esplanade strips established on subdivisions to incorporate native riparian planting.
- WM12.14 To protect the beds and margins of foothill, lowland, and coastal waterways from effects associated with rural land use by requiring a 20 metre buffer or set back area from the waterway, or whatever distance is appropriate to ensure:
 - (a) Capture of run-off and protection of water quality;
 - (b) Protection of eco-cultural attributes such as mahinga kai; and
 - (c) Prevention of stock access to waterways.

Wetlands, waipuna and riparian margins

- WM13.1 To recognise and protect all wetlands, waipuna and riparian areas as wāhi taonga that provide important cultural and environment benefits, including but not limited to:
 - (a) Mahinga kai habitat;
 - (b) The provision of resources for cultural use;
 - (c) Cultural well-being;
 - (d) The maintenance and improvement of water quality; and
 - (e) Natural flood protection.
- WM13.2 To protect, restore and enhance remaining wetlands, waipuna and riparian areas by:
 - (a) Maintaining accurate maps of existing wetlands, waipuna and riparian margins;
 - (b) Requiring that the drainage of existing wetlands or waipuna or the destruction or modification of existing native riparian areas be a prohibited activity;
 - (c) Requiring the use of appropriate fencing, buffers and set back areas to protect wetlands, waipuna and riparian areas from intensive land use, including stock access and irrigation;
 - (d) Supporting initiatives to restore wetlands, waipuna and riparian areas; and
 - (e) Continuing to educate the wider community and landowners of the taonga value of these ecosystems.
- WM13.3 To support the establishment, enhancement and restoration of wetlands, riparian areas and waipuna as a measure to avoid, remedy or mitigate any actual or potential adverse effects of land use and development activities on cultural and environmental values.

- WM13.4 To advocate for resource management plans, policies and rules that lead to a net gain in wetlands throughout the takiwā as well as no loss of remaining natural wetlands.
- > WM13.5: To advocate, where appropriate, for the creation of wetland areas to assist with the management of onsite/site sourced stormwater and other wastewater, to utilise the natural capacity of these ecosystems to filter contaminants. These wetlands must be constructed wetlands; natural wetlands are not be used to treat or dispose of wastewater. However, they may be adjacent to natural wetlands, to mitigate the impacts on natural systems.

Tāne Mahuta

Mahinga Kai

- TM1.2 To advocate that the protection and restoration of traditional and contemporary mahinga kai sites and species is recognised and provided for as a matter of national importance under the RMA 1991.
- TM1.3 To progressively enhance and restore mahinga kai resources and sites and the customary use traditions associated with such resources.
- > TM1.8 To require that landowners and commercial land users protect remnant areas of indigenous biodiversity.

Indigenous Biodiversity

- > TM2.5: To require ... specific policy and rules to protect, enhance and extend existing remnant and restored areas of indigenous biodiversity in the takiwā.
- TM3.6 To support local and regional restoration groups and efforts.

Restoration

TM4.5 To support private landowners and conservation groups that are undertaking weed and pest control programmes.

Ngā Tūtohu Whenua

Cultural landscapes

- CL1.8 To identify opportunities to enhance cultural landscapes, including but not limited to:
 - a) Restoration/enhancement of indigenous biodiversity;
 - b) Enhancing views and connections to landscape features;
- CL1.9 To enhance Ngāi Tahu cultural landscape values in the takiwā by:
 - a. Protection and restoration of places of cultural value to Ngāi Tahu, including those associated with mahinga kai:
 - p. Restoration and enhancement of indigenous biodiversity on the landscape, rural and urban;

Wāhi tapu me wāhi taonga:

