

Cultural Impact Assessment

For Te Puawai subdivision and development by
Wānaka Developments Ltd

Prepared by Te Ao Marama Inc for Waihōpai Rūnaka



Mihi/Acknowledgements

Te Ōhaki ā te Rakitauneki
Tāpuketia au kia marama ai taku Titiro ki te Ara Kewa

Bury me so that my view is clear all the way to the Ara a Kewa (Foveaux Strait)

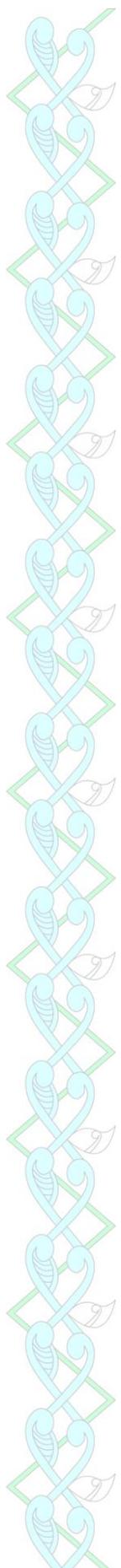
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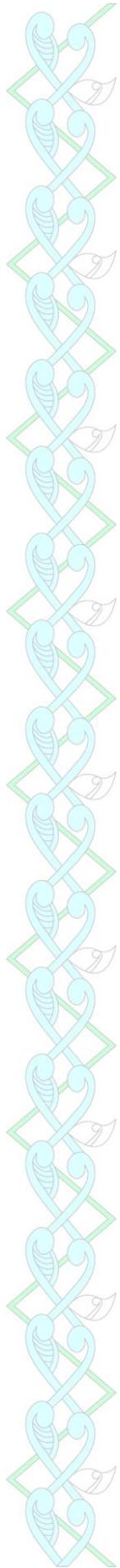


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Executive Summary

Wānaka Developments Ltd are undertaking a private plan change to enable subdivision and development on the corner of Rockdale Road and Tramway Road. As part of this plan change the applicant has engaged Te Ao Marama Inc. to undertake a Cultural Impact Assessment (CIA) to assess the Ngāi Tahu ki Murihiku values within the landscape and potential effects on Murihiku marae.

This assessment will document the impacts of the activities on those values that are held by mana whenua. This document will improve the understanding of those activities on mana whenua values and assist consultation through the plan change and development process.

Currently there has been engagement between the applicant and rūnanga. Below is a list of what has been agreed upon:

- The name of the Subdivision is called Te Puawai.
- The reserve/wetland area adjoining the marae site to the west of the new road will be transferred to iwi on the basis that stormwater management will be developed for the wider catchment within this area and the waterways will be protected in perpetuity by way of easement. The wider management of this area will then fall with Iwi.
- The land to the north of the Maree will be made available to the iwi to purchase at a price of \$500,000 + GST. This land will enable Iwi to build Kaumatua housing. The developer would like to be consulted on design to ensure that it is in keeping with the rest of the new development.

In assessing the potential effects of the proposed rezoning of land, Te Rūnanga o Waihōpai identified several issues of concern with respect to adverse effects on cultural values, including:

- Risk to amenity values
- Lack of archaeological information
- To have appropriate street names in the development
- Risk of using inappropriate plants during development
- Risks to freshwater.

The following points have been raised in the Impact Assessment and need to be considered by Wānaka Developments:

- To reduce noise levels during construction particularly if there are events on at the marae.
- To ensure lighting is designed to complement the dark skies particularly for the celebration of Matariki.
- To mitigate the obstruction of views to landscape particularly the view shaft is designed correctly to
- That the smoke from fires does not obstruct the views or provide any risk to human health.
- That the development does not cause any offensive smells.
- That a qualified archaeologist is engaged to undertake an archaeological assessment.
- Following this if there is no evidence found as a minimum the Accidental Discovery Protocol is used as a condition of consent (this can be found in Appendix 3).

- To consult early with rūnanga around the use of Ngāi Tahu names within the subdivision.
- To plant species that are indigenous and local to the area.
- To use the nursery situated on the marae for the use of plants, these will be sourced locally and propagated here which will have the biggest benefit in survival.
- To work with whānau early on to ensure the correct plants are sourced and ready for the development.
- To consider the use of green swales rather than hard surface for drains and ditches throughout the development.
- To construct bunds to mitigate sediment run off during construction.
- To discharge stormwater first to land before it enters water to allow Papatūānuku to filter out any contaminants.
- To limit the selling of alcohol to cafes and restaurants within the subdivision.
- To not allow the use of electronic gaming machines within the subdivision.

Ngāi Tahu has a long association with the Murihiku region. Ngāi Tahu led a nomadic lifestyle, following resources throughout the region. The use of the areas was extensive rather than intensive. Intimacy with and knowledge of the terrain was built up over generations and passed from one generation to another generation.

Subdivisions themselves are only lines on maps and therefore have no adverse environmental effects. It is the subsequent developments associated with the subdivision that has the potential to impact significantly upon Ngāi Tahu values and beliefs. The potential adverse effects are associated with effects on the spiritual value of water, effects on mahinga kai, effects on terrestrial vegetation, effects on aquatic biota, and the effect on water quality. Ngāi Tahu values need to be respected when dealing with any activity that poses risks. These values and beliefs are central to Ngāi Tahu existence. Any impact upon one value will impact upon all including and inevitably putting the health and wellbeing of humans at risk.

Through proper planning and management these risks may be reduced or eliminated. Nga rūnanga have identified in the previous section of this report the effects that are to be avoided. Ngā rūnanga are unlikely to submit against the application provided the adverse effects identified are avoided and addressed as conditions of consent.

Introduction

Wānaka Developments Ltd are undertaking a private plan change to enable subdivision and development on the corner of Rockdale Road and Tramway Road. As part of this plan change the applicant has engaged Te Ao Marama Inc. to undertake a Cultural Impact Assessment (CIA) to assess the Ngāi Tahu ki Murihiku values within the landscape and potential effects on Murihiku marae.

This assessment will document the impacts of the activities on those values that are held by mana whenua. This document will improve the understanding of those activities on mana whenua values and assist consultation through the plan change and development process.

Disclaimer: Cultural information contained within this report cannot be distributed or used without the permission of Waihōpai Rūnaka. This assessment is to be used for the current plan change and development and for consent applications associated with the subdivision development Te Puawai. If Wānaka Developments require any information for other purposes they need to contact either Te Ao Marama Inc. or Waihōpai Rūnaka. Use of the report by Wānaka Developments, or any other party, in any other circumstances (for example, subsequent applications for other projects) will be subject to written approval by Waihōpai Rūnaka.

Report Scope

This report documents Waihōpai Rūnaka cultural values associated within the landscape proposed to be developed. In doing so it will provide background information to help Wānaka Developments to better understand the Waihōpai Rūnaka values of this landscape. It will inform Wānaka Developments on the impacts of the proposed development against those values.

This report provides some context and information that aids the Kaitiaki Papatipu Rūnanga (via Te Ao Marama Inc.) on these issues. It may assist further discussions on Wānaka Developments proposal. However, this report simply provides background information and cannot be considered to represent any decisions by the Kaitiaki Rūnanga Papatipu (via Te Ao Marama Inc.).

Methodology

Information within this document is based on current available literature and conversations held with Waihōpai Rūnaka whānau, Te Ao Marama Inc staff, and local experts.

The reviewed literature included: Historical literature, scientific reports, Iwi Management Plans, and information provided by the applicant.

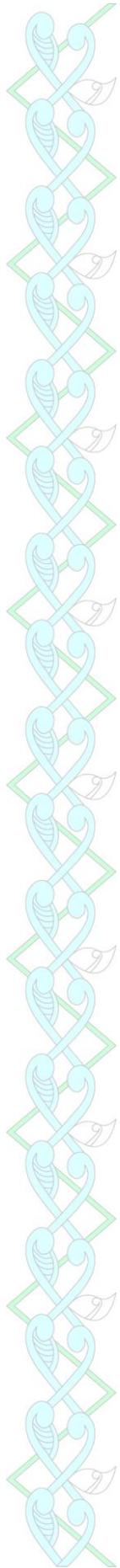
Hui were held with rūnaka members on the:

10 August 2020
1 October 2020,
3 October 2020

Hui with the applicant and consultants were held:

10 August 2020

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Mana Whenua

Te Rūnanga o Ngāi Tahu is the tribal representative body of Ngāi Tahu whānui, established under the Te Rūnanga o Ngāi Tahu Act, 1996. There are 18 Papatipu Rūnanga that constitute the membership of Te Rūnanga o Ngāi Tahu. The Te Rūnanga o Ngāi Tahu Act, 1996 and the Ngāi Tahu Claims Settlement Act, 1998 give recognition of the status of Papatipu Rūnanga as the repositories of the kaitiaki and mana whenua status of Ngāi Tahu Whānui over the natural resources within their takiwā boundaries.

In Murihiku there are four Papatipu Rūnanga whose members hold mana whenua status within the region. Te Rūnanga o Ngāi Tahu (Declaration of Membership) Order 2001 describes the takiwā of these four as follows:

- Waihōpai Rūnaka - centres on Waihōpai and extends northwards to Te Mata-au sharing an interest in the lakes and mountains to the western coast with other Murihiku Rūnanga and those located from Waihemo southwards.
- Te Rūnanga o Awarua - centres on Awarua and extends to the coasts and estuaries adjoining Waihōpai sharing an interest in the lakes and mountains between Whakatipu-Waitai and Tawhititarere with other Murihiku Rūnanga and those located from Waihemo southwards.
- Te Rūnanga o Oraka Aparima - centres on Oraka and extends from Waimatuku to Tawhititarere sharing an interest in the lakes and mountains from Whakatipu-Waitai to Tawhititarere with other Murihiku Rūnanga and those located from Waihemo southwards.
- Te Rūnanga o Hokonui - centres on the Hokonui region and includes a shared interest in the lakes and mountains between Whakatipu-Waitai and Tawhititarere with other Murihiku Rūnanga and those located from Waihemo southwards.

