

Waimakariri District Council District Plan Review

Sites and Areas of Cultural Significance

August 2018

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1 INTRODUCTION

The Waimakariri District is within the takiwā of Te Ngāi Tūāhuriri Rūnanga, who hold mana whenua status over the area.

The Waimakariri District Council has statutory obligations to Ngāi Tahu whānau under the Resource Management Act 1991 (RMA). These obligations include:

- Consulting with mana whenua through their representatives in preparing the district plan;
- Recognising and providing for the relationship of Ngāi Tahu and their customs and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga;
- Having particular regard to kaitiakitanga;
- Taking into account the principles of the Treaty of Waitangi; and
- Taking into account any relevant iwi planning document.

Waimakariri District Council is currently reviewing its operative District Plan. As part of its review, the Council has contracted Mahaanui Kurataiao to facilitate engagement with Te Ngāi Tūāhuriri and to prepare a report concerned with sites and areas of cultural significance within the Waimakariri District.

This report sets out mana whenua's preferred approach to the identification and categorisation of sites and areas of cultural significance. It is mandated by Te Ngāi Tūāhuriri Rūnanga, and informed by research conducted for other wāhi tapu me wāhi taonga projects. It includes recommendations for preferred planning provisions and maps for inclusion in the Waimakariri District Plan.

1.1 Existing Sites and Areas of Cultural Significance Reports

In 2017 Mahaanui Kurataiao prepared two separate documents for the Canterbury Regional Council (Environment Canterbury) to inform work programmes being developed by the Waimakariri Zone Committee.

The first report, titled: "Wāhi Tapu me Wāhi Taonga in the Waimakariri & Rakahuri Catchments of the Takiwā of Te Ngāi Tūāhuriri Rūnanga" (dated June 2017) was presented to the Waimakariri Zone Committee in June 2017 and provided an introduction to the following matters;

- The contemporary structure of Ngāi Tahu and its relationship with the natural environment;
- Ngāi Tūāhuriri whakapapa and values within the Waimakariri and Rakahuri catchments and wāhi tapu me wāhi taonga within this context;
- Current statutes, plans and provisions recognising and protecting wāhi tapu me wāhi taonga in the catchments;
- Statutory and non-statutory approaches to recognise and protect wāhi tapu me wāhi taonga; and
- Recommendations on appropriate approaches to recognise and protect wāhi tapu me wāhi taonga in the Waimakariri District.

The second document, titled: "Addendum Wāhi Tapu me Wāhi Taonga in the Waimakariri & Rakahuri Catchments of the Takiwā of Te Ngāi Tūāhuriri Rūnanga" (October, 2017) is an addendum to the first wāhi tapu me wāhi taonga report and describes the types of activities that could occur

within the cultural landscapes, the nature of threats to cultural values within the landscape and possible approaches to manage the activities in respect of Ngāi Tūāhuriri values.

2 REPORT STRUCTURE

This report is structured as follows:

- An outline of Te Ngāi Tūāhuriri's whakapapa and associations within the Waimakariri District.
- Commentary on the provisions of the Canterbury Regional Policy Statement relevant to cultural landscapes.
- Commentary on the provisions of the Mahaanui Iwi Management Plan relevant to cultural landscapes.
- A summary of the planning provisions in the Operative Plan which recognise and protect wāhi tapu me wāhi taonga within the district.
- Analysis of the effectiveness of the Operative District Plan provisions.
- Preferred approach to identifying and categorising sites and areas of cultural significance.
- Preliminary landscape categorisation (accompanied by maps).
- An outline of potential risks or threats to cultural values.
- An outline of the content of objectives and policies.
- Recommendations for preferred activity status for land uses within the different cultural categories.
- An outline of the content of rules and assessment matters.

3 NGĀI TŪĀHURIRI MANA WHENUA

Ko Maungatere te maunga ki runga,
Ko Rakahuri te awa,
Tū-ahu-riri te tangata.

*Maungatere (Mt Grey) stands above,
Rakahuri is the river,
Tū-ahu-riri is the man.*

Ngāi Tahu are tangata whenua of the Canterbury region, and hold ancestral and contemporary relationships with Canterbury. The contemporary structure of Ngāi Tahu is set down through the Te Rūnanga o Ngāi Tahu Act 1996 (TRoNT Act). Eighteen papatipu rūnanga collectively form Ngāi Tahu and through this structure and the TRoNT Act, the requirements for recognition of tangata whenua in Canterbury are set.

The takiwā of Te Ngāi Tūāhuriri Rūnanga is set out in the Te Rūnanga o Ngāi Tahu (Declaration of Membership) Order 2001, which states that; *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 .

Waimakariri District is therefore at the heart of Ngāi Tūāhuriri's takiwā; with Ngāi Tūāhuriri's principal pā originally sited near Kaiapoi and another important pā site at Rakahuri. The area connecting these pā sites is very significant. Today, the central settlement for Ngāi Tūāhuriri is at Tuahiwi.

The ancestral occupation and interaction within the Canterbury region occurred initially by Waitaha then Ngāti Mamoe, who were then succeeded by the settling of the hapū, Ngāi Tuahitara and the sons of Tū-ahu-riri (Taane-Tiki, Moki and Turakautahi). The waka (canoe) which brought them to the region was the Makawhiua, whose captain was the rangatira (chief), Moki. Ngāi Tuahitara later became known as Ngāi Tūāhuriri after the fall of Kaiapoi Pa.

Once Turakautahi of Ngāi Tuhaitara had established Kaiapoi Pa as their principal fort, the leading chiefs established the mana (authority) of Ngāi Tuhaitara to the land by occupation and intermarriage.

Since settling in North Canterbury, the people of Tūāhuriri have established and continue to maintain a strong relationship with the land and water of the takiwā, including the Waimakariri and Rakahuri catchments. Wāhi tapu me wāhi taonga have both an historical basis as well as a cotemporary value to Ngāi Tūāhuriri, and are vital components of the relationship of mana whenua with the Waimakariri District.

4 RELEVANT PLANNING DOCUMENTS

4.1 Resource Management Act 1991

The Resource Management Act (RMA) is New Zealand's primary legislation for managing natural and physical resources, including air, soil, fresh water and coastal marine areas. Section 5 (1) of the Act contains the purpose which is *to promote the sustainable management of natural and physical resources* .

Sustainable management is defined under s5(2) which includes *enabling people and communities to provide for their economic, social and cultural well-being*

Section 6 of the RMA sets out matters which need to be recognised and provided for as matters of national importance, by all persons exercising functions and powers in achieving the purpose of the Act. These matters include s6(e) *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga* and s6(f) *the protection of historic heritage from inappropriate subdivision, use, and development* .

Section 7 sets out matters to which particular regard shall be given in achieving the purpose of the RMA. This includes s7(a) *Kaitiakitanga* , which is defined under the Act as *the exercise of*

guardianship by the tangata whenua of an area in accordance with tikanga Maori in relation to natural and physical resources; and includes the ethic of stewardship .

Additionally, s8 requires that in achieving the purpose of the Act, the principles of the Treaty of Waitangi must be taken into account.

The identification of sites and areas of cultural significance is therefore fundamental to the District Council's achievement of sections 6, 7 and 8 of the RMA. This includes adopting appropriate methods and rules to manage the actual and potential effects of activities in these locations.

4.2 Canterbury Regional Policy Statement

Under Section 75(3)(c) of the RMA, the Waimakariri District Plan must give effect to the Canterbury Regional Policy Statement (CRPS). The relevant chapter of the CRPS is Chapter 13 Historic Heritage. This is discussed as follows:

Chapter 13- Historic Heritage

Section 13.1 sets out the issues for historic heritage within the Canterbury region. The identified issues are:

Issue 13.1.1 Inappropriate use, development or subdivision can lead to loss or degradation of historic heritage values that make a significant contribution to a regional sense of identity.

Issue 13.1.2 Historic cultural and historic heritage landscapes can be adversely affected by inappropriate subdivision, use and development.

The Explanation for Issue 13.1 describes how historic heritage items, places and areas provide an important record of how the region came to be the Canterbury known today. This includes early Māori settlement, stories, sites and traditions. For tangata whenua, such items, places and areas are described as being inextricably linked to traditional values, culture and spirituality.

In terms of historic cultural and historic heritage landscapes, the Explanation for Issue 13.1.2 notes that these landscapes have important tangible and intangible values which require protection from inappropriate use. Additionally, historic cultural landscapes are identified as being particularly important to Ngāi Tahu as these can be an integral part of tūrangawaewae, providing an enduring association for Ngāi Tahu with their ancestral land.