- CL3.8 To require, where a proposal is assessed by tangata whenua as having the potential to affect wāhi tapu or wāhi taonga, one or more of the following:
 - (i) Cultural Impact Assessment (CIA);
 - (ii) Site visit;
 - (iii) Archaeological assessment, by a person nominated by the Papatipu Rūnanga;
 - (iv) Cultural monitoring to oversee excavation activity, record sites or information that may be revealed, and direct tikanga for handling cultural materials;
 - (v) Inductions for contractors undertaking earthworks;
 - (vi) Accidental discovery protocol agreements (ADP); and/or
 - (vii) Archaeological Authority from the New Zealand Historic Places Trust.
- CL3.10 When an archaeological assessment is required or archaeology is undertaken at a site or area where wāhi tapu and wāhi taonga values exist or may exist:
 - (a) The consultant archaeologist should be determined by the Papatipu Rūnanga;
 - (b) The Papatipu Rūnanga will advise whether a cultural monitor is required;
 - (c) Cultural monitors are responsible to the Papatipu Rūnanga, and not the archaeologist; and
 - (d) The Papatipu Rūnanga may have specific tikanga requirements with regard to the recording, handling, storage, care and final placement of taonga.
- CL3.11 Any application for an Archaeological Authority to damage, destroy or modify a wāhi tapu or wāhi taonga site must involve engagement with Papatipu Rūnanga.

- CL3.13 Where an Archaeological Authority is granted, Papatipu Rūnanga must be involved in the establishment of conditions on the authority, including
 - (a) Cultural monitoring provisions;
 - (b) Induction training for contractors undertaking earthworks; and
 - (c) Tikanga issues surrounding accidental discoveries.

Access

- CL5.2 To increase the ability of Ngãi Tahu whānui to access wāhi tapu and wāhi taonga on private land by any of the following means:
 - (a) Engaging landowners to develop access arrangements;
 - (b) Engaging landowners to develop management plans to protect sites;
 - (c) Purchasing land outright;
 - (d) Opposing development that may 'lock places away'
 - (e) Registering sites or places with the NZHPT;
 - (f) Caveats on land titles;
 - (g) Creation of reserves; and
 - (h) Use of covenants.
- CL5.3 To require that local government recognise and provide for the importance of paper roads to ensuring tāngata whenua access to wāhi tapu and wāhi taonga, by:
 - (a) Identifying all paper roads on council maps; and
 - (b) Developing explicit policy and rules to protect and enforce the right of tangata whenua to use paper roads.

Ingoa wāhi

- CL6.2 To encourage the use of Ngãi Tahu place names in addition to those amended under the NTCSA.
- CL6.6 To ensure that the use of ingoa wāhi on the landscape (e.g. in subdivisions, naming of buildings) occurs in consultation with, and is approved by, Papatipu Rūnanga (see Issue CL7).

Ngāi Tahu tikanga tūturu:

- CL7.1 To encourage the use and representation of Māori culture (e.g. tikanga, kawa, markers, symbols, names, design) in public open space and the built environment, including but not limited to:
 - (a) Pouwhenua and wāharoa; and
 - (b) Naming of features, roads, reserves, or buildings.
- CL7.3 To support the use of interpretation as a tool to recognise and provide for the relationship of Ngāi Tahu to particular places, and to incorporate Ngāi Tahu culture and values into landscape design.
- CL7.5 To require that any interpretation or information relating to Ngāi Tahu history, values, traditions or place names is agreed to and approved by Papatipu Rūnanga.

Maunaa:

- CL8.1 To protect the views of ancestral maunga, from marae and other culturally important sites such as ancestral pā and mahinga kai sites.
- CL8.2 To prohibit the erection of buildings or structures on our ancestral maunga.
- CL8.3 To actively encourage the use of ingoa wāhi associated with maunga.

Te Waihora

- > TW4.1 To require that the management of land and water in the Te Waihora catchment recognises and provides for the relationship between catchment land use, tributary flow, drain management, water quality, the coastal environment and the cultural health of Te Waihora.
- > TW4.3 To advocate for the development of an integrated surface water/groundwater/lake-water management plan for the Te Waihora catchment, recognising and giving effect to:
 - (a) Mauri and mahinga kai as first order priorities;
 - (b) The relationship between groundwater and surface water;
 - (c) The relationship between tributary water quality and flow and the health of Te Waihora; and
 - (d) Effects of land use on water quality and quantity, particularly farm run-off.