Te Ao Marama Inc. represents the interests of three of these rūnanga on matters in particular those matters pertaining to the management of natural resources under the Resource Management Act, 1991 and the Local Government Act, 2002.

The takiwā of Waihōpai Rūnaka extend across the area of Waihōpai (Invercargill). Waihōpai Rūnaka will be consulted over this project as the resource consent application is within their takiwā.

Wānaka Developments Proposal

Wānaka Developments are a residential property operation and development company, who are based in Queenstown.

Currently the applicant is seeking a plan change to rezone the development site (please see attachment 1 for draft masterplans) from Rural zone to allow residential use. This will be a mix of Residential Zone 1, Business 5 Zone (neighborhood shops) and a medium density zone.

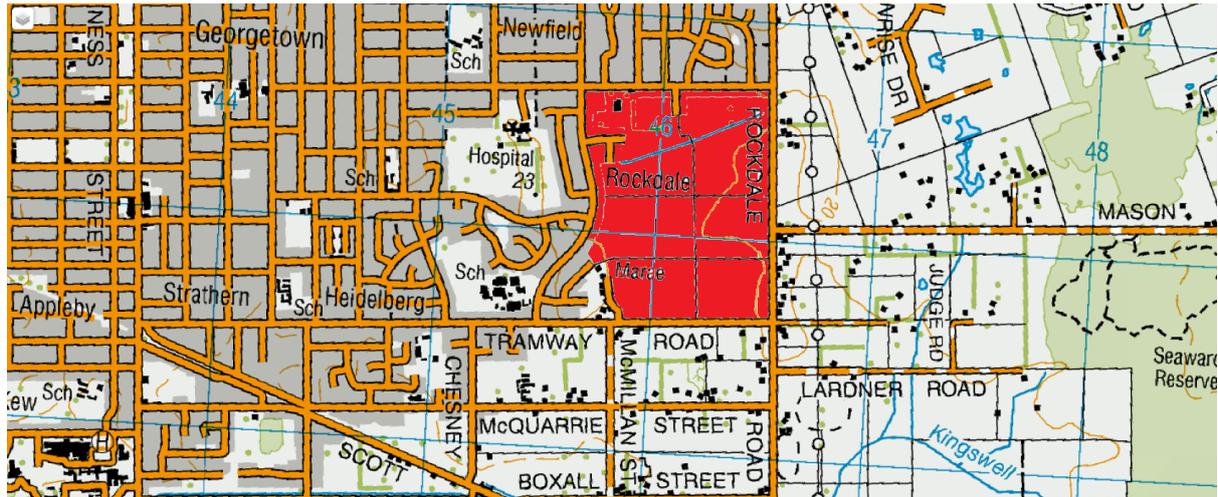


Figure 2: Proposed site of Development.

While this is for a private plan change, the resource consents will need to follow before any development can be undertaken. The main points of development currently are:

- ❖ Low density (>651m²) on the perimeter of the development (Tramway and Rockdale Roads)
- ❖ A commercial node in the centre of the site.
- ❖ High density (≤450m²) around the commercial node and main roads
- ❖ Medium density (451m² - 650m²) elsewhere.
- ❖ Two large reserve areas which may incorporate stormwater management.
- ❖ Smaller neighbourhood reserve/park areas.
- ❖ Connections to surrounding streets including to main through roads.
- ❖ Potential for an area to be appropriately zoned for a retirement village.

The commercial node is intended to contain typical suburban retail and service activities such as corner dairy, takeaways, chemist, child minding, café, hairdresser, doctor's clinic etc. it is intended to provide linkages throughout the site to ensure pedestrian and cycling opportunities are available, reducing the need to use cars.

The stormwater management for the site will not be finalised until development/subdivision plans are prepared but the intention is that the reserve areas will be utilised for stormwater management with best practice green principles being utilised. An option being considered is a wetland area in front of the marae with this to be planted out in wetland grasses/native plants and with walkways/cycleways winding through and linking to other park/reserve areas. (An example of how this might look is attached but please note these are illustrative concept plans only). Swales will be used where



possible along the main roads to reduce the use of piped infrastructure and provide additional amenity along the road corridors.

The overall intention of the Wanaka Developments Ltd is to create a high-quality suburb of Invercargill that residents can have pride in. The varied lot areas allow for a range of resident requirements, from those wanting easy care sections/apartments to larger families or residents wanting more space. The development will be designed to be walkable with the central commercial node and reserve areas providing spaces for residents to meet and connect.

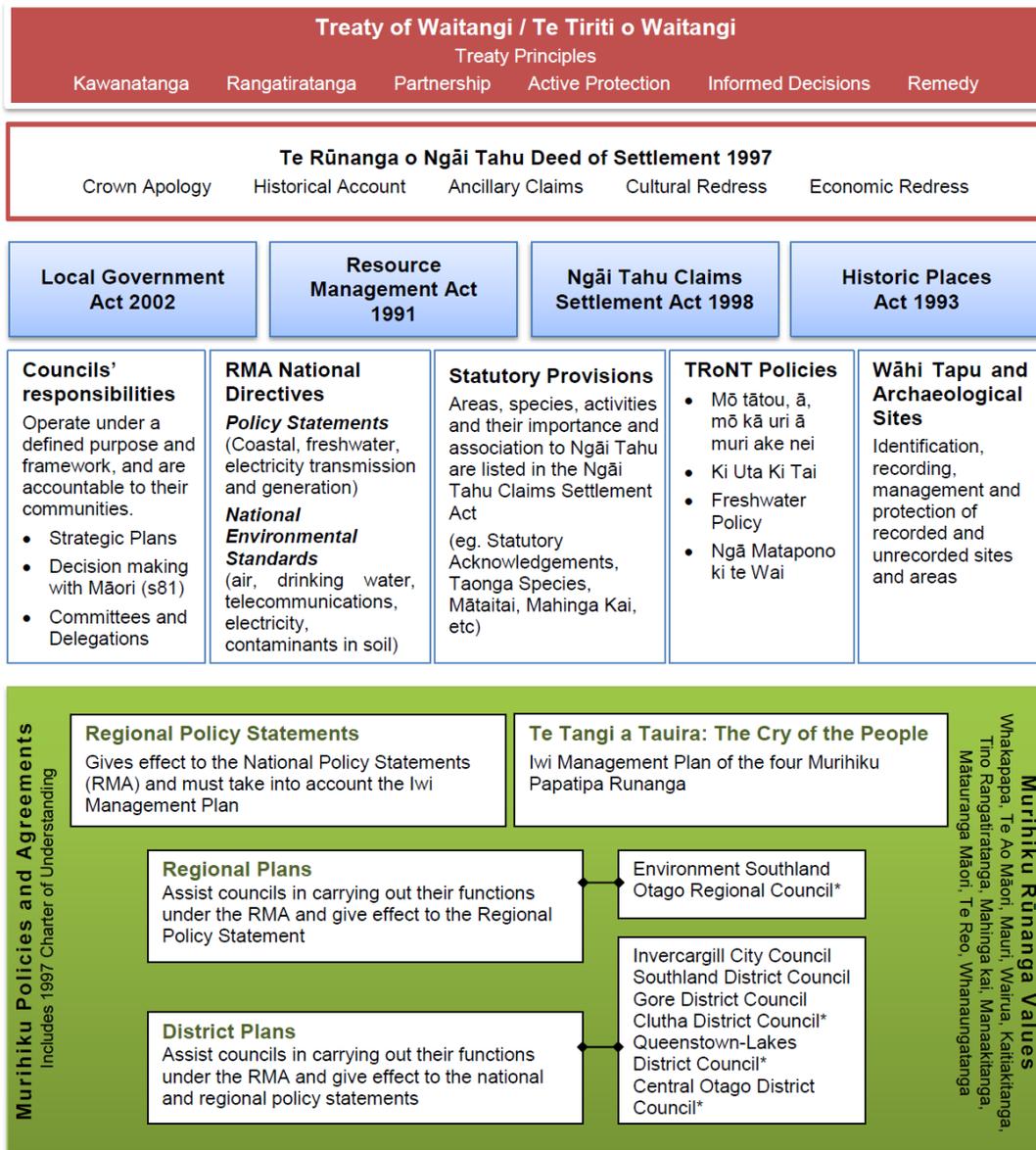


Legal and Policy Scope

It is helpful to understand the broad legal and policy context for Ngāi Tahu ki Murihiku natural resource management. Various legislation, policies and agreements helps guide TAMI's policy development for resource management in Murihiku. Figure 5 lists and shows the hierarchy of this regulatory context.

Regulatory and Iwi Context for Te Ao Marama

This diagram outlines the hierarchy of agreements, acts, policies, plans and values that help inform Te Ao Marama's policy development, views and expectations for resource management in Murihiku.