There are two Objectives in Chapter 13. Objective 13.2.1 seeks to identify and protect significant historic heritage items, places and areas, and their particular values that contribute to the region's character and identity, from inappropriate subdivision, use and development.

Objective 13.2.2 recognises that cultural and heritage values can be expressed in a landscape setting and seeks to make provision for the protection of these landscapes from inappropriate subdivision, use and development.

The Principal Reasons and Explanations to these two objectives offer some further advice, noting that Objective 13.2.1 is of particular importance to Ngāi Tahu and their culture and traditions. This Objective is concerned with “identifying and protecting” items, places and areas and therefore goes some way to making provision for the relationship of mana whenua with ancestral lands, water, sites, wāhi tapu and other taonga.

In terms of Objective 13.2.2, the Principal Reasons and Explanations make reference to s6 of the RMA and the need to recognise and protect historic heritage and the relationship of Māori and their cultural traditions with ancestral lands, from inappropriate subdivision use and development. It is further suggested that the definition of historic heritage extends to include landscapes and that landscapes can provide a settling for cultural components including stories, history or patterns of use. It is further noted that landscapes are the sum of collective heritage or cultural values and can be sensitive to change.

Policies 13.3.1 and 13.3.2 are intended to implement Objective 13.2.1.

Policy 13.3.1 is concerned with the **recognition** of physical areas and places whilst Policy 13.3.2 is concerned with **protecting the cultural values and relationships to those places**. The policies state:

13.3.1 to recognise and provide for the protection of the historic and cultural heritage resource of the region from inappropriate subdivision, use and development by:

1. *Identifying and assessing the significance of historic and cultural heritage resource according to criteria based on the following matters:*
 - a. *Historic*
 - b. *Cultural*
 - c. *Architectural*
 - d. *Archaeological*
 - e. *Technological*
 - f. *Scientific*
 - g. *Social*
 - h. *Spiritual*
 - i. *Traditional*
 - j. *Contextual*
 - k. *Aesthetic*
2. *Working with Ngāi Tahu to identify items, places or areas of historic heritage significance to them.*
3. *having regard to any relevant entry in the Historic Places Register in the process of identifying and assessing the historic heritage resource.*
4. *considering historic heritage items, places or areas of significance or importance to communities in the process of identifying and assessing the historic heritage resource.*
5. *recognising that knowledge about some historic heritage may be culturally sensitive and support protection of those areas through the maintenance of silent files held by local authorities.*

13.3.2 To recognise places of historic and cultural heritage significance to Ngāi Tahu and protect their relationship and culture and traditions with these places from the adverse effects of inappropriate subdivision, use and development.

Policy 13.3.3 seeks to implement Objective 13.2.2 and states that:

13.3.3 Significant historic cultural and historic heritage landscapes are to be protected from inappropriate subdivision, use and development. when determining the significance of values of historic cultural or historic heritage landscapes, the following matters will be considered:

1. *Heritage fabric*
2. *Time depth*
3. *Natural science value*

4. *Tangata whenua value*
5. *Cultural diversity*
6. *Legibility and evidential value*
7. *Shared and recognised value*
8. *Historic or cultural importance*

In relation to their management, and determining the appropriateness of scale, form and location of development in these areas, the following matters will be considered:

- a. *Cultural sensitivity of the proposal.*
- b. *Integrity or intactness of the landscape, items, features or linkages*
- c. *Vulnerability to change or modification*
- d. *Recognition of boundaries*
- e. *Opportunities for maintaining values*

The CRPS directs territorial authorities to set out objectives and policies, and methods that provide for the recognition and protection of significant historic heritage items, places or areas.

The Policy Statement then directs local authorities to develop objectives, policies or methods to manage the effects of subdivision, use and development on historic cultural and heritage landscapes. In addition, the CRPS states that local authorities should engage with Ngāi Tahu as tangata whenua which includes recognising iwi management plans when determining the cultural importance of landscapes.

The Principal Reasons and Explanation further expand that local authorities should work with Te Rūnanga o Ngāi Tahu and Papatipu Rūnanga to determine areas where wāhi tapu and wāhi taonga may be affected by activities and to ensure adverse effects to culturally significant sites are avoided, remedied or mitigated. The Statement specifies that local authorities should use iwi management plans to assist in the identification of values associated with particular historic heritage items, places and areas, and to identify tools to ensure these values are maintained.

This report will assist the District Council to follow the guidance described in the CRPS and to align with its policies. This report provides information on the location of wāhi tapu and wāhi taonga (as sourced from the Mahaanui Iwi Management Plan along with research of historical documents and reference to Te Whakatau Kaupapa).

This report also (Section 8.0) describes the types of activities which may potentially threaten the cultural values associated with these wāhi tapu and wāhi taonga and sets out the preferred approach to management (tools) of these threats for the District Plan Review.

The Principal Reasons and Explanation for Policy 13.3.3 describes how sites such as wāhi tapu, wāhi taonga, and traditions such as mahinga kai, are of cultural significance to Ngāi Tahu. Appropriate protection of these areas, traditions and particular values should be provided for to meet the provisions of s6(e), s7(a) and s8 of the RMA.

The CRPS is clear that information regarding the exact location of wāhi tapu and wāhi taonga sites, and whether use of that land or public access to it is appropriate, should be determined by Te Rūnanga o Ngāi Tahu or Papatipu Rūnanga. The CRPS is therefore being clear, that this is culturally derived information as distinct from a District Council perspective on the location of these sites and areas.

It is also noted that in order to protect values, information regarding some cultural heritage items, places or areas may be withheld, or held as “silent files”.

In summary, the CRPS clearly sets out the need for local authorities to engage with Ngāi Tahu and Papatipu Rūnanga to identify and protect historic heritage (including items, places and areas) and historic cultural landscapes from inappropriate development activities, including subdivision.

This report will assist the Waimakariri District Council to meet these requirements of the CRPS. It does so through analysis of the Mahaanui Iwi Management Plan, providing advice on sites and areas of cultural importance and advice on the activities which Te Ngāi Tūāhuriri consider should be managed through the District Plan.

4.3 Provisions of the Mahaanui Iwi Management Plan (MIMP)

Under Section 74(2A) of the RMA, the Mahaanui Iwi Management Plan 2013 (MIMP) must be taken into account by the District Council.

Specific issues and policies concerning cultural heritage sites, places, resources, traditions, knowledge and landscapes of importance to Ngāi Tahu are contained in the Ngā Tutohu Whenua Chapter (5.8).

Chapter 5.8 states that wāhi tapu, wāhi taonga, mahinga kai and other sites of significance, and the traditional and contemporary landscapes within which they occur is encompassed within Ngāi Tahu cultural heritage. For Ngāi Tahu, cultural heritage is not something that happened in the past, rather it is an on-going and enduring relationship with the land. The enhancement and restoration of cultural landscapes is therefore of importance to Ngāi Tahu culture, identity and well-being.

The MIMP describes a cultural landscape as a geographical area with particular (and often related) traditional, historical, spiritual and ecological value to Ngāi Tahu. Whilst mana whenua history is an important part of the landscape, these areas are also intergenerational as they provide future generations (tamariki and mokopuna) opportunities to experience and engage with the landscape as their tupuna once did.¹

An area may be identified as a cultural landscape due to the concentration of values or due to the significance of the area relating to historical events, associations or a connection to identity. The values associated with particular landscapes are also indicators of those matters of most importance to mana whenua.

Cultural landscapes also provide a framework for assessing and protecting the physical features of a site or area, as well as culture and traditions. The MIMP acknowledges that land use and development have the potential to both adversely affect cultural landscape values, as well as provide opportunities for enhancement.

Similar to a District Plan, the Iwi Management Plan describes Issues of significance which are then followed by objectives and policies. Those relevant to the District Plan Review include:

Issue CL1: Cultural landscapes - the need to recognise and provide for Ngāi Tahu cultural landscapes.

Issue CL3: Wāhi tapu me wāhi taonga Identification, protection and management of wāhi tapu and wāhi taonga.

Issue CL4: Silent files There are a number of challenges associated with the use of silent files as a tool to protect wāhi tapu.

Issue CL5: Access to wāhi tapu, wāhi taonga and general places of cultural importance.

¹ Mahaanui Iwi Management Plan 2013, pg 165.