- > TW6.3 To require that any mechanism, plan or policy designed to recognise and protect the values of Te Waihora confirms the status of Ngāi Tahu as tangata whenua, the mana of Ngāi Tahu as landowner, and the customary importance of the lake as mahinga ka.i
- > TW7.1 To require that the restoration of water quality in lowland streams is addressed as a matter of priority in the takiwā, to enable Ngāi Tahu and the wider community to fish, swim and engage with our waterways as we once did.
- TW8.1 To require that the wāhi taonga status of wetlands, waipuna and riparian margins is recognised and provided for in the catchment, as per general policy on Wetlands, waipuna and riparian margins (Section 5.3 Issue WM13).
- > TW9.1 To utilise the methods set out in general policy Section 5.8 (Issue CL1: Cultural Landscapes, and Issue CL3: Wāhi tapu me wāhi taonga) to protect wāhi tapu and wāhi taonga in the catchment from inappropriate land use, subdivision and development.

Appendix B – Mahaanui IMP Subdivision and Development Guidelines

Cultural landscapes

- 1.1 A cultural landscape approach is the most appropriate means to identify, assess and manage the potential effects of subdivision and development on cultural values and significant sites [refer Section 5.8 Issue CL1].
- 1.2 Subdivision and development that may impact on sites of significance is subject Ngāi Tahu policy on Wāhi tapu me wāhi taonga and Silent Files (Section 5.8, Issues CL3 and CL4).
- 1.3 Subdivision and development can provide opportunities to recognise Ngāi Tahu culture, history and identity associated with specific places, and affirm connections between tangata whenua and place, including but not limited to:
 - (i) Protecting and enhancing sites of cultural value, including waterways;
 - (ii) Using traditional Ngāi Tahu names for street and neighbourhood names, or name for developments;
 - (iii) Use of indigenous species as street trees, in open space and reserves;
 - (iv) Landscaping design that reflects cultural perspectives, ideas and materials;
 - (v) Inclusion of interpretation materials, communicating the history and significance of places, resources and names to tangata whenua; and
 - (v) Use of tangata whenua inspired and designed artwork and structures.

Stormwater

- 2.1 All new developments must have on-site solutions to stormwater management (i.e. zero stormwater discharge off site), based on a multi-tiered approach to stormwater management that utilises the natural ability of Papatūānuku to filter and cleanse stormwater and avoids the discharge of contaminated stormwater to water [refer to Section 5.4, Policy P6.1].
- 2.2 Stormwater swales, wetlands and retention basins are appropriate land based stormwater management options. These must be planted with native species (not left as grass) that are appropriate to the specific use, recognising the ability of particular species to absorb water and filter waste;
- 2.3 Stormwater management systems can be designed to provide for multiple uses. For example, stormwater management infrastructure as part of an open space network can provide amenity values, recreation, habitat for species that were once present on the site, and customary use.
- 2.4 Appropriate and effective measures must be identified and implemented to manage stormwater run off during the construction phase, given the high sediment loads that stormwater may carry as a result of vegetation clearance and bare land.
- 2.5 Councils should require the upgrade and integration of existing stormwater discharges as part of stormwater management on land rezoned for development.
- 2.6 Developers should strive to enhance existing water quality standards in the catchment downstream of developments, through improved stormwater management.

Earthworks

- 3.1 Earthworks associated with subdivision and development are subject to the general policy on Earthworks (Section 5.4 Issue P11) and Wāhi tapu me wāhi taonga (Section 5.8, Issue CL3), including the specific methods used in high and low risk scenarios for accidental finds and damage to sites of significance.
- 3.2 The area of land cleared and left bare at any time during development should be kept to a minimum to reduce erosion, minimise stormwater run off and protect waterways from sedimentation.
- 3.3 Earthworks should not modify or damage beds and margins of waterways, except where such activity is for the purpose of naturalisation or enhancement.
- 3.4 Excess soil from sites should be used as much as possible on site, as opposed to moving it off site. Excess soil can be used to create relief in reserves or buffer zones.

Water supply and use

- 4.1 New developments should incorporate measures to minimise pressure on existing water resources, community water supplies and infrastructure, including incentives or requirements for:
 - (i) low water use appliances and low flush toilets;
 - (ii) grey water recycling; and
 - (ii) rainwater collection.
- 4.2 Where residential land development is proposed for an area with existing community water supply or infrastructure, the existing supply or infrastructure must be proven to be able to accommodate the increased population prior to the granting of subdivision consent.