Murihiku takiwā covers part of the Council's territorial area = *

FIGURE 3: THE REGULATORY RESOURCE MANAGEMENT FRAMEWORK THAT HELPS INFORM TE AO MĀRAMA INCORPORATED POLICY DEVELOPMENT IN MURIHIKU. (SOURCE: TE AO MĀRAMA INC, A. CAIN)

These include responsibilities under the Local Government Act 2002, Resource Management Act 1991, Ngāi Tahu Claims Settlement Act 1998, NZ Pouhere Taonga Act 2014, and RMA national directives such as the National Policy Statement for Freshwater Management and Regional plans (including Water and Coastal)

Te Rūnanga o Ngāi Tahu Act, 1996

Te Rūnanga o Ngāi Tahu Act 1996 (the TRoNT Act) was passed in 1996, to give a legal identity to the Ngāi Tahu iwi. The TRoNT Act establishes the body corporate of Te Rūnanga o Ngāi Tahu as the tribal representative body of Ngāi Tahu Whānui, with relevant provisions including the following:

- Section 3: “this Act binds the Crown and every person (including any body politic or corporate) whose rights are affected by any provisions of this Act”;

Section 5: describes the takiwā or tribal area of Ngāi Tahu Whānui, as including all the lands, islands and coasts of the South Island/Te Waipounamu south of White Bluffs/Te Parinui o Whiti on the east coast and Kahurangi Point/Te Rae o Kahurangi on the west coast;

- Sections 7 and 13: defines the members of Ngāi Tahu Whānui and the members of the Papatipu Rūnanga of Ngāi Tahu Whānui;
 - Section 15 (status of Te Ngāi o Ngāi Tahu):
1. Te Rūnanga o Ngāi Tahu shall be recognised for all purposes as the representative of Ngāi Tahu Whānui.
 2. Where any enactment requires consultation with any iwi or with any iwi authority, that consultation shall, with respect to matters affecting Ngāi Tahu Whānui, be held with Te Rūnanga o Ngāi Tahu.
 3. Te Rūnanga o Ngāi Tahu, in carrying out consultation under subsection (2) of this section:
 - a. shall seek the views of such Papatipu Rūnanga of Ngāi Tahu Whānui and such hapū as in the opinion of Te Rūnanga o Ngāi Tahu may have views that they wish to express in relation to the matter about which Te Rūnanga o Ngāi Tahu is being consulted;
 - b. shall have regard, among other things, to any views obtained by Te Rūnanga o Ngāi Tahu under paragraph (a) of this subsection; and
 - c. shall not act or agree to act in a manner that prejudices or discriminates against, any Papatipu Rūnanga of Ngāi Tahu or any hapū unless Te Rūnanga o Ngāi Tahu believes on reasonable grounds that the best interests of Ngāi Tahu Whānui as a whole require Te Rūnanga o Ngāi Tahu to act in that manner.

First Schedule: Identifies the Papatipu Rūnanga of Ngāi Tahu Whānui and their respective takiwā.

For Iwi Consultation under the RMA 1991 and other associated acts in Murihiku the kaitiaki rūnanga are authorised to represent the Iwi authority in Murihiku. If the issues are of a wider Treaty or Precedent character, there is a requirement to consult with Te Rūnanga o Ngāi Tahu.

Ngāi Tahu Claims Settlement Act, 1998

The Ngāi Tahu Claims Settlement Act 1998 gives effect to the provisions of the Deed of Settlement, entered into between Ngāi Tahu and the Crown in 1997. The key elements of the Ngāi Tahu settlement can be summarised as follows:

- Apology: Crown apologises unreservedly to Ngāi Tahu Whānui for the suffering and hardship caused to Ngāi Tahu.
- Aoraki/Mount Cook: gifting of Aoraki, co-management and renaming.
- Cultural Redress: restores effective Kaitiakitanga
- Non-Tribal Redress: provides certainty and results.
- Economic Redress: income generated by tribal assets provides funds for social and cultural development.

A significant component of the Ngāi Tahu Settlement is the cultural redress elements, which seek to restore the ability of Ngāi Tahu to give practical effect to its kaitiaki responsibilities. Relevant “cultural redress” elements of the Ngāi Tahu Settlement include:

- ownership and control: pounamu/greenstone, high country stations, four specific sites (including Rarotoka/Centre Island, Whenua Hou/ Codfish Island, former Crown Titi Islands) and Wāhi Taonga.
- Mana Recognition: Statutory Acknowledgements, Deeds of Recognition, Tōpuni, Dual Place Names.
- Mahinga kai: Nohoanga, Customary Fisheries Management, Taonga Species Management, Coastal Space.
- Management Input: Statutory Advisor, Dedicated Memberships, Department of Conservation Protocols, Resource Management Act Implementation, Heritage Protection Review.

Resource Management Act, 1991

The Resource Management Act 1991 (RMA) is New Zealand’s primary piece of legislation for sustainably managing natural and physical resources. The RMA contains various provisions that incorporate Maori values into the management of natural resources.

Key provisions include the requirement in the RMA for all persons exercising functions and powers (including policy/plan making and resource consent processes) to:

- recognise and provide for, as a matter of National Importance:
 - the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other Taonga.
 - the protection of historic heritage from inappropriate subdivision, use, and development.
 - the protection of recognised customary activities.
- have particular regard to Kaitiakitanga.
- Take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The RMA makes specific provisions for iwi management plans. In relation to iwi management plans, regional councils and territorial authorities are required to “...take into account any relevant planning document recognised by an iwi authority and lodged with a local authority...”, under the provisions of Sections 61(2A)(a), 66(2A)(a), 74(2A)(a) of the RMA. This is relevant to local authorities preparing a Regional Policy Statement, Regional Plans and District Plans.

Local Government Act, 2002

The Local Government Act 2002 (LGA) provides for local authorities to promote the social, economic, environmental, and cultural well-being of their communities, taking a sustainable development approach. The LGA requires persons exercising functions and powers under it to:

- ❖ recognise and respect the Crown’s responsibility to take account of the Treaty of Waitangi;

- ❖ maintain and improve opportunities for Māori to contribute to local government decision-making processes (including Section 81 of the LGA).

Amongst other things, the special consultative procedure, and preparation of Long-Term Council Community/Annual Plans are relevant to LGA processes.

Section 77 of the Local Government Act 2002 also requires that a local authority must, in the course of the decision-making process, take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.

Te Tangi a Tauira, 2008

In 2008, Te Tangi a Tauira: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan was published. This Iwi Management Plan consolidates Ngāi Tahu ki Murihiku values, knowledge and perspectives on natural resource and environmental management issues.

Its prime purpose is to assist Ngāi Tahu ki Murihiku in carrying out kaitiaki roles and responsibilities. It is also designed to assist local authorities and government agencies in understanding tangata whenua values and policy. It helps applicants and consultants understand issues that need to be addressed in applications to achieve whānau ora.

It provides a framework for Nga Tahu ki Murihiku to effectively participate in environmental policy and planning, in order to achieve good environmental outcomes and healthy environments for iwi and the wider community.

It is important to understand the specific sections and policies that are relevant to the current proposal. (The policies of relevance to the application can be found in appendix 2)



Cultural Landscape

Cultural landscapes represent the “combined works of nature and man” and the term embraces a diversity of manifestations of the interaction between humankind and the natural environment. Cultural landscapes often reflect specific techniques of sustainable land-use, considering the characteristics and limits of the natural environment they are established in, and a specific spiritual relation to nature.¹

In tradition, the South Island is formed from the wreckage of Te Waka o Aoraki. Aoraki and his brothers came down from the heavens where they lived with their father Rangi (Sky father) in their waka to visit their stepmother Papatūānuku (earth mother). After all their tasks had been performed, they wished to return to their home in the sky. A karakia (prayer) was performed to return them safely but unfortunately an error was made, and the waka crashed back to earth.

Aoraki and his brothers climbed onto the upturned waka where they turned to stone. They can now be seen as the Principle Mountains of the Southern Alps, of which Aoraki (Mt Cook) is the greatest.

After the incident, Raki sent a number of his mokopuna (offspring) from the heavens to transform the waka into a beautiful landscape that would sustain life and mankind. Among these were Tū Te Rakiwhanoa, whose job was to carve the keel of the upturned waka into mountains and valleys, Kahukura had the job to forest bare landscape and fill it with animals, and Marokura carved the bays, inlets and estuaries and populated them with fish of many varieties.

Proceeding south, Tu te Rakiwhanoa found the taurapa (Stern) sitting up in an awkward position. He saw that water had flooded into the stern of the waka, the area that we now call Bluff Hill and Awarua. The great swampland was formed. Today the district of Invercargill City from Bluff to Waihōpai sits on the taurapa of this ancient waka.

Ngāi tahu whānui have a long history in this area, particularly being attracted by the bountiful mahinga kai. This area has a network of kāinga (settlements), Ara (trails), quarries, nohoanga (seasonal and hunting and gathering grounds).

Waihōpai takiwā has important historical and contemporary associations.

The associations are documented in the landscape as wāhi Ingoa, place names, sites, whakapapa and uses of the area. The history and connection with the area is also represented in artwork such as kowhaiwhai panels. These art works represent the unique history of the areas and the intimate relationships with tūpuna (ancestors)

Indigenous people’s health and wellbeing can depend on the interactions of people, place and nature–culture relationships.² For Māori such interactions are iwi/hapū/whānau specific, and the culture– environment connection interlinks with the biophysical and spiritual dimensions of cultural identity. Tribal land can be viewed as an extension of a sense of self and collective being.³

¹ World Heritage Centre, 2013.

² Ngāi Tahu Claims Settlement Act 1998, Schedule 69

³ Panelli & Tipa, 2007

Ngāi Tahu used visual markers in the landscape to identify their trails, and peaks and hills were given names that remembered ancestors, which helped preserve stories and traditions down the generations. Consequently, any impact on landscape potentially impacts wāhi tapu, wāhi taonga and cultural landscapes and identity.

Important Concepts

Tino Rangatiratanga

Tino rangatiratanga is the right to make decisions for your own people concerning the resources within your takiwā. This means determining what, from a cultural perspective, represents satisfactory aquatic conditions and appropriate use.

Whakapapa

Whakapapa (genealogy) is about the relationships of all life forms to each other as well as the atua (gods). Whakapapa describes bonds, relationships, and connections. All things are linked through whakapapa.

Te Ao Māori

The environment is viewed as a whole – not as divided parts. A catchment constitutes soils, water, flora, fauna, and the relationship between them – this requires consideration of the whole catchment.