Issue CL1 describes the need for culturally appropriate tools to identify and express the relationship of tangata whenua with particular places and their associated values. Additionally land use and development is identified as having both positive and negative effects on cultural landscapes. It is noted that the RMA focus on outstanding landscapes can mean that cultural landscapes are not recognised explicitly in planning provisions and assessment matters are often broad relating to “cultural values”. The enhancement and restoration of cultural landscapes is described as being important to Ngāi Tahu culture, identity and wellbeing.

For Issue CL4 the MIMP specifies a number of challenges associated with the use of silent files to protect wāhi tapu. These include:

- (a) Silent files are a useful mechanism, but are not the complete representation of wāhi tapu in the takiwā; and*
- (b) There are difficulties with using and translating the silent file mechanism in planning and policy, including the lack of specific information provided to external agencies on the nature of these sites, and discrepancies between planning documents as to the location and extent of silent file areas.*

The objectives relevant to the District Plan review are:

- (1) Cultural landscapes are recognised and provided for as a planning tool to protect wāhi tapu and wāhi taonga, the multiple values associated with these sites and places (traditional and contemporary), and the relationship of tangata whenua to them.*
- (3) Wāhi tapu and wāhi taonga are protected from inappropriate use, subdivision and development.*
- (4) Ngāi Tahu whānui have access to sites of cultural significance in the takiwā.*

Key policies to implement these objectives are:

Cultural Landscapes

CL1.1 To require that local and central government recognise and provide for the ability of tangata whenua to identify particular landscapes as significant cultural landscapes, reflecting:

- (a) Concentration, distribution and nature of wāhi tapu and wāhi taonga;*
- (b) Setting within which sites occur and significance of that setting;*
- (c) Significance with regard to association and relationship to place; and*
- (d) Degree of risk/threat.*

CL1.2 To require that local and central government give effect to cultural landscapes in policy, planning and decision making processes as a tool to:

- (a) Enable holistic assessment of effects on cultural values;*
- (b) Recognise the relationship of Ngāi Tahu to particular areas and sites; and*
- (c) Provide a wider context for cultural heritage management and the protection of individual sites.*

CL1.3 To work with local authorities to increase awareness and knowledge of the use of cultural landscapes as a tangata whenua planning tool.

CL1.6 To require that known Māori archaeological sites and silent files are recognised and provided for as cultural landscape indicators.

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;*
- (c) Appropriate and mandated historical interpretation;*
- (d) Setting aside appropriate areas of open space within developments; and*
- (e) Use of traditional materials, design elements and artwork.*

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;*
- (b) *Restoration and enhancement of indigenous biodiversity on the landscape, rural and urban;*
- (c) *Providing for cultural traditions (both traditional and contemporary) associated with particular places, including mahinga kai and recreational use (e.g. waka ama); and*
- (d) *Incorporating Ngāi Tahu heritage values into landscape and urban design, through the use traditional place names, interpretation, artwork and public structures.*

These MIMP policies describe the appropriate approach to identifying and protecting landscapes of cultural significance to mana whenua. The methodology described in this report accords with these MIMP policies by:

- Describing cultural landscape categories which reflect the concentration and distribution of wāhi tapu and wāhi taonga, as well as associative and spiritual values.
- Identifying risks from land use activities to the values within the varying landscape categories.

More specific policy is included in relation to wāhi tapu and wāhi taonga as follows:

Wāhi tapu me Wāhi taonga

CL3.6 *Ngāi Tahu have the right to identify any site as a wāhi tapu or wāhi taonga, and have the discretion as to how these sites are protected, including the right to identify sites that must be protected from development. It is anticipated that the NZHPT will support Papatipu Rūnanga in this process, as part of the Trust's kaupapa to support the management and kaitiakitanga by whānau, hapū and iwi of their heritage places.*

CL3.7 *To require appropriate policies and rules in territorial and regional plans to protect sites of cultural significance from inappropriate land use and development, including but not limited to:*

- (a) *Explicit recognition of the relationship of tangata whenua to wāhi tapu and wāhi taonga;*
- (b) *Processes for engagement with Papatipu Rūnanga with regard to wāhi tapu and wāhi taonga;*
- (c) *Recognition of cultural landscapes as a planning tool to identify and assess sites*
- (d) *Recognition of silent files; and*
- (e) *Recognition that wāhi tapu and wāhi taonga values may extend beyond the physical boundaries of individual sites;*
- (f) *Setting aside land from development*

CL3.8 *To require, where a proposal is assessed by tāngata whenua as having the potential to affect wāhi tapu or wāhi taonga, one or more of the following:*

- (a) *Low risk to sites:*
 - (i) *Accidental discovery protocol (ADP) - See Appendix 3.*
- (b) *High risk to sites:*
 - (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.*

The methodology being followed in this report includes a mana whenua-led identification of wāhi tapu and wāhi taonga and the development of appropriate landscape categories for management of these sites and areas.

Those matters outlined in CL3.8 are matters that could be identified within policies in a district plan as part of a management approach.

Silent Files

CL4.2 *There are many wāhi tapu that are not identified as silent files, and this must be recognised and provided for in central, territorial and regional planning processes.*

CL4.4 *The Silent File designation means that:*

(a) There must be a high level of engagement with Papatipu Rūnanga to assess whether the location, type and scale of proposed activities may adversely effect the values associated with the Silent File area;

(b) The Papatipu Rūnanga shall have a high level of influence over decisions to grant or decline consents. Only tāngata whenua can determine whether a development will affect silent file value; and

(c) The Papatipu Rūnanga shall not be required to justify the nature and extent of cultural effects, or why an activity may be inconsistent with values in a Silent File area. Tāngata whenua must be able to “say no” without revealing the location or status of a site.

These policies seek to highlight that silent file designations must be supported by appropriate planning processes (in terms of activity status and requirements for resource consent), as well as engagement. These processes are necessary to provide opportunities for mana whenua to directly comment and influence resource and subdivision consents which may impact silent file values. Policy CL4.2 also highlights the limitations of relying solely on Silent Files as a mechanism to protect wāhi tapu sites.

It is understood that there are a number of Mahaanui Iwi Management Plan Silent Files (originally derived from Te Whakatau Kaupapa, 1990) in the Waimakariri District. The Operative District Plan has however, only limited provisions to provide for the protection of the silent file values, primarily limited to policy and assessment matters only when a resource consent process is triggered. These are outlined further in Section 5.0.

The District Plan review process provides an opportunity to further develop relevant provisions for existing silent files as well as other wāhi tapu sites.

Access

CL5.2 *To increase the ability of Ngāi 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.*

This policy seeks to enable greater access to identified wāhi tapu and wāhi taonga through a number of arrangements. The MIMP notes that much of Ngāi Tahu’s cultural heritage (e.g., pa sites) is located on non-tribally owned lands, and is either Crown land or in private ownership. Whilst the provisions of the district plan cannot alter the status of land ownership, there is the opportunity for greater specificity in policies and assessment matters on matters related to access. For example, the development of access arrangements and management plans.

Maunga

CL8.2 *To prohibit the erection of buildings or structures on our ancestral maunga*

This policy recognises the important role that maunga have in the spiritual and cultural beliefs of Ngāi Tahu. As the gateway to the Atua, they are considered the most sacred part of the landscape and carry the names of tūpuna.

In addition to Chapter 5.8 of the Mahaanui Iwi Management Plan, Chapter 5.6 Tangaroa describes issues and policies of importance in the coastal environment. Of particular importance is Policy TAN1.1 which requires local government to recognise the mana and intent of Coastal Statutory Acknowledgement Areas beyond the expiry of provision in the Ngāi Tahu Claims Settlement

Regulations 1999. From a district council perspective this will concern the management of activities in the coastal environment above MHWS. In particular this concerns protecting ecological values and water quality, and managing activities to avoid degradation of these values. Policy TAN7.1 focuses on coastal land use and development which can have effects on Ngāi Tahu values. The policy states:

Ngāi Tahu Values and Interests

TAN7.1 To require that local authorities recognise and provide for the particular interest of Ngāi Tahu in coastal land development activities, including not limited to:

- (a) The protection of coastal headlands and skylines;
- (b) The protection of coastal indigenous biodiversity including remnant forest and endemic species;
- (c) The protection of mahinga kai values;
- (d) The protection of wāhi tapu and wāhi taonga;
- (e) The protection of views of significant natural features and landmarks;
- (f) Access to coastal areas for customary use;
- (g) Ngāi Tahu aspirations for coastal areas, including the establishment of mātaītai and taiāpure
- (h) The potential for sedimentation and contamination of coastal waters; and
- (i) The increased pressure on existing water resources and community infrastructure.