4.3 Developments must recognise, and work to, existing limits on water supply. For example, where water supply is an issue, all new dwellings should be required to install rainwater collection systems.

Waste treatment and disposal

- 5.1 Developments should implement measures to reduce the volume of waste created within the development, including but not limited incentives or requirements for:
 - (i) Low water use appliances and low flush toilets;
 - (i) Grey water recycling; and
 - (iii) Recycling and composting opportunities (e.g. supporting zero waste principles).
- 5.2 Where a development is proposed for an area with existing wastewater infrastructure, the infrastructure must be proven to be able to accommodate the increased population prior to the granting of the subdivision consent.
- 5.3 New rural residential or lifestyle block developments should connect to a reticulated sewage network if available.
- 5.4 Where new wastewater infrastructure is required for a development:
 - (i) The preference is for community reticulated systems with local treatment and land based discharge rather than individual septic tanks; and
 - (ii) Where individual septic tanks are used, the preference is a wastewater treatment system rather than septic tanks.

Design guidelines

- 6.1 New developments should incorporate low impact urban design and sustainability options to reduce the development footprint on existing infrastructure and the environment, including sustainable housing design and low impact and self sufficient solutions for water, waste, energy such as:
 - (i) Position of houses to maximise passive solar gain;
 - (ii) Rainwater collection and greywater recycling;
 - (iii) Low energy and water use appliances;
 - (iv) Insulation and double glazing; and
 - (v) Use of solar energy generation for hot water.
- 6.2 Developers should provide incentives for homeowners to adopt sustainability and self sufficient solutions as per 6.1 above.
- 6.3 Urban and landscape design should encourage and support a sense of community within developments, including the position of houses, appropriately designed fencing, sufficient open spaces, and provisions for community gardens.
- 6.4 Show homes within residential land developments can be used to showcase solar hot water, greywater recycling and other sustainability options, and raise the profile of low impact urban design options.

Landscaping and open space

- 7.1 Sufficient open space is essential to community and cultural well-being, and the realization of indigenous biodiversity objectives, and effective stormwater management.
- 7.2 Indigenous biodiversity objectives should be incorporated into development plans, consistent with the restoration and enhancement of indigenous biodiversity on the landscape.
- 7.3 Indigenous biodiversity objectives to include provisions to use indigenous species for:
 - (i) street trees;
 - (ii) open space and reserves;
 - (iii) native ground cover species for swales;
 - (iv) stormwater management network; and
 - (v) home gardens.
- 7.4 Indigenous species used in planting and landscaping should be appropriate to the local environment, and where possible from locally sourced seed supplies.
- 7.5 Options and opportunities to incorporate cultural and/or mahinga kai themed gardens in open and reserve space can be considered in development planning (e.g. pā harakeke as a source of weaving materials; reserves planted with tree species such as mātai, kahikatea and tōtara could be established with the long term view of having mature trees available for customary use).
- 7.6 Developers should offer incentives for homeowners to use native species in gardens, including the provision of lists of recommended plants to avoid, discounts at local nursery, and landscaping ideas using native species.

Note: These guidelines are to be read in conjunction with Policies P4.1, P4.2 and P4.3.

Appendix C – Mahaanui IMP Accidental Discovery Protocol

Appendix 3: Accidental Discovery Protocol

PRIOR TO COMMENCEMENT OF ANY WORKS, A COPY OF THIS ADP SHOULD BE MADE AVAILABLE TO ALL CONTRACTORS WORKING ON SITE.

Purpose

This Accidental Discovery Protocol (ADP) sets out the procedures that must be followed in the event that taonga (Māori artefacts), burial sites/kōiwi (human remains), or Māori archaeological sites are accidentally discovered.

The Protocol is provided by [----] Rūnanga. [----] Rūnanga is the representative body of the tangata whenua who hold manawhenua in the area defined as [-----].

Background

Land use activities involving earthworks have the potential to disturb material of cultural significance to tangata whenua. In all cases such material will be a taonga, and in some cases such material will also be tapu. Accidental discoveries may be indicators of additional sites in the area. They require appropriate care and protection, including being retrieved and handled with the correct Māori tikanga (protocol).