Kaitiakitanga

Te Tangi a Tauria, 2008 describes kaitiakitanga as ‘the exercise of guardianship/stewardship by the tangata whenua of an area and resources in accordance with tikanga Maori.’ Kaitiakitanga underpins the concept of maintaining the balance of human interactions with the environment. Kaitiaki are the interface between the natural and spiritual realm of resource management.⁴

Mauri

The primary management principle for Ngāi Tahu is the maintenance and enhancement of the mauri or life-giving essence of an area or resource. Mauri can be tangibly represented in terms of elements of the physical health of the land, a river, or surrounding biodiversity. While there are also many intangible qualities associated with the spiritual presence of a resource, elements of physical health which Ngāi Tahu use to reflect the status of mauri and to identify the enhancements needed include:

- Aesthetic qualities, e.g. natural character
- Indigenous flora and fauna
- Life supporting capacity and ecosystem robustness
- For rivers, the continuity of flow of water (of high quality) from the mountain source of a river to the sea
- Fitness for cultural usage; and

⁴ Kitson, 2015.

- Productive capacity

It is important to Māori to exercise kaitiakitanga to protect and maintain the mauri of taonga.

Ki Uta Ki Tai

Ngāi Tahu whānui use ki uta ki tai (from the mountains to the sea) as an overall approach to resource management, it is also a concept that manages the environment holistically. To apply ki uta ki tai correctly it requires coordinated and holistic management of the elements of a catchment including air, water, land and coast.

It is important to note that within this paradigm that if one place is affected then it impacts on all parts of a catchment, just like if one part of a body is hurt then it impacts on the whole of your body.⁵

Wai

The physical value of good water and land to Ngāi Tahu can be seen within the patterns of settlement and occupation throughout.⁶ Water is fundamental to the health and wellbeing of who we are as Māori. The health, wellbeing and Mauri of the water are directly linked to the health and wellbeing of the people.

The characteristics of the water body (smell, shape, bed, flow, etc.) have a direct impact on its health and surrounding lands, what is harvested from it and when. Preferential sites for mahinga kai tend to be hāpua (estuaries, lagoons), repo (wetlands), outlets and the riparian zones of rivers, streams, and lakes.⁷

Mahinga Kai

The Ngāi Tahu Claims Settlement Act 1998 defined mahinga kai as ‘the customary gathering of food and natural materials, and the places where those resources are gathered.’ Mahinga kai is more broadly explained in Te Tangi a Tauira (2008) as being about:

Places, ways of doings things, and resources that sustain the people. It includes the work that is done (and the fuel that is used) in the gathering of all-natural resources (plants, animals, water, sea life, pounamu) to sustain well-being. This includes the ability to clothe, feed and provide shelter.⁸

Mahinga kai is central to the Ngāi Tahu way of life and cultural wellbeing. It represents the ninth component of the ‘Nine Tall Trees’ that comprised the Ngāi Tahu Claim; an intrinsic part of the tribe’s identity, or the “DNA of Ngāi Tahu”.⁹

⁵ Kitson, 2017.

⁶ Te Marino Lenihan, 2013

⁷ Cain, A & Whaanga D, 2017.

⁸ Te Tangi a Tauira, 2008.

⁹ Kitson, J. 2017.

Manaakitanga

The support, caring and hospitality shown to guests – the ability to manaaki visitors by supplying kai sourced locally creates and maintains whānau and hapū ties and reinforces identity. Conversely the inability to manaaki guests and sustain whanaungatanga can lead to cultural loss.

Whanaungatanga

Is the value that incorporates relationships, the interrelationship with their ancestors, their whānau, hapū and iwi as well as the natural resources within their tribal boundaries. This genealogical relationship is one of the foundations upon which the Māori culture is based.

Te Reo

Language. Te Reo contains knowledge and is another expression of culture and identity. Stories, waiata and Te Reo pertain to uses, and these uses sustain the culture. When a valued species disappears from a local ecosystem or whānau cannot gather from a certain place, the associated Te Reo drops away.

Mātauranga Māori

Māori knowledge. Interacting with the environment serves the functions of passing on traditional knowledge from one generation to the next. It is developed and transmitted through the active participation of the use of natural resources. If this active participation is stopped for any reason the associated knowledge will likely disappear as well.

Tikanga Māori

The word tikanga is a derivation of the word 'tika' meaning 'right' or 'correct', in essence it is about doing things the 'right' way. Tikanga covers a wide range of areas including values, culture, protocols, customs, ethics, etiquette, sustainability, and law. It supports mana atua (spiritual), mana whenua (connection to the land), mana tupuna (ancestry), and mana tangata (people).

Tapu

Tapu is the strongest force in Māori life. It has numerous meanings and references. Tapu can be interpreted as 'sacred', or defined as 'spiritual restriction', containing a strong imposition of rules and prohibitions. A person, object or place that is tapu may not be touched or, in some cases, not even approached.

Noa

Noa is the opposite of tapu and includes the concept of 'common'. It lifts the 'tapu' from the person or the object. Noa also has the concept of a blessing in that it can lift the rules and restrictions of tapu.

Amenity Values

The value Ngai Tahu attached to land is evident from the fact that every part of the landscape was known and named. Not only were the larger mountains, rivers and plains named but every hillock, stream, and valley. It is necessary to recognise the significance of cultural landscapes in terms of the integrity of the sites of significance they contain. On a wider scale, the entire landscape is dotted with sites of significance. These places did not function in isolation from one another, but were part of a wider cultural setting that included not only sites as defined by the presence of archaeological remains, but all manner of highly valued places that were named by the earliest inhabitants of the area (Tipa & Associates 2007).

View shaft from wharenui



Figure 4: Looking out from the wharenui toward Matamata and other Wāhi Ingoa.

As described above the tupuna name for the wharenui is Te Rakitauneke who was a chief who resided here in Murihiku, specifically his pā was on the Waihōpai river and he is buried on Motupōhue. The viewshaft from the wharenui as can be seen in the photo above, looks out in a northerly direction and on a clear day the following can be seen within the landscape:

Hokanui is the traditional Māori name for East Peak, in Murihiku (Southland). The name Hokanui was incorrectly applied to the mountain range near Winton that is known today as the Hokonui Hills.

Whakaoma is the Māori name for Ship Cone, west of Hokanui (East Peak) in Murihiku (Southland).

Matamata is the grandfather and/or spiritual guardian of Te Rakitauneke. The below table is from Te Tangi a Tauria (page 112).

Matamata

The famous Ngāti Māmoe Rangatira, Te Rakitauneke had his own personal taniwha, Matamata who followed him in his journeys from Kaikōura to Murihiku. There are numerous stories relating to Matamata and this is just one of them.

Before travelling South to Murihiku, Te Rakitauneke lived at Wakāri, Otepoti. One day Te Rakitauneke decided to set off for Te Ākau Tai Tonga (the Southern Coast), however, he forgot to tell Matamata who happened to be sleeping at that time. When Matamata awoke and found his rangatira gone he was most upset and confused and immediately set out to follow him.

As Matamata tortuously made his way down the Taieri Plains he gouged out a winding watercourse which was named Rua Taniwha. He made his way up the Waipori eventually arriving at the area now known as the Hokonui Hills. On his arrival he became aware that his rangatira, Te Rakitauneke, had died at Ōmāui. Matamata was so saddened by the loss of Te Rakitauneke that heartbroken, he also died turning in to stone creating the Hokonui Hills. The Hokonui Hills are also known as Matamata.

Another legend says that Matamata could be seen smoking, firing rocks and molten material into the air which, falling to the ground created the hills known as Matamata or Hokonui.

Ōtewao/Te Ihupuni is the correct name for Forest Hill.

Ōtewao (Forest Hill) in Murihiku (Southland) was one of three large waves that capsized the famed Takitimu waka at Te Waewae Bay, on the Foveaux Strait coast. Upon entering Te Waewae Bay, the waka was capsized near the mouth of the Waiau River by three large waves forming the Takitimu Mountains. These three waves are represented by ridges in the Murihiku landscape — Ōtewao, Ōroko (Heale Ridge), and Ōkākā (Hump Ridge). Respected southern place names informant Kurupōhatu Ruru recorded Te Ihupuni as alternative name for Ōtewao.

The Takitimu Mountains are named after the famed Takitimu waka that capsized at Te Waewae Bay. Tamatea-Ure-Haea had constructed the waka and named it after his grandfather's waka. Under his command it set sail from Te Ika-a-Māui (the North Island) and down the east coast of Te Waipounamu, travelling as far south as Murihiku (Southland). Tamatea steered the waka through Te Ara-a-Kiwa (Foveaux Strait) and into Te Moana-tāpokopoko-o-Tāwhaki (the Southern Ocean) before reaching Te Waewae Bay.

Tarahau-kapiti is the Māori name for West Dome.

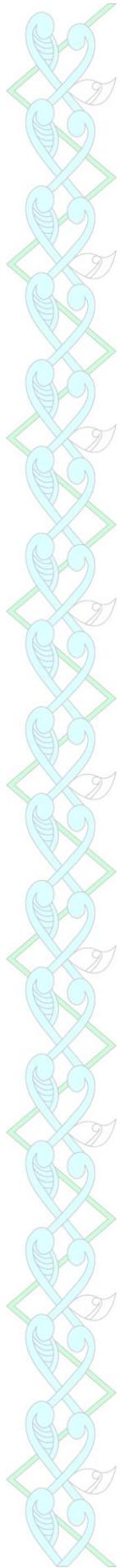
Matariki celebrations

Each year, the marae holds a ceremony to welcome the time of celebration for Matariki, during the time lunar phase of Pīpiri which is usually sometime in June/July. The festivities include lighting a fire

in the very early morning, karakia, waiata, kai and looking at the Matariki cluster to find out how abundant the upcoming year's harvest would be.