The CRPS requires the District Council to be guided by these policies in its District Plan Review whilst the RMA requires the Iwi Management Plan to be taken into account. In summary, the Mahaanui Iwi Management Plan contains a number of very clear policies relating to the identification and management of both larger cultural landscapes as well as specific sites and places of cultural significance to mana whenua.

Section 7 of this report describes the methodology followed for identifying and protecting cultural landscapes. This methodology is consistent with policy CL1.1 and CL1.2 which require an approach based on the relationship Ngāi Tahu holds with particular areas and sites (as distinct from an archaeological or Council derived process). The categorisation of landscapes described in this report provides a wider context for both cultural heritage management and protection of individual sites.

5 OPERATIVE PLAN PROVISIONS

5.1 Wāhi Tapu me Wāhi Taonga

The operative Waimakariri District Plan (WDP) describes wāhi tapu me wāhi taonga as:

Wāhi Tapu: *The term wāhi tapu is referred to in sections 6(e) and 58(b) of the Resource Management Act 1991. However, it is not defined. Subtle differences to its meaning occur between the various hapū and tribes that make up the Māori world. Wāhi taonga is the word that Ngāi Tūāhuriri substitute to convey the meaning and intent of wāhi tapu.*

Wāhi Taonga: *Wāhi taonga is the word that Ngāi Tūāhuriri substitute to convey the meaning and intent of wāhi tapu. To Ngāi Tūāhuriri the term taonga refers to the whakapapa tree (genealogy) of the natural resources of our world. Wāhi taonga are the various parts of it- the branches of that tree. Wāhi taonga is defined as all those resources that sustain life, that are*

culturally, spiritually, physically and historically important to Ngāi Tūāhuriri and Ngāi Tahu whānui.

The June 2017 Wāhi Tapu me Wāhi Taonga report comments that these descriptions are a reflection of the age of the Plan and are not consistent with best practice. The report recommends that definitions should be updated when the Plan is reviewed to be consistent with the definitions in the Mahaanui Iwi Management Plan 2013.

The Mahaanui Iwi Management Plan (2013) has the following definitions:

Wāhi Tapu: *Wāhi Tapu are places of particular significance that have been imbued with an element of sacredness or restriction (tapu) following a certain event or circumstance (e.g. death). Wāhi tapu sites are treated according to local customs (tikanga and kawa) that seek to ensure that the tapu nature of those sites is respected. Of all wāhi tapu, urupā (burial sites) are considered to be the most significant.*

Wāhi taonga: *Wāhi taonga are “places treasured” due to their high intrinsic values and critical role they have maintaining a balanced and robust ecosystem (e.g. spawning grounds for fish, nesting areas for birds and fresh water springs). They are prized because of their capacity to shape and sustain the quality of life experience and provide for the needs of present and future generations.*

5.2 Objectives and Policies

The Operative District Plan describes its approach to mana whenua values and interests in a self-contained chapter - Chapter 2 titled “Māori”. This Chapter identifies only one issue for mana whenua, being “the need for recognition and provision for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga”.

This issue duplicates the exact wording of s6(e) of the Resource Management Act and does not therefore clarify the nature of any particular issues for mana whenua within the Waimakariri District.

There are four objectives in Chapter 2, each with associated policies and methods. Those relevant to sites and areas of cultural significance are outlined as follows:

Objective 2.1.3

Recognition and protection of wāhi taonga that is culturally, spiritually and/or physically important to Ngāi Tūāhuriri.

Policy 2.1.3.1 seeks “To identify wāhi taonga recognised by Ngāi Tūāhuriri”.

Policy 2.1.3.1 is achieved through the inclusion of Appendices 2.1 and 2.2 in the Operative District Plan. The Appendices state that they list Wāhi Taonga identified by Te Ngāi Tūāhuriri along with registered archaeological sites of Māori origin.

Policy 2.1.3.2 seeks to:

“Avoid, remedy or mitigate adverse effects on the cultural and traditional values associated with wāhi taonga identified in this District Plan .

The policies in Chapter 2 are proposed to be implemented through a Memorandum of Understanding, liaison on matters such as subdivision or the provision of esplanade reserves or strips and through “matters of control” under land use and subdivision rules. These are discussed further below under Section 5.3 Rules.

Policy 2.1.3.6 relates specifically to activities within Pegasus Town, a suburban subdivision located in an area with significant cultural values. The policy has four parts which are:

- *To recognise and provide for the important relationship between Ngāi Tūāhuriri and the natural and historical resources and cultural values of this locality and its surrounding waterways.*
- *To avoid, remedy or mitigate the adverse effects of the subdivision and development of the town on cultural values and Wāhi Taonga.*
- *To ensure that subdivision and development of Pegasus does not adversely affect the setting and significance of Kaiapoi Pa; and*
- *To protect archaeological sites, other wāhi taonga, wāhi tapu and urupa from disturbance or loss through subdivision and development.*

This policy contains differing types of management, from protection of wāhi tapu and wāhi taonga, to ensuring the setting of Kaiapoi Pa is not adversely affected, to recognising and providing for Ngāi Tuahuriri’s relationship with natural, historical and cultural values. How these policies are implemented through the rules is described further below.

The appendices to Chapter 2 Māori contain details describing wāhi taonga (identified by Ngāi Tūāhuriri), recorded archaeological sites, and wāhi tapu/wāhi taonga sites and Silent Files (identified in Te Whakatau Kaupapa 1990). Figure 1 below provides an example of Appendix 2.1 (wāhi taonga identified by Ngāi Tūāhuriri).

Wahi Taonga		Other Sections Where Wahi Taonga are Addressed other than Chapter 2: Maori
1.	Kaiapoi Pa Site – Pou herenga o ngati tuhaitara ki ngai tuahuriri	Chapter 9: Heritage
2.	Houhoupounamu	Chapter 23: Land and Water Margins – Rules
3.	Fresh water areas — Taerutu lagoon (around Kaiapoi Pa) — Tutaepatu	Chapter 7: Coastal Environment
4.	Estuarine areas (waimataitai) — Ashley River/Rakahuri Estuary and Maori Reserve 896 Te Akaaka	Chapter 3: Water Chapter 7: Coastal Environment Chapter 6: Indigenous Vegetation, Fauna and Habitats
5.	Fresh water areas and wetlands, in coastal area and the waterway flowing south of Kaiapoi Pa – Kawari	Chapter 3: Water Chapter 7: Coastal Environment
6.	Rivers and their tributaries (Nga Awa) — Ashley River/Rakahuri — Waimakariri River — Cam River/Ruataniwha	Chapter 3: Water Chapter 7: Coastal Environment Chapter 33: Esplanades: Locations and Circumstances – Rules
7.	Coastline	Chapter 7: Coastal Environment
8.	The sea (Te moana)	
9.	The mountains (Nga maunga)	Chapter 5: Outstanding Landscapes and Natural Features
10.	Indigenous forests (Wahi rakau)	Chapter 6: Indigenous Vegetation, Fauna and

Figure 1: appendix 2.1 from the WDP

It should be noted that these lists are not exhaustive of all culturally sensitive or important sites within the District.

Appendix 2.1 identifies that Chapter 3 Water, Chapter 5 Outstanding Landscapes and Natural Features, Chapter 6 Indigenous Vegetation Fauna and Habitats, Chapter 7 Coastal Environment, Chapter 9 Heritage and Chapter 33 Esplanades: Locations and Circumstances Rules contain provisions relevant to wāhi tapu/wahi taonga and Silent Files. Commentary on these and other chapters is provided as follows:

Chapter 3, Water

Objective 3.2.1 seeks the maintenance and enhancement of the natural character and ecosystems of water bodies and their margins.

Policy 3.2.1.1 requires land use activities to avoid, remedy or mitigate effects on mahinga kai, wāhi taonga and the mauri of water.

Chapter 6, Indigenous Vegetation, Fauna and Habitats

Policy 6.1.1.8 is concerned with the restoration and creation of self-sustaining habitats which amongst other things, restores the mauri of wetlands and provides mahinga kai.

The chapter does not comment on customary use or Taonga species as defined in the Ngāi Tahu Claims Settlement Act. It is noted that a policy for customary use is addressed in Chapter 10 Notable Plants.

Chapter 7 Coastal Environment

Policy 7.2.1.3 concerns legal access to and along the Coastal Marine Area, and the need for restrictions only where necessary to protect (amongst a range of matters) significant natural values and wāhi taonga.

Chapter 9 Heritage

Policy 9.1.1.1 relates to the identification of heritage sites, structures, places and areas including items of special significance to tangata whenua.