Under the *Historic Places Act 1993*, an archaeological site is defined as any place associated with pre-1900 human activity, where there is material evidence relating to the history of New Zealand. It is unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site (known or unknown) without the prior authority of the NZ Historic Places Trust (NZHPT). This is the case regardless of the legal status of the land on which the site is located, whether the activity is permitted under the District or Regional Plan or whether a resource or building consent has been granted. The NZHPT is the statutory authority for archaeology in New Zealand.

Note that this ADP does not fulfill legal obligations under the Historic Places Act 1993 regarding non-Māori archaeology. Please contact the Historic Places Trust for further advice.

Immediately following the discovery of material suspected to be a taonga, kōiwi or Māori archaeological site, the following steps shall be taken:

1. All work on the site will cease immediately.

- Immediate steps will be taken to secure the site to ensure the archaeological material is not further disturbed.
- The contractor/works supervisor/owner will notify the Kaitiaki Rūnanga and the Area Archaeologist of the NZHPT. In the case of kōiwi (human remains), the New Zealand Police must be notified.
- 4. The Kaitiaki Rūnanga and NZHPT will jointly appoint/ advise a qualified archaeologist who will confirm the nature of the accidentally discovered material.
- If the material is confirmed as being archaeological, the contractor/works supervisor/owner will ensure that an archaeological assessment is carried out by a qualified archaeologist, and if appropriate, an archaeological authority is obtained from NZHPT before work resumes (as per the *Historic Places Act* 1993).
- The contractor/works supervisor/owner will also consult the Kaitiaki Rūnanga on any matters of tikanga (protocol) that are required in relation to the discovery and prior to the commencement of any investigation.
- If kōiwi (human remains) are uncovered, in addition to the steps above, the area must be treated with utmost discretion and respect, and the kōiwi dealt with according to both law and tikanga, as guided by the Kaitiaki Rūnanga.
- 8. Works in the site area shall not recommence until authorised by the Kaitiaki Rūnanga, the NZHPT (and the NZ Police in the case of kōiwi) and any other authority with statutory responsibility, to ensure that all statutory and cultural requirements have been met.
- 9. All parties will work towards work recommencing in the shortest possible time frame while ensuring that any archaeological sites discovered are protected until as much information as practicable is gained and a decision regarding their appropriate management is made, including obtaining an archaeological authority under the *Historic Places Act* 1993 if necessary. Appropriate management may include recording or removal of archaeological material.
- 10. Although bound to uphold the requirements of the Protected Objects Act 1975, the contractor/works supervisor/owner recognises the relationship between Ngãi Tahu whānui, including its Kaitiaki Rūnanga, and any taonga (Māori artefacts) that may be discovered.

IF IN DOUBT, STOP AND ASK; TAKE A PHOTO AND SEND IT TO THE NZHPT ARCHAEOLOGIST $\,$

Contact Details				
Xxx	xxx			
03 357 9615	archaeologistcw@historic.org.nz			
03 357 9629	infosouthern@historic.org.nz			
03 357 9620	mhadvisorcw@historic.org.nz			
XXX				
	03 357 9615 03 357 9629 03 357 9620			



Te Taumutu Runanga

75 Main South Road, Upper Riccarton PO Box 3214, Christchurch Phone 03 - 371 2660

Ngāti Moki Marae Pohau Road RD3 Taumutu Phone 03-324 2454

10th July 2019

Tēnā koe,

RE: LEESTON INDUSTIRAL ZONING CULTURAL IMPACT ASSESSMENT

This letter is to confirm that Te Taumutu Rūnanga endorse the recommendations contained from the Cultural Impact Assessment report re: "Leeston Industrial Zoning" prepared by Craig Pauling of Boffa Miskal Ltd.

If you have any queries or would like further clarification please do not hesitate to contact Craig Pauling directly on Craig.Pauling@boffamiskell.co.nz

Julie Robilliard,

Te Taumutu Rūnanga, Chair.

of Mabilliard

Date: 10.07.2019