Figure 5: Michael Skerrett at Matariki morning celebrations. Photo courtesy of Dean Whaanga.



Murihiku Marae



Figure 6: Te Rakitauneke whareniui.

Ko Takitimu te maunga
Ko Takitimu me Uruaokapuarangi ngā waka
Ko Waihōpai, Kōreti, Ōtārewa, Wairaki me Whare Rā ngā Awa
Ko Ngāi Tahu, Ngāti Mamoe me Waitaha ngā Iwi
Ko Murihiku te whenua
Ko Murihiku te marae
Tihei Mauri ora

Ko Takitimu te Maunga

Tamatea Pōkai Whenua captained the waka (canoe) Takitimu which explored Te Wai Pounamu (South Island), upon reaching Te Waewae Bay where it struck trouble and capsized. After being overtaken by three large waves near the mouth of the Waiau River, the waka crashed and the maunga are considered to be the upturned hull of the waka.

Ko Takitimu me Uruaokapuarangi ngā waka

Rākaihautū was the captain of the waka Uruao and landed near Whakatū (Nelson) in ancient times. Our traditions place him and his people of Waitaha as the first human settlers in Te Waipounamu. Rākaihautū led his rōpū (group) down the middle of the island and with his kō (stick) Tū-whakaroria he dug he inland lakes and lakes near the sea.

Ngā Awa

Waihōpai is a river whose source is close to Dacre and runs in a westerly direction before turning in a southerly direction in the New River Estuary. The Waihōpai was known to be 'hip deep' and had a gravel bottom. It also led the trail from Waihōpai to Tūtūrau and vice versa, linking inland Mātara with coastal area of Waihōpai.

The Kōreti (Oreti) has its headwater close to the Mavora Lakes between Te Anau and Whakatipu-Waimāori. The rivers flow across the Southland plains until it reaches Te Ara A Kewa (Foveaux Strait). The Oreti was a traditional travel route, providing access for coastal settlements into the hinterland of Te Waipounamu.

Ōtārewa is the traditional name for Ōtepunī Creek, which flows in a westerly direction through Invercargill and into the Waihōpai River. As noted below, this was also the name for the forest that once existed between the Ōreti to Waituna. The name was incorrectly applied and Ōtepunī is actually the name of a small bush located at its headwaters.

Whare Rā is the name of the Clifton Channel, it is a smaller waterway to the south of the Invercargill centre.

Wairaki is the name for Kingswell Creek, which runs through the south of Invercargill. A branch of this stream runs through the proposed development.

Waimatua (Duck Creek) is a small Creek that flows into the New river Estuary in Murihiku.

Makatoatoa (Mokotua Stream) is the correct spelling for the Mokotua Stream, which flows into the New River Estuary. Manga, or maka in the Kāi Tahu dialect means stream, and toatoa is a species of tree.

Waipaka is a stream that flows underneath the Bluff Highway and flows from the Awarua Wetlands into the New River Estuary.

Ko Murihiku te Whenua

Kāinga/Villages

Oue at the mouth of the Kōreti, opposite Omaui was one of the principal settlements in Murihiku. Honekai was a principal chief of Murihiku in his time was resident as this settlement at the time when Captain Cook's arrival in 1770 and when the sealers arrives in the 1790's. Out in the estuary Oue Island still rises at low tide.

Across at Omaui the coastline is just as it was, the rugged outcrop of Omaui Island where Māui first explored the rohe (area). Omaui is one of the oldest names in the South.

Otaupiri was a pā site near, Tutemakohu was a grandson of Te Rakitauneke who lived here.

Taurakitewaru/Taurangaitewaru was on the Waihōpai between Kennington and Thompsons Bush. It was the home of Te Rakitauneke.

Ngāhere

Ōtārewa is the name of the bush that extended from the Kōreti Estuary to Waituna and the remnant that remains of this is Seaward Bush.

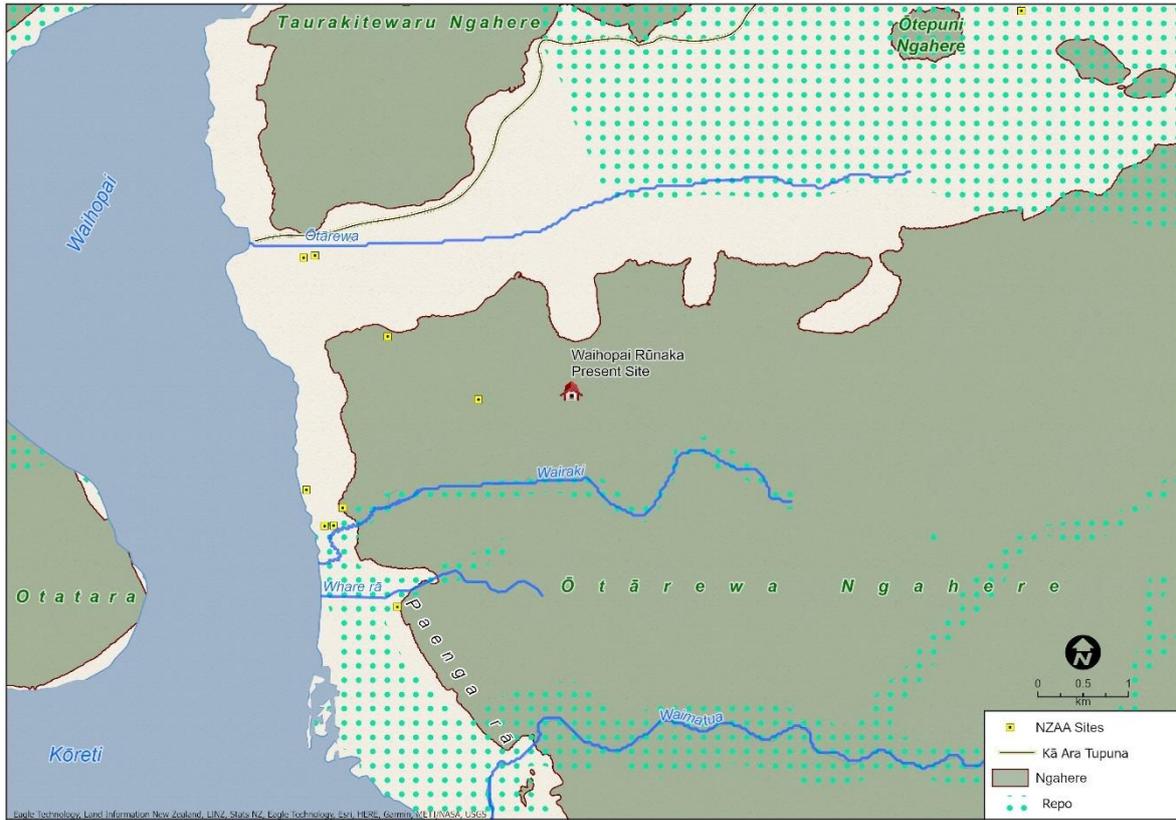


Figure 7: Murihiku historic Map. Retrieved from Te Rūnanga o Ngāi Tahu

Ko Murihiku te Marae

*We need a marae
That we have a place to stand (Tūrangawaewae)
That we may hold our funerals and weep for our dead (tangihanga)
That we may welcome and house our guests (Manuhiri)
That we may learn Te Reo and Tikanga Māori customs
That we may have our feasts (Hākari)
That we may hold our meetings (huihuingā)
That we may hold our reunions (hui whakawhānaungā)
That we may sing and dance (harihari)
That we may know the full richness of life *takaahuareka
And then discover the proud heritage that is truly ours (whakahī taha Māori)*

The events of industrialization and modern technology caused many of our people to move into towns and cities and away from their homes. There was a vision since the 1930's, to build a marae in the city of Invercargill to bring Ngāi Tahu whānau together to support and undertake cultural events such as wānanga and tangi etc. This carried on through the war years and into the 1970's until a committee was formed. Among the concerns was supporting the war efforts and raising funds to welcome our boys back from overseas.

There were many works and fund raising undertaken in the 1960's and 70's with committees meeting and various people who were fundamental in getting the marae built.

The marae was opened in 1983 with the Kokiri Centre being opened first in May and the Wharekai being opened on the 4th June and all functions were carried out in the Wharekai until the Wharenui was opened in 1990.

The name for the marae Murihiku came from the old Murihiku hall at Oraka. This hall was erected in 1904 and was used for many years with many great gatherings.

Ingoa:

Kokiri – now the offices of Waihōpai Rūnaka

Wharekai – Hine o te Iwi

Te Kōhaka Reo o Murihiku (Karapohatu) – commenced in 1984 in the Wharekai however required a building of its own and were moved to an area south of the Kokiri. Then was moved to the north of the Wharenui

Te Rakitauneke – name of the wharenui. Te Rakitauneke was a Ngāti Mamoe Rangatira (chief) who fought from Kaikōura in the north until he reached Murihiku. As said above Te Rakitauneke settled at Waihōpai on the river in Murihiku. It was here that before he passed from natural causes and asked that he be buried on top of Mōtupohue so that he could overlook that whenua he came to love so much.

Invercargill Maps

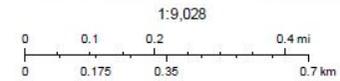


Figure 8: Aerial photo of area 1950's. Sourced from <https://gis.icc.govt.nz/ICCVIEWER/?map=a1520675a6ce4972b80903404b28b119>

Invercargill Maps



August 24, 2020



Sourced from the LINZ Data Service and licensed for re-use under the Creative Commons Attribution 4.0 New Zealand license

Figure 9: Aerial photo of area. Sourced from <https://gis.icc.govt.nz/ICCVIEWER/?map=9280f686e7be4976bcbab9ebd1ad6>

Mahinga kai

“The communal use of natural resources both for tribal consumption and trade was basic to the Māori economy and hence to the whole social fabric of tribal and inter-tribal life.”¹⁰

Mahinga kai has been literally translated as “food works.” The terms refer to the production and gathering of food and other natural resources, such as raranga (weaving) materials or other cultural materials. Mahinga kai resources are significant to iwi for more than their sustenance of physical life, health and well-being, cultural artworks, or their economic use value as trade items. A range of other cultural associations also applies.