Chapter 10 Notable Plants

Policy 10.1.1.1 b. requires the identification of plants with significant value for customary use.

Chapter 14 Rural Zones

Policy 14.4.1.1 seeks to maintain and enhance the nature conservation and cultural values of the Pegasus Rural Zone.

Chapter 15 Urban Environment

Policy 15.1.4.1 seeks to integrate new development, subdivision and activities in a way that maintains and enhances form, function and amenity values through, a range of matters including sub-clause h. “the protection and enhancement of significant natural, ecological, landscape, cultural and historic heritage features”.

Chapter 18 Constraints on Development and Subdivision

Policy 18.1.1.1 requires proposals for growth and development to show how, and the extent to which they will, amongst a range of matters, protect wāhi taonga.

In summary, these policies have very generic cultural references and/or content. The extent to which the policies may influence or manage land use activities in respect of sites and areas of cultural significance is limited; and entirely dependent on a land use not meeting performance standards and triggering a resource consent. Consideration of policies is confined to discretionary and non-complying activities, unless the matters of consideration specified for restricted discretionary activities include cultural considerations.

Where further consideration of the policies does occur, the wording of the policies lack specificity as to the cultural values and considerations of importance. Accordingly, the policies may lack guidance to an applicant and the Council on the appropriate outcomes.

5.3 Rules

Those chapters of the Operative District Plan which include rules relating to cultural sites and areas of significance include:

Chapter 23 Land and Water Margins

Within this chapter the rules impose setback requirements on earthworks and vegetation clearance from rivers, lakes and wetlands. In addition there are conditions for earthworks within the Mapleham Rural 4B Zone. These rules require Rūnanga presence during earthworks and specified protocols to be followed with the discovery of wāhi taonga, wāhi tapu or urupā.

Non-compliance with the rules, will trigger a resource consent where further assessment of impacts on wāhi taonga, wāhi tapu and mahinga kai are required.

Chapter 24 Outstanding Landscapes and Natural Features

It is relevant to note that the rules relating to Outstanding Natural Landscapes and Features do not cross-reference or recognise that cultural values may be a component of why a landscape is classified as Outstanding. Similarly, the rules relating to indigenous vegetation, fauna and habitats do not recognise or cross-reference to species or habitats that may be wāhi taonga. Nor is there any provision or recognition of indigenous vegetation for customary use.

Chapter 27 Natural Hazards

This Chapter contains rules concerning setbacks from water bodies and liquefaction mitigation design standards. Rule 27.1.1.1 contains minimum setback requirements for any structure within proximity to named water bodies. The Rakahuri and Cam River are amongst the named waterbodies. Whilst these are both culturally significant water bodies due to their ability to provide mahinga kai resources, the purpose of the setback is related only to hazard mitigation. Accordingly, any benefit provided by the setback for the protection of cultural values or interests such as mahinga kai or Statutory Acknowledgements occurs by default.

Chapter 28 Heritage Rules.

This chapter includes a “Note” that archaeological sites of Māori origin, wāhi tapu, wāhi taonga and silent files are in Chapter 2. There are however no specific rules relating to the management of land use in relation to archaeological sites. Cross-reference is made to the requirements for an Archaeological Authority from Heritage New Zealand for destroying, damage or modification to an archaeological site. The exception to this process is Mapleham, where rules apply to earthworks as described above in Chapter 23.

Chapter 30 Utilities and Traffic Management Rules

These rules require an application for a restricted discretionary activity to include consideration of the effect of a utility on archaeological sites, wāhi taonga and mahinga kai. These considerations are only triggered where the proposed utility exceeds certain standards. The rules do not require utilities to avoid encroachment into locations which are identified as silent files or wāhi tapu.

Chapter 31 Health, Safety and Wellbeing

This chapter sets out the rules for buildings, signs, glare, noise, farms and dwelling-houses, and retail activities. Where activities do not meet prescribed standards a resource consent is triggered. The only activities requiring consideration of cultural interests are farms and dwelling-houses, where effects on wāhi taonga and mahinga kai are required. Similar considerations are not triggered within urban areas where structures, buildings or earthworks encroach wāhi taonga, such as waterways.

The special provisions for development within Māori Reserve 873 are noted. These will be addressed in the report on Kāinga Nohoanga.

Chapter 32 Subdivision

Chapter 32 sets out the requirements for conditions that may be imposed on any subdivision consent at Pegasus. This includes requiring compliance with an agreed Archaeological Sites Protocol.

The provisions also set out an Accidental Discovery Protocol to be applied within Māori Reserve 873 and specified development areas at Woodend, West Kaiapoi, Waikuku Beach and parts of Rangiora.

An archaeological assessment is required for subdivision at an area in North Rangiora.

The general provisions for subdivision enable Council to impose conditions or exercise its control over a long list of matters for all subdivisions. These matters include²:

- *The protection of sites of significant value to tangata whenua including wāhi taonga;*
- *The appropriateness of providing for access along and in the vicinity of the Taranaki Stream; and*
- *The effectiveness and environmental impacts of any measures proposed for mitigating the effects of subdivision on wāhi taonga identified in Appendix 2.1;*
- *The identification and/or protection of archaeological sites;*
- *Protocols to provide for wāhi taonga, wāhi tapu and urupā;*
- *Alternative processes and protocols that protect the interests of Ngāi Tūāhuriri Rūnanga.*

Experience has demonstrated that these assessment matters are not, in themselves, effective in avoiding or managing works which may potentially damage wāhi tapu sites. Council did not consult with mana whenua on a subdivision at Woodend which extends over a Silent File area.

Additionally, there is a presumption within the words used in the assessment matter that the effects of subdivision on wāhi taonga are able to be mitigated. This is inconsistent with the policy which provides for avoidance. The Mahaanui Iwi Management Plan (2013), as well as the RMA (s6) both require recognition and protection of sites and areas of significance to mana whenua from inappropriate development. This may mean that encroachment on a wāhi tapu site should as a first priority be avoided. Accordingly, the assessment matter could have been more strongly worded to consider the necessity for wāhi taonga to be avoided.

Greater categorisation of the types of values encompassed within the District Plan would also likely assist in more appropriate management, by providing clearer identification of those areas where greater control is appropriate.

Chapter 33 Esplanade Locations and Circumstances

The provisions of Chapter 33 require the Council, where an application for subdivision consent is made for a restricted discretionary activity, to consider the need for an esplanade strip or reserve for the purpose of protecting or enhancing archaeological sites, sites of value to tangata whenua including wāhi taonga adjacent to a river. There is no explicit mention made of Statutory Acknowledgements.

² Chapter 32 Subdivision Rules- 32.1.3 Matters over Which Control is Exercised.

The Wāhi Tapu me Wāhi Taonga report (June, 2017), recommended the inclusion of specific provisions which seek to protect and maintain mahinga kai habitats and associated values within riparian margins.

6 ANALYSIS OF OPERATIVE PLAN PROVISIONS

Having regard to the commentary in Section 5.0 above the following analysis is made of the Operative Plan provisions in respect of sites and areas of significance.

The Operative Plan does acknowledge the statutory obligation to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and wāhi taonga. The definitions or descriptions used in the Operative District Plan for Wāhi Tapu and Wāhi Taonga are however out-dated and lacking in specificity, particularly when compared with the Mahaanui Iwi Management Plan. On this basis, the descriptions in the Operative District Plan are likely to be more difficult to interpret and administer, which has a consequential effect on the effectiveness of the provisions.

The Operative District Plan contains an objective to recognise and protect wāhi taonga. This accords with the statutory direction in the RMA and the CRPS. The objective is to be achieved through a suite of policies which include identifying sites and areas in appendices in the District Plan and avoiding, remedying or mitigating adverse effects. These key policies are supplemented by policies throughout a number of chapters in the Operative Plan stating the need to identify sites and areas of cultural value and to manage effects from various land use activities.

As previously noted however, these policies tend to contain generic cultural references and the policies on their own, are ineffective unless the rules are specific to the matters concerned. For example, avoiding effects on wāhi tapu would require rules which prevent particular land use activities within a silent file area, except where a resource consent process for consideration of the effects on cultural values has been assessed and approved.

The Operative Plan does not appear to carry through these policies into the rules in a particularly clear or effective manner. Listing sites and areas in Appendix 2 may achieve “recognition”, but on its own does not achieve protection. The Operative Plan appears to take a permissive approach, to activities and subdivision in wāhi tapu and silent file areas. The consideration of impacts on cultural values is triggered where permitted activity conditions are breached (in relation to a setback for example) or as an assessment matter on a subdivision consent which is controlled or restricted discretionary activity statuses which both signal the activity is considered to be appropriate in that location.