The ability to provide hospitality to visitors is a primary cultural tenet of Māori society, reflecting on the status, economic power, reputation, and social standing of the host people. The abundance of the food able to be supplied by hosts to visiting people signifies the wealth and mana of the iwi, and their success as rangatira and kaitiaki in preserving their local resources and cultural traditions. In most instances, individual iwi are known for special local foods that represent part of their tribal identity and association with the lands and waters of their traditional territory. Those species have a value, which cannot be replaced by substitutes. In the modern context, participation in mahinga kai activities is an important expression of cultural continuity, and a means of experiencing collective activity as a coherent social group. Food and cultural materials gathering is governed by cultural practices that express the ethics of Māori conceptions of the environment and the rights and obligations of people under that conception. Continuation of these practices is an important means of passing those cultural values down to children and grandchildren, ensuring their survival through the generations.

Waterways yield mahinga kai resources directly, provide the ecosystem support for mahinga kai species (e.g. food sources for utilised species), and nourish and replenish other highly significant mahinga kai environments, including forests and coastal areas. The availability of sufficient quantities of clean fresh water for these purposes is essential to the maintenance of mahinga kai resources and their related cultural values.

1. Amongst other possible priorities, special value will be placed by tangata whenua on waterways that:
2. are significant habitats for important food species and materials such as eels, watercress, flax etc.
3. afford breeding and migratory environments for those species and the species they feed on e.g. wetlands and lagoons
4. have long-standing use histories for whānau, hapū and iwi; or
5. deserves priority protection by virtue of their physical properties, either as robust ecosystems or degraded mahinga kai environments needing restoration.

Ngāi Tahu had an intimate knowledge of the resources available to them and utilised this knowledge to develop a seasonal cycle of harvesting of mahinga kai.

Ngāi Tahu relied on a large foundation of land and water-based food resources. Because of the way in which food was collected from different areas at different times Ngāi Tahu ensured the continued

¹⁰ O'Regan p 11

availability of the resource. Ngāi Tahu had an intimate knowledge of the lifecycle of the food resources available to them. If numbers in a particular area were low, then another area could be utilised for the same resource or another resource could be collected from a different source.

Ngāi Tahu have lost a lot of their traditional food gathering places in the Murihiku Region due to a variety of reasons such as the introduction of pests, ability to access, domestic animals, pastoral farming and modification to waterways most notably through damming, abstractions for irrigation and gravel extractions. There has also occurred draining of wetlands that would once have been a natural habitat to many plants and animals valued by Ngāi Tahu.

Relative to this specific site, we have noted there is ponding of areas when the rain is heavy, there are ducks and birds that use this land. Please see photos below.



Archaeological and Wāhi tapū

There is substantial evidence of occupation and use in the Waihōpai, Kōreti, Ōtārewa, Wairaki and Whare rā catchments, including the Kōreti Estuary. Archaeological sites in this area include those used for mahinga kai, tool and waka making, habitation including kāinga, shelters, middens, nohoanga sites and burials.

Many Māori archaeological sites exist within the Murihiku region. Generally archaeological sites have been found or identified following accidental discovery by the farming community.

Te Tangi a Tauria contains maps that show in visual form the location of these sites (Please see figure 10 and 11). However, it must be understood that this does not represent all sites that are of importance to Ngāi Tahu as there will be many unrecorded sites. The sites identified only provide an understanding of areas to Ngai Tahu.

There are no recorded sites within the proximity of the development, however this does not equate to an absence of sites potentially a lack of recording or archaeological work undertaken.

This long association of Ngāi Tahu whānui with the area has already been recognized in legislation within the Ngāi Tahu Claims Settlement Act 1998.

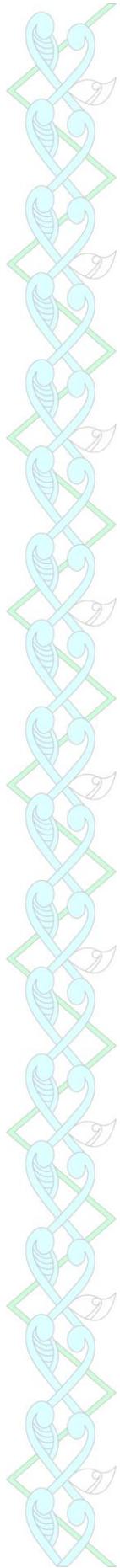




Figure 10: Map 14 of archaeological sites from Te Tangi a Taurira, 2008

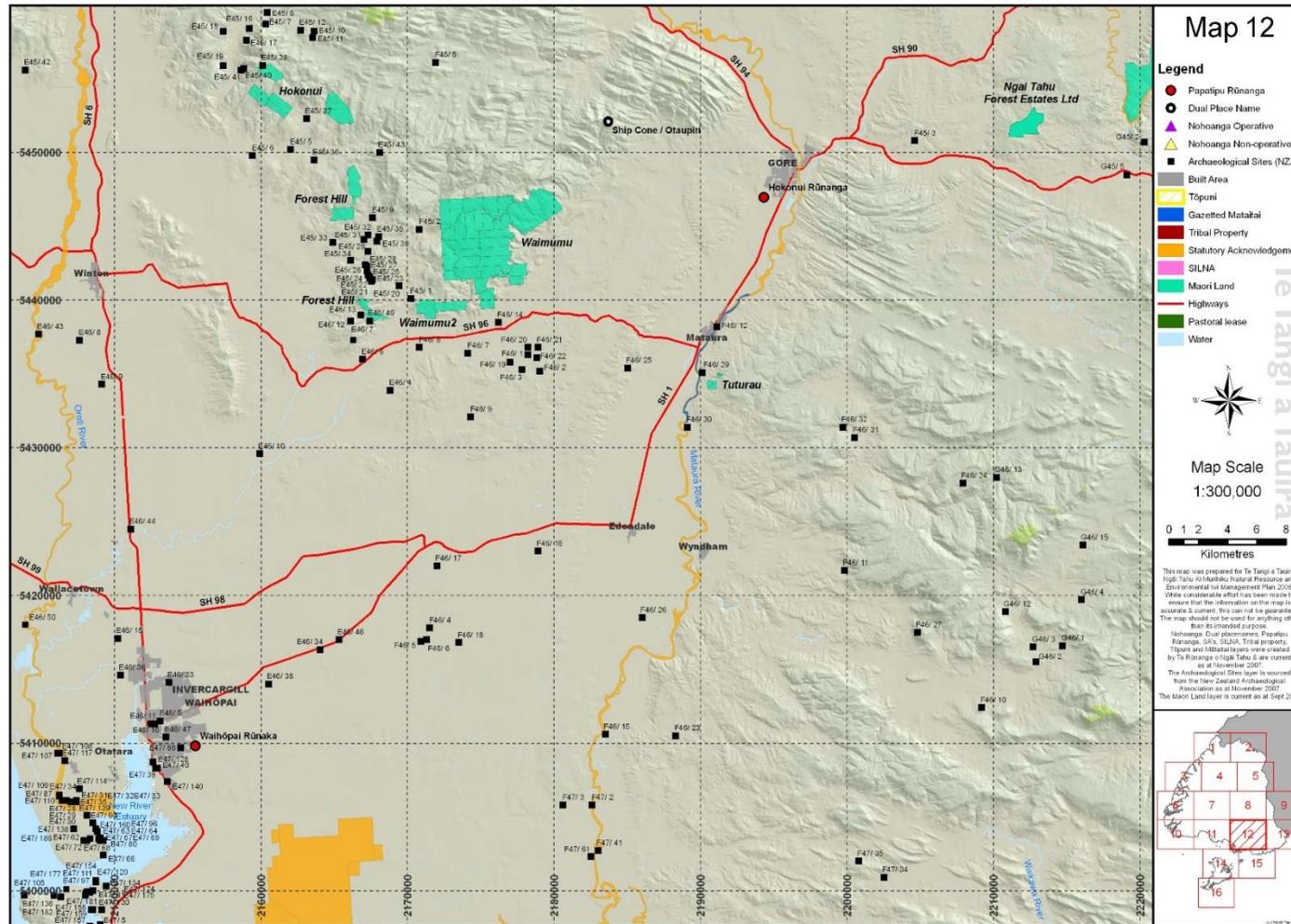


Figure 11: Map 14 of archaeological sites from Te Tangi a Tauria, 2008

Engagement

Currently there has been early and effective engagement between the applicant and rūnanga. Below is a list of what has been agreed upon:

- The name of the Subdivision is called Te Puawai.
- The reserve/wetland area adjoining the marae site to the west of the new road will be transferred to iwi on the basis that stormwater management will be developed for the wider catchment within this area and the waterways will be protected in perpetuity by way of easement. The wider management of this area will then fall with Iwi.
- The land to the north of the Maree will be made available to the iwi to purchase at a price of \$500,000 + GST. This land will enable Iwi to build Kaumatua housing. The developer would like to be consulted on design to ensure that it is in keeping with the rest of the new development.

Assessment of effects on cultural values

Just as our ancestors were attracted to the whenua in Murihiku, we see development and growth within our region. The cultural significance of such landscapes necessitates the careful consideration of development activities that may adversely impact on this landscape. Subdivision of land provides for the changing of property boundaries and creation of new allotments. For Ngāi Tahu, the potential effects of subdivision on cultural values have little to do with the 'lines on the map' and more to do with how to manage the effects of associated land use activities.

In assessing the potential effects of the proposed rezoning of land, Waihōpai Rūnaka identified several issues of concern with respect to adverse effects on cultural values, including:

- Risk to amenity values
- Lack of archaeological information
- To have appropriate street names in the development
- Risk of using inappropriate plants during development
- Risks to freshwater.
- Risk of providing gambling and alcohol services

Issue one: Risk to Amenity values

As described the previous section, the site and wider landscape is rich in Māori history, evidenced through place names, trails, mahinga kai, wāhi tapu and marae. An example of this is the whare tupuna being named Te Rakitauneke and has a direct view of Matamata, the grandfather of Te Rakitauneke. In this area it is important for the current amenity values of whānau not to be impacted negatively by the development.

Recommendations:

- To reduce noise levels during construction particularly if there are events on at the marae.
- To ensure lighting is designed to complement the dark skies particularly for the celebration of Matariki.
- To mitigate the obstruction of views to landscape particularly the view shaft is designed correctly to
- That the smoke from fires does not obstruct the views or provide any risk to human health.
- That the development does not cause any offensive smells.

Issue Two: Lack of archaeological information

As described in the archaeological section there are no recorded archaeological sites within the area to be developed but there are many in the wider area. Based on cultural knowledge of the area Waihōpai Rūnaka have concluded it is considered important by whānau that any risk to archaeological sites is mitigated.

Recommendations:

- That a qualified archaeologist is engaged to undertake an archaeological assessment.

- Following this if there is no evidence found as a minimum the Accidental Discovery Protocol is used as a condition of consent (this can be found in Appendix 3).

Issue Three: To have appropriate street names in the development

Given the increasing use of Māori names on the landscape including within new subdivisions, it is recommended that developers consult with Waihōpai Rūnaka around providing Ngāi tahu names for new roads and areas created by subdivision.

Recommendations:

- To consult early with rūnanga around the use of Ngāi Tahu names within the subdivision.

Issue Four: Biodiversity

As described in sections above the current land was once part of a larger the impact of human activity on indigenous species within the region has been significant, particularly where the landscape has been dominated by farming practices. It is evident from photos in 1950's that within the last 60 years there has been a reduction in biodiversity on this site.

Recommendations:

- To plant species that are indigenous and local to the area.
- To use the nursery situated on the marae for the use of plants, these will be sourced locally and propagated here which will have the biggest benefit in survival.
- To work with whānau early on to ensure the correct plants are sourced and ready for the development.

Issue Five: Risks to Freshwater

Waihōpai Rūnaka promote innovative approaches to managing stormwater and wastewater. It is understood the wastewater will be connected to the Invercargill reticulated system but that the stormwater system will need to be designed for on-site disposal. Waihōpai Rūnaka will not accept compromising stream or land health for development purposes.

Recommendations:

- To consider the use of green swales rather than hard surface for drains and ditches throughout the development.
- To construct bunds to mitigate sediment run off during construction.
- To discharge stormwater first to land before it enters water to allow Papatūānuku to filter out any contaminants.

Issue 6: Risk of providing gambling and alcohol services

The Invercargill City Council has recently adopted the Class 4 Gambling Venues Policy which has been effective since 28 April 2020. This requires the council to regulate the number and location of 'pokie machines' in the district. Currently the number of machines are at their capacity. Alcohol and gambling facilities are a risk to our Māori whānau as well as our wider community, with statistics

showing that addictions to both are not improving¹¹. Waihōpai Rūnaka will not accept compromising the health and wellbeing of whānau and the community.

Recommendations:

- To limit the selling of alcohol to cafes and restaurants within the subdivision.
- To not allow the use of electronic gaming machines within the subdivision.

Conclusions

Ngāi Tahu has a long association with the Murihiku region. Ngāi Tahu led a nomadic lifestyle, following resources throughout the region. The use of the areas was extensive rather than intensive. Intimacy with and knowledge of the terrain was built up over generations and passed from one generation to another generation.

Subdivisions themselves are only lines on maps and therefore have no adverse environmental effects. It is the subsequent developments associated with the subdivision that has the potential to impact significantly upon Ngāi Tahu values and beliefs. The potential adverse effects are associated with effects on the spiritual value of water, effects on mahinga kai, effects on terrestrial vegetation, effects on aquatic biota, and the effect on water quality. Ngāi Tahu values need to be respected when dealing with any activity that poses risks. These values and beliefs are central to Ngāi Tahu existence. Any impact upon one value will impact upon all including and inevitably putting the health and wellbeing of humans at risk.

Through proper planning and management these risks may be reduced or eliminated. Nga rūnanga have identified in the previous section of this report the effects that are to be avoided. Ngā rūnanga are unlikely to submit against the application provided the adverse effects identified are avoided and addressed as conditions of consent.

¹¹ <https://wellplace.nz/facts-and-information/alcohol/drinking-in-new-zealand/> and <http://www.gamblinglaw.co.nz/download/Research/TAInfo.pdf>

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Appendices

Appendix 1: Project Plan – Wānaka Developments

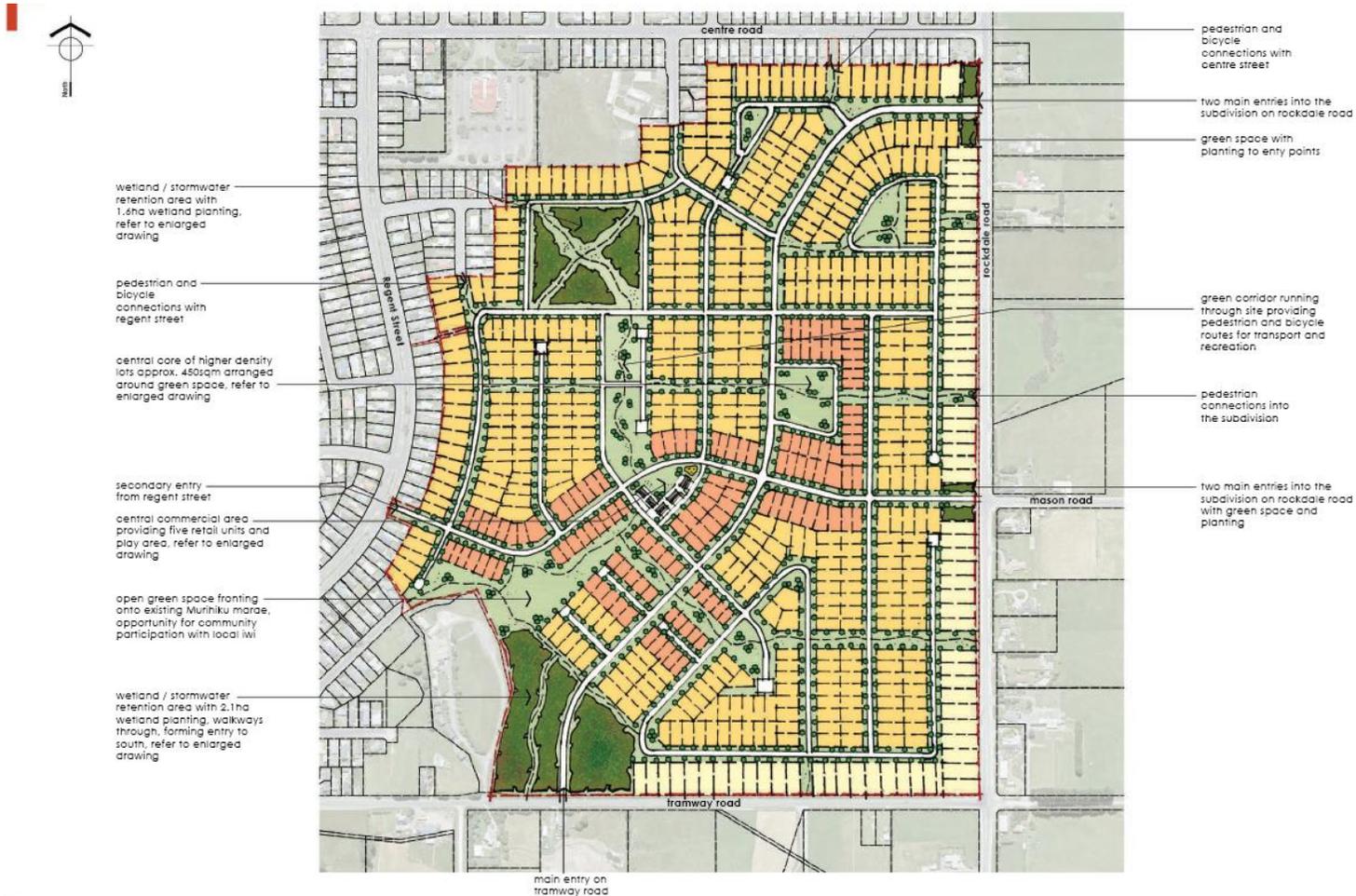
Appendix 2: Te Tangi a Taurira, 2008

1: Project Plan Developments applicant)

Appendix – Wānaka (from







Appendix 2: Te Tangi a Tauria, 2008.

Section 3.5. Te Rā a Takitimu

Section 3.5.2 Wastewater Disposal

Wastewater disposal is a resource management issue arising from community sewage schemes, new subdivision and residential development proposals, and industrial operations such as freezing works and fish processing plants.

For Ngāi Tahu ki Murihiku, discharge to land is considered a better option than discharge to water, as discharging to land allows Papatūānuku to filter and cleanse contaminants from the discharge in a natural way, before the discharge enters the hydraulic system.