In addition, the District Plan relies on a Memorandum of Understanding as a basis for engagement on cultural matters. This method provides no certainty that Rūnanga will be consulted and assessment matters for restricted discretionary activities in the District Plan do not consistently, explicitly require engagement.

Accordingly, the Operative Plan could only be described as weakly providing for the protection of wāhi tapu, wāhi taonga and silent files. The more strongly worded policies only have effect where a

discretionary or non-complying activity status is triggered. The ineffectiveness of the provisions was apparent with the 2015 approval of a subdivision consent in a silent file area without any notification to mana whenua or requirement for a Cultural Impact Assessment.

Many of the rules in the Operative District Plan do provide benefits for sites and areas of cultural significance e.g., waterway setbacks. These benefits are however often a consequence of rules created for other purposes e.g., management of natural hazards. The Operative Plan would potentially be more effective in terms of providing for s6(e) of the RMA Ngāi Tahu culture and traditions, and the provisions of the CRPS, if more explicit connections were made to matters such as the taonga status of water, taonga species, customary gathering and statutory acknowledgements. In addition, further development of different cultural landscapes with their own policies would provide a more robust framework for the management of activities in respect of cultural values.

7 RECOMMENDED APPROACH

To achieve the purpose of the RMA, council's have specific duties to provide for the relationship of Māori and their customs and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga. It is common practice for council's to attempt to achieve these duties by encouraging ngā rūnanga to provide a list of identified culturally significant sites to be protected in plans.

Planners have historically considered that sites and areas of cultural significance can be neatly pinpointed on planning maps in the same way as European archaeological or heritage sites. Such a generic approach means that cultural considerations are often overlooked compared with the more comprehensively developed or specific policies and assessment matters for European heritage.

Statutory plans often reference "cultural values", however, this term is so broad it provides little guidance on what this actually means and what may be required to fulfil statutory obligations or higher order objectives to "protect cultural values".

This traditional approach recognises and protects wāhi tapu me wāhi taonga in district plans through a two-step process:

1. Sites are pinpointed on planning maps, generally as a circle; and
2. Within those circles, rules apply to activities which may affect the site (i.e. earthworks or buildings).

The approach involves identifying the physical location of sites, including their boundaries, to ensure certainty in terms of where the rules apply. The iwi authority and/or papatipu rūnanga are identified as an affected party in terms of processing a resource consent application.

The advantage of this approach is that it is easy for anyone to understand (with or without a background in tikanga Māori) and it also fits neatly within the traditional style of statutory plans. This approach however, overlooks the historical occupation and relationship that Te Ngāi Tūāhuriri whānau has with the entire Waimakariri District. All of the district is regarded as ancestral land, and

as mana whenua, Te Ngāi Tūāhuriri hold interests in the management of all natural resources in their takiwā.

Additionally, Te Ngāi Tūāhuriri Rūnanga have previously stated that they do not support the identification and inclusion of all culturally significant sites (including wāhi tapu and some taonga) in district plans as they are concerned that identifying specific sites in plans may be mistakenly perceived as meaning that these are the only areas within the takiwā of interest to the Rūnanga.³

For these reasons, the traditional planning approach does not accord with a cultural perspective of resource management, and does not therefore meet the requirements of the CRPS or s6(e) of the RMA4.

It is therefore recommended that WDC moves away from the traditional approach of recording archaeological sites and instead pursue a more contemporary landscape classification. A key difference between the two approaches is that the contemporary approach does not rely on one type of site and one set of rules. Instead, it recognises that there are a variety of culturally significant sites and areas, which have differing values.

The Christchurch District Plan is an example of a contemporary classification system which could be adapted to the Waimakariri District.

Provisions for the Christchurch District Plan were approved by an independent hearings panel which consisted of a High Court Judge, an Environment Court Judge and highly experienced planners. Some confidence can therefore be taken, that the Christchurch approach has been robustly assessed.

The Christchurch District Plan includes sub-chapter 9.5 which relates to the management of sites and areas of cultural significance to Ngāi Tahu mana whenua, recognising the whole of the district encompasses ancestral lands as well as waters, sites, wāhi tapu and wāhi taonga.

The contemporary classification approach reflects a variety of culturally significant sites and areas within the Christchurch district (including Banks Peninsula) and identifies activities likely to affect their historic and contemporary cultural values.

The Christchurch District Plan contains three broad types of cultural sites. These consist of:

1. Wāhi Tapu/Wāhi Taonga (including Mahaanui Iwi Management Plan Silent Files and Kaitorete Spit)
2. Ngā Tūranga Tupuna.
3. Ngā Wai

Each of these cultural landscapes has provisions which reflect the associated values that require protection. Provisions in regards to (1) are the most onerous, with the need to protect highly significant values whilst Ngā Tūranga Tūpuna and Ngā Wai provide for the identification of culturally significant sites without implementing a lot of additional rules. The CCC approach effectively

³ Te Ngāi Tūāhuriri Position, Wāhi Tapu me wāhi taonga in the Waimakariri & Rakahuri catchments Report, June 2017

⁴ The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga

recognises sites and areas of cultural significance, and more closely aligns with the relevant policies in the Mahaanui Iwi Management Plan.

The decision document for sub-chapter 9.55 states that wāhi tapu /wāhi taonga sites includes places that are considered by Ngāi Tahu to be wāhi tapu or wāhi taonga.

Ngā Tūranga Tūpuna are described as places of settlement or occupation in the past, which includes areas or landscapes of Ngāi Tahu cultural significance.

Ngāi Wai consist of particular water bodies and their margins and include wetlands, waipuna (springs) and coastal waters which are significant areas of customary use (including mahinga kai) for Ngāi Tahu.

To develop these classifications, Ngāi Tahu undertook an assessment of existing documented information including Cultural Impact Assessments, archaeological association sites, and silent file areas, to identify the Wāhi Tapu / Wāhi Taonga sites. These were then discussed with Rūnanga representatives⁶.

In some instances, particular areas include multiple classifications (i.e. Ngā Tūranga Tupuna and Wāhi Tapu/Wāhi Taonga or Ngāi Wai) within them. In this case, the values of all of the classifications are required to be considered.

The rules applying to each of the identified sites and areas of Ngāi Tahu cultural significance are primarily contained in the relevant zone and district wide chapters (hazardous substances, contaminated land, natural hazards, general rules and procedures, transport, subdivision, development and earthworks), along with matters of discretion, which must be considered when a resource consent is triggered.

This report is recommending that the proposed approach for sites of cultural significance in the Waimakariri District Plan is based on the process and categories established by the Christchurch District Plan. Following this methodology ensures that Ngāi Tahu history is recognised over larger areas of the district as well as in areas of high significance, for example silent files, with appropriate provisions.

It is relevant to note that where a culturally significant site is also a Papakāinga Kāinga/Nohoanga, the Natural and Cultural Heritage rules (including those applying to wāhi tapu and outstanding natural landscapes) either do not apply to the Kāinga Nohoanga or have a reduced level of control.

8 CULTURAL LANDSCAPE CATEGORIES

The following landscape categories have been identified through a process of research and mapping led by the Manager of Mātauranga Māori Taiao. Existing data sources were adopted as a starting point and/or retained from the Operative Plan. The identified landscapes and the development of categories were discussed with Rūnanga through hui and the sharing of documentation.

⁵ Independent Hearings Panel Christchurch Replacement District Plan Schedules to Decision Topic 9.5

⁶ Ngāi Tahu hearing evidence- S.32AA Report corrections, February 2016, pg 5.

It must be acknowledged that the landscape categories, sites and areas identified in this report are not definitive and final. They represent the best efforts to date using desk top resources only. None of the sites and areas have been ground-truthed and should Council require more information or qualification of the sites and areas, that would require additional research, and investigation including site visits.

It is expected that over time further sites and areas may be identified and the landscape categories and maps further developed.

The following landscape categories are recommended to be included within the reviewed Waimakariri District Plan.

8.1 NGĀ TUTOHU WHENUA

Ngā Tutohu Whenua are the cultural landscapes of the Waimakariri District, which encompass entire catchments, rather than general areas. This includes both the Rakahuri and Waimakariri River catchments within the Waimakariri district.

The Mahaanui Iwi Management Plan states that Ngā Tutohu Whenua is a meaningful way to identify and recognise the values within catchments and the relationship with mana whenua.

During the Christchurch District Plan review, Ngāi Tahu identified the whole district as a landscape that has cultural values and Rūnanga⁷ then went on to categorise areas of particular sensitivity⁸ within the catchment. Similarly, in the Waimakariri District context the catchment is used as the starting point for establishing the extent of cultural interests and associations with further categorisation occurring for more defined cultural landscapes.

The Ngā Tutohu Whenua is shown on the maps in Appendix 1.

Data Source for Maps

The data source for the mapped extents of Ngā Tutohu Whenua are derived from data used for maps found in the Mahaanui Iwi Management Plan 2013.

8.2 WĀHI TAPU and WĀHI TAONGA

Wāhi tapu are sites and places that are culturally and spiritually significant to mana whenua history and identity, and may include sites such as urupā, pā, maunga tapu, kāinga, tūranga waka and places where taonga have been found. The term is generally applied to places of particular significance due to an element of sacredness or some type of restriction as a result of a specific event or action. Wāhi tapu sites are to be protected according to tikanga and kawa (local customary practices) which seek to ensure that the sacred nature of those sites is respected.

Mana whenua consider wāhi taonga to be 'treasured places' due to their high intrinsic values and role in maintaining balanced ecosystems. Wāhi taonga are prized for their capacity to shape and sustain the quality of life and provide for the needs of present and future generations. Allowing and

⁷ RFWG consisted of a representative from each of the 6 papatipu rūnanga in the Christchurch District.

⁸ Ngāi Tahu hearing evidence- S.32AA Report corrections, February 2016.

maintaining access to these areas is also important to Ngāi Tahu cultural and identity. Sites and areas that are recommended to be identified as wāhi tapu and wāhi taonga listed below.

In terms of values associated with wāhi tapu and wāhi taonga, it is important to highlight that they are not solely confined to the physical boundaries of individual sites or the artefacts they contain. Rather, the significance of a site also includes its historical and contemporary relationship to the surroundings and community.⁹

The following sub-categories are proposed under the heading of Wāhi Tapu and Wāhi Taonga and are shown on the maps in Appendix 2.

8.2.1 Silent Files

Silent files are a tool to protect culturally significant sites such as urupā, waiwhakaheke tūpapaku or other wāhi tapu. A silent file gives a general indication of the location of the significant site without identifying its exact site. The presence of a Silent File on a planning map should act as a trigger for a high level of meaningful engagement with mana whenua for activities.

It should be noted that there are wāhi tapu that are not identified within silent files. Accordingly, the terms are not inter-changeable.

In some cases the precise location of wāhi tapu sites (sacred or restricted places) may not be disclosed. An example of this approach includes the use of Silent File areas which indicate the general location of particular sites or features of significance to mana whenua without identifying a precise location.

The use of silent files within the Waimakariri District was introduced in Te Whakataurua Kaupapa (Ngāi Tahu Resource Management Strategy for the Canterbury Region) in 1990. This document states that silent files identify only the general area of wāhi tapu or other special sites, acknowledging that these sites have differing levels of significance and value. Additionally, some sites are described as being known to most Ngāi Tahu, while other sites may be only known to small groups (i.e. an extended whānau). In the latter situation, it is up to the groups or whānau to determine what information (if any) is revealed for those sites¹⁰.

During the hearings for the Christchurch Replacement District Plan, evidence provided on the existence/importance of sites of Ngāi Tahu cultural significance purposely avoided describing the underlying importance and specific values of silent file areas. This is consistent with the purpose of a silent file as well as the policies contained in the Mahaanui Iwi Management Plan¹¹.

The existing Waimakariri District Plan acknowledges a number of silent file areas but as noted in Section 5. above, there are limited opportunities for mana whenua to provide input on resource consent applications that will achieve protection of wāhi tapu.

⁹ Te Ngāi Tūāhuriri Position, Wāhi Tapu me wāhi taonga in the Waimakariri & Rakahuri catchments Report, June 2017

¹⁰ Te Whakataurua Kaupapa, 1990, Introduction page 1-4 & 1-5.

¹¹ Opening legal submissions on behalf of Te Rūnanga o Ngāi Tahu and Ngā Rūnanga, January 2016.

Data Source for Maps:

The mapped extents of Silent Files was sourced from mapped extents within Te Whakatau Kaupapa and the Mahaanui Iwi Management Plan 2013.

8.2.2 Maunga Tapu/Tūpuna

Maunga are mountains and they are included as wāhi tapu as they are considered to be the most sacred part of a landscape, representing spiritual and cultural beliefs for mana whenua. They are often named after tūpuna and significant historical events and stories, and function as important navigation markers on Ara Tawhito/Ancestral Trails.

Data Source for Maps:

The mapped extents for Maunga Tapu are constructed on LINZ topographic contouring and provide the best possible mapped representation for the features.

8.2.3 Ngā Waipuna

Ngā waipuna are springs. In addition to being important aquatic environments and freshwater sources, they are tapu (sacred). Ngā puna also have an important role in Māori cosmology and rongoā (Māori medicinal treatments), and in many instances are considered wāhi tapu by mana whenua.

Data Source for Maps: Datasets come from ECan catalogued springs.

8.2.4 Ngā Reporepo

Ngā reporepo are wetlands, which are taonga to Ngāi Tahu as they provide rich sources of mahinga kai and natural ecosystem functions that protect and improve mauri.

Advocacy for the continuing health and restoration of wetlands is found throughout Tau et al. (1990) and Te Ngāi Tūāhuriri Rūnanga et al. (2013). Description of the traditional utilisation of wetland environs is found in Anderson and Tau (2008) and Anderson (1998).

Data Source for Maps:

Ngā reporepo have not been mapped. LINZ maps were examined but are not considered to be practicable as many wetlands have changed since data was first developed. Accordingly, any references in the district plan to wetlands would need to be worded.

8.3 NGĀ TURANGA TUPUNA

Ngā Tūranga Tūpuna refers to larger extents of land within which there is a concentration and broader range of culturally significant sites for example, archaeological sites of Māori origin, silent files¹² sites (including remnants) of ancestral Pā, kainga (settlements or homes), urupā (burials), and all of the spaces inter-connecting these places and features. In addition to these sites, there will

¹² Silent files are a tool to protect sites of significance in the takiwā. Silent files areas are mapped by tribal experts to indicate a higher probability of encounter with sensitive tangible and/or intangible Ngāi Tahu values, without revealing the exact location.

be rivers, streams, springs and wetlands within these areas. The values within a Ngā Tūranga Tūpuna are both historical and contemporary.

Ngā Tūranga Tūpuna also represent areas where mana whenua have an elevated concern with regards to the integration and effects of a wide range of land-use activities and may require notification or engagement as part of a planning process.

The Christchurch City Hearings Panel decision for sub-chapter 9.5¹³ further describes Ngā Tūranga Tūpuna as places of settlement or occupation in the past, which do not usually contain known physical features (excluding archaeological sites), but do provide an opportunity to incorporate Ngāi Tahu history and values into the development or redevelopment of these areas.

The Ngā Tūranga Tupuna proposed for the Waimakariri District Plan relates to the lower Rakahuri through to Kaiapoi area (see Appendix 2). This reflects the continuous occupation of the locality by Ngāi Tahu (namely Ngāi Tuhaitara, Ngāti Rakiāmoa, Ngā Tūāhuriri etc.) for more than 47 generations and includes the Waimakariri River, Kaiapoi Pā, Taerutu Stream and lagoon, Tuahiwi MR873 and other Kaiapoi Māori Reserve lands, Tutaepatu Lagoon, Taranaki Stream, Rakahuri Estuary, Saltwater Creek and the physical connections between these places.

Data Source for Maps:

Many of the Ngā Tūranga Tupuna are constructed from data based on LINZ topographic contours and provide the best possible mapped representation for the features concerned. The larger Waimakariri ki Rakahuri is composite of data derived from Silent File extents, river margins and concentrations of recorded archaeological sites of Māori origin.

8.4 NGĀ WAI

Wai is water and represents the essence of all life. It is integral to tribal identity and considered to be a wāhi taonga.

Ngā wai is source of mahinga kai and therefore has an intrinsic connection to the health of species harvested for mahinga kai purposes. In addition there are also cultural values associated with ngā wai related places of significant events, occupation, historic access and travel routes.

Waimāori/freshwater also appears in creation traditions. For example, Maku (moisture/water) mated with Mahoranuiatea and begat Ranginui his tears, resulting from continued separation from Papatūānuku, are the rains. Water is a promoter of all life and is the circulatory blood system of Papatūānuku, and thus represents the life blood of the environment. Its condition and treatment is a reflection on the health and regard for Papatūānuku.