6. Avoid the use of water as a receiving environment for the direct, or point source, discharge of contaminants. Even if the discharge is treated and therefore considered “clean”, it may still be culturally unacceptable. Generally, all discharge must first be to land.
9. Encourage creative, innovative and sustainable approaches to wastewater disposal that make use of the best technology available, and that adopt principles of waste reduction and cleaner production (e.g. recycling grey water for use on gardens, collecting stormwater for a pond that can then be used for recreation in a new subdivision).
12. Encourage the establishment of wetland areas, where practical, to improve discharge to land activities, through allowing Papatūānuku the opportunity to filter and clean any impurities.
13. Require the use of buffer zones, bunds, and other mechanisms to prevent wastewater from entering waterways.

Our bottom line is to avoid discharge of wastewater (e.g. sewage and stormwater) to water, as such activities have adverse effects on cultural values such as mauri, wairua, mahinga kai and wāhi tapu. Our preference is for wastewater to be treated to remove contaminants, and then discharged to land via wetlands and riparian areas, to allow Papatūānuku to provide a natural filter for waste. Where this is not practical or feasible, and discharge to water is proposed, then adverse effects must be mitigated through treatment to a very high standard and robust monitoring programs. Ngāi Tahu ki Murihiku will always look for the most culturally, environmentally, socially and economically appropriate option for a particular site.

Section 3.5.7 Subdivision and Development

Subdivision of land provides for the changing of property boundaries and creation of new allotments. For Ngāi Tahu ki Murihiku, the potential effects of subdivision on cultural values have little to do with the “lines on the map”, and more to do with how to manage the effects of associated land use activities. Generally, land will be used more intensively following subdivision.

Ngāi Tahu ki Murihiku policies on subdivision and development focus on encouraging developers to

strive to achieve positive community outcomes, conservation outcomes, and cultural outcomes alongside economic gain.

Part 2 of this Plan, Section 2.22 recognises the protection given to archaeological sites by the Historic Places Act

2. Encourage developers to be proactive, and to seek views of iwi in the early stages of project development, particularly when the proposed subdivision is located in an area of cultural significance.
3. Require that subdivision proposals that may have significant adverse effects on cultural values, including archaeological values, include provisions for one or more of the following, pre resource consent (at the cost of the applicant):
 - a. site visit;
 - b. archaeological assessment (walk over/test pitting), or a full archaeological description, by an archaeologist approved by Ngāi Tahu ki Murihiku;
 - c. cultural impact assessment;
 - d. cultural monitoring;
 - e. an authority from Historic Places Trust;
 - f. accidental discovery protocol;
 - g. recommended consent notices/conditions.
4. Assess subdivision applications in terms of the current subdividing activity, and in terms of future uses of the land, including associated building, stormwater, sewage, and water supply consent applications.
5. Require that subdivision proposals provide evidence of long-term planning and cumulative effects assessments.
6. Encourage appropriate subdivision activities that protect and even enhance natural, ecological, and cultural values.
7. Avoid adverse effects on the natural environment as a consequence of increased demands placed upon land, water and community infrastructure resulting from the granting of new subdivision consents for residential or commercial development.
8. Advocate for the use of esplanade reserves, strips, and other similar provisions on those waterways where such provisions are deemed necessary to protect and provide for waterway health and access values.
9. Encourage installation of rainwater storage facilities for external water use (e.g. on gardens) by residential or commercial development.
10. When applicable, include as a condition of consent the use of native plantings and the enhancement of indigenous biodiversity as a means to remove adverse impacts on cultural values as a result of subdivision activities.
12. Subdivision activities along waterways of cultural importance to tangata whenua should maintain and enhance access to and along those waterways.
13. Require subdivision developments to establish new, or where possible use existing, means of disposing of sewage and other solid waste in a manner that is consistent with maintaining human health and where adverse effects on the environment are avoided.

14. Require that the disposal of stormwater occurs in a manner that avoids inundation of land within or adjoining the subdivision and does not adversely affect the quality of surface and groundwater.
15. Any proposed activity that may affect an archaeological site must obtain an archaeological authority from the New Zealand Historic Places Trust.
17. Subdivision applicants may be required to enter into Accidental Discovery Protocol and monitoring agreements with Ngā Rūnanga o Murihiku, stating that any earthworks, fencing, landscaping or other such activity that has the potential to uncover archaeological sites, and outlining procedures and processes associated with such an occurrence.
18. Recommend that developers consult with Ngāi Tahu ki Murihiku with regard to providing Ngāi Tahu names for new roads and areas created by subdivision.

3.5.8 Earthworks

Earthworks (ground disturbance) is a component of a range of activities, including subdivision, building, drainage works, the construction of farm tracks, tree removals, roadworks, and the laying of underground cables.

Given the long history of Ngāi Tahu land use and occupancy in Murihiku, earthworks and other ground disturbance activities have the potential to unearth cultural materials or disturb urupā. Such activities also have potential to damage or destroy culturally important sites or places associated with particular mahinga kai resources or valued indigenous vegetation.

1. Consent applicants who are undertaking earthworks may be required to enter into Accidental Discovery Protocol and monitoring agreements with Ngāi Tahu ki Murihiku, stating that any earthworks, fencing, landscaping, or other such activity has the potential to uncover archaeological sites. Procedures and processes associated with such an occurrence should also be outlined.
5. Any understandings or agreements between companies/applicants and Ngāi Tahu ki Murihiku must also be reflected in the contractors who are working on the ground.
7. Where practical, indigenous vegetation that is removed or damaged as a result of earthworks activity should be recovered and returned or replaced.
8. Recommend the planting of indigenous species as an appropriate mitigation measure for any adverse impacts as a result of earthworks activity.
9. Any earthworks or roadworks near rivers must have appropriate measures in place to avoid contaminants (including dust, sediment run-off from stockpiles or any hazardous substance) from entering waterways that may cause contamination, discolouration, or siltation in such waterways.

3.5.10 General Water Policy

Ngai Tahu ki Murihiku recognise that the welfare of the people and the success of their activities within the environment depends on water being maintained in the best possible condition. We believe that “if you have your water right, you will have everything else right”.

1. The role of Ngāi Tahu ki Murihiku as kaitiaki of freshwater must be given effect to in freshwater policy, planning and management.

2. Work with local authorities and other statutory agencies involved in freshwater management to ensure that cultural values and perspectives associated with freshwater management are reflected in statutory water plans, best practice guidelines and strategies, and in resource consent processes for activities involving water.
3. Protect and enhance the mauri, or life supporting capacity, of freshwater resources throughout Murihiku.
4. Manage our freshwater resources wisely, *mō tātou, ā, mō ngā uri ā muri ake nei*, for all of us and the generations that follow.
5. Promote the management of freshwater according to the principle of *ki uta ki tai*, and thus the flow of water from source to sea.
6. Promote catchment management planning (*ki uta ki tai*), as a means to recognise and provide for the relationship between land and water.
8. Protect and enhance the customary relationship of Ngāi Tahu ki Murihiku with freshwater resources.

3.5.16 Mahinga kai

Mahinga kai was, and is, central to the Ngāi Tahu ki Murihiku way of life. The collection and processing of mahinga kai is an important social and economic activity. Tangata whenua aspirations and expectations for mahinga kai are a common kaupapa throughout this plan.

Mahinga kai is about mahi ngā kai – it is about places, ways of doing things, and resources that sustain the people. The loss of mahinga kai is attributed to habitat degradation, resource depletion, legislative barriers that impede access, changes in land tenure that affect ability to access resources and the introduction of predators that have severely reduced the traditional foods of Ngāi Tahu.

2. Work towards the restoration of key mahinga kai areas and species, and the tikanga associated with managing those places and species.
5. Use the enhancement of mahinga kai places, species, and activities to offset or mitigate the adverse effects of development and human activity on the land, water and biodiversity of Murihiku.
6. Support mechanisms that enable tangata whenua to access mahinga kai species and resources, such as esplanade provisions and marginal strips adjacent to waterways.

3.5.17 Ngā Pononga a Tāne a Tangaroa – Biodiversity

Tāne and Tangaroa are the two atua who are responsible for all living things in the environment, or biodiversity. The protection of indigenous biodiversity is an important value for Ngāi Tahu ki Murihiku. Indigenous species, and the habitats that support them, must be protected for future generations. In many parts of the takiwā, where land use is dominated by agriculture and forestry, the impact of human activity on indigenous species has been significant.

An important focus for Ngāi Tahu ki Murihiku is finding ways to protect, maintain and improve habitat for all biodiversity, be it in water, riparian margins, native bush, or wetlands.

2. Advocate for the establishment of indigenous vegetation corridors *ki uta ki tai*, from

mountains to the sea.

3. For Ngāi Tahu ki Murihiku, all species are taonga, whether weta, snail or kiwi, and the effects of an activity on species must consider all species equally.
5. Use as a consent condition, when applicable, the enhancement of indigenous biodiversity as a means to remove adverse impacts of proposed activities.
6. Recommend the planting of indigenous species as an appropriate mitigation measure for any adverse impacts as a result of land use activity.
9. Promote the management of whole ecosystems and landscapes, in addition to single species.
10. Promote the integration of biodiversity management across land ownership land use boundaries.

3.5.18 Repo – Wetlands

At one time, Murihiku had an abundance of wetlands. These ecosystems were an important natural and cultural resource to Ngāi Tahu ki Murihiku, as they were (and are) rich in biodiversity and important sources of mahinga kai and provided important ecosystem services such as filtering of contaminants from water and soils.

Over time, the majority of Murihiku wetlands have been drained, largely to provide land for farming and agriculture. The drainage of such areas has had an effect on the ability of the land to store and replenish water resources.

2. Encourage the establishment of wetland areas, where practical, to improve discharge to land activities, through allowing Papatūānuku the opportunity to filter and clean any impurities.
3. Advocate for the restoration and enhancement of wetland areas, as part of any consent application where it is deemed feasible to include such conditions.