The Ministry for the Environment (2016) notes that "...iwi, hapū and whānau interests and values are not adequately considered in planning and resource management decision-making.." and in addition states government perspectives including ensuring "...iwi and hapū are able to participate

¹³ Independent Hearings Panel Christchurch Replacement District Plan Schedules to Decision Topic 9.5

in decision-making about fresh water in their rohe...” and “...the relationship of iwi and hapū with, and values for, particular freshwater bodies is recognised.”¹⁴ .

As specified in the Wāhi Tapu me Wāhi Taonga addendum report (October, 2017), cultural values incorporate a number of matters including biophysical values (i.e. water quality and quality and natural river processes), associative value (i.e. the history and cultural practices associated with a place or area) and perceptive values (i.e. perceptions of the mauri of a water body).

The name Waimakariri refers to the cold (makariri) mountain fed waters of this braided river. The river was part of a larger network of ara tawhito linking the east coast of Te Waipounamu to the mahinga kai resources of the high country and pounamu resources of Te Tai Poutini.

For the purposes of a district plan, the categories specified in this section include selected water bodies and their margins which have been determined to be significant areas of mahinga kai or other customary uses for mana whenua. Each of these are advocated for by mana whenua on the grounds of ancestral and customary associations, and rightful statutory acknowledgment and incorporation. These sub-categories are described in the sections below.

8.4.1 Ngā Awa / Ngā Manga

Ngā Awa are the major rivers within the district and Ngā Manga are the tributaries. The major rivers include:

- Rakahuri/ Ashley;
- Waimakariri;
- Ruataniwha/ Cam; and
- Kaiapoi.

These waterways are within the kaitiakitanga of mana whenua and many of these water-bodies were also former trails and places of mahinga kai, including nohoanga.

Data Source for Maps:

Selections from within LINZ hydrography data in addition to several draft property-level polygons.

8.4.2 Te Tai o Mahaanui (Coastal)

Tai is the coastal environment. In the Waimakariri District, this extends from the Te Akaaka/Saltwater Creek outlet, through to the Waimakariri River, and largely follows a portion of the Ngāi Tahu Te Tai o Mahaanui Statutory Acknowledgement Area.

It is acknowledged that Waimakariri District Council is only responsible for that part of the coastal environment above Mean High Water Springs.

Data Source for Maps: Coastline shape from Ngāi Tahu Te Tai o Mahaanui Statutory Acknowledgement Area edited to suit district boundaries.

¹⁴ Ministry for the Environment/Manatū Mō Te Taiao:2016

9 THREATS

The following section of this report outlines perceived threats (including specific land use activities) to cultural sites and areas of significance

Section 6.4 (Waimakariri) of the Mahaanui Iwi Management Plan identifies a number of issues for the Waimakariri catchment. These include subdivision and development activities in the lower catchment which have the potential to impact on mana whenua values.

Particular mana whenua values and interests are described as relating to lowland streams, wetlands, drains and waipuna and the desire to manage these as mahinga kai resources. In addition, there is the protection of sites of cultural significance including silent files and wāhi tapu and wāhi taonga areas (outside of silent files)¹⁵.

The Explanation describes how the rezoning of rural land to enable subdivision and residential, rural residential or business development is an issue in the Waimakariri catchment as existing settlements and business zones have expanded.

It is further suggested that increasing the density of residential, business and industrial uses of land can put further pressure on the quality and quantity of freshwater resources, and increase the risk to wāhi tapu and wāhi taonga sites. There are four silent files in the Waimakariri catchment all of which are clustered in the lower catchment area.

The Iwi Management Plan acknowledges that despite potential adverse effects on Ngāi Tahu values, development activities can provide opportunity to enhance cultural landscape values. An example is the establishment of extensive wetland areas as part of the Pegasus township development.

A more comprehensive list of specific activities or matters which may adversely affect cultural values and interests within the district, is as follows:

9.1 Earthworks (including within water body margins)

Earthworks encompass activities that involve soil disturbance, land modification and excavation, which may occur at a range of scales from individual sites (i.e. house site) to large developments such as residential subdivisions or regional infrastructure projects. As stated in the Iwi Management Plan, any activity that involves ground disturbance has the potential to uncover cultural material (including wāhi tapu). Accordingly, these activities can result in the damage or destruction of physical sites and areas of cultural significance.

Earthworks activities such as residential land development can also leave large areas of land cleared with bare soil exposed to rainfall and surface water flows, which can cause sediments, soils or pollutants to enter water bodies. The Iwi Management Plan advises that the effectiveness of erosion and sediment control as a component of earthworks activities is a key concern for mana whenua¹⁶.

Earthworks associated with quarrying and mining are specifically identified in the Iwi Management Plan as potentially impacting on wāhi tapu sites. Particular issues relate to erosion and sediment control, visual impacts and loss of indigenous vegetation, particularly where these concern sites and areas identified as wāhi tapu and wāhi taonga.

9.2 Contaminated land

The Iwi Management Plan states that contaminated land can have adverse effects on Ngāi Tahu cultural associations as contaminated sites or areas may be on, near or adjacent to land with

¹⁵ Mahaanui Iwi Management Plan 2013, Chapter 6.4, Issue WAI4.

¹⁶ Mahaanui Iwi Management Plan, Pg 116

mahinga kai, wāhi tapu or historical associations. Any land use activities which either results in the disturbance of existing contaminated sites or areas, or potentially causes new contamination risks is of concern to mana whenua.

The Iwi Management Plan also contains a number of number of specific policies which concern enabling mana whenua to participate in decision making about contaminated land.

9.3 Subdivision

As mentioned previously, subdivision and development is an issue in the takiwā, in both urban and rural settings. Subdivision and land use change can increase the potential for effects on sites and areas of cultural significance. These effects may be concerned with land disturbance and the introduction of activities which are inappropriate in close proximity or, or causing the displacement or loss of wāhi tapu or wāhi taonga values. In addition, intensification of the built environment may increase demand for water supply, waterwater and stormwater disposal, adversely impacting surface and groundwaters.

The Iwi Management Plan states that appropriate protection mechanisms for culturally significant sites (including wāhi tapu and wāhi taonga) should consider whether the site or area is considered low or high risk for potential accidental finds or damage, destruction or modification of known or unknown cultural sites.

9.4 Vegetation removal and clearance

Vegetation is often cleared for land management purposes, including converting land from one use to another. The perceived threat associated with this activity is that the removal of vegetation (e.g., “scrub”) can often include the removal of significant indigenous plant species such as Kānuka, Mānuka and Tōtara, all of which are identified as taonga species under the Ngāi Tahu Claims Settlement Act 1998 (Schedule 97). These species are also important nursery species for other indigenous species¹⁷.

The removal of indigenous vegetation can also result in adverse effects on indigenous biodiversity values and mahinga kai values. This may occur as indigenous vegetation is a source of customary resources (i.e. raupō, harakeke and other rongoā/medicinal plantings) and may also provide habitat for mahinga kai species.

Riparian vegetation is a particularly significant factor in terms of protecting the quality of an aquatic habitat. The loss or reduction of riparian vegetation may impact the presence and diversity of in stream biota, as well increasing the vulnerability to erosion along the margins of waterways which can in turn lead to an increase in sediment inputs into a waterway.

In addition to the consequential impacts on biodiversity and habitat arising from the removal of indigenous species, the loss of vegetation may also diminish the extent and quality of the cultural landscape.

9.5 Disturbance of Wetlands, Riparian Margins and Waipuna

All of the above activities, namely earthworks, vegetation removal, subdivision and development activities have the potential to adversely affect wetland areas, waipuna (springs) and riparian margins. Mana whenua consider all of these to be wāhi taonga, as they are treasured for their role in protecting and enhancing mauri (health or life force), as well as providing habitat for mahinga kai.

¹⁷ Mahaanui Iwi Management Plan, Pg 117

The Iwi Management Plan considers wetlands, riparian margins and waipuna together as they are physically inter-connected. Further, the Iwi Management Plan emphasises that existing wetlands, waipuna and riparian areas need to be protected, maintained or enhanced. Degraded areas should also be restored, and opportunities taken to re-establish wāhi taonga across the landscape.

A notable example of a potential threat (particularly to riparian areas) is the establishment of dwellings or other structures within prescribed water body setbacks. Water body setbacks provide a number of functions including improving water quality and catchment wide ecosystem health by filtering potential contaminants and providing access for the maintenance of water bodies¹⁸. However, encroachment into these setbacks can limit their overall functionality and consequently can adversely affect mana whenua values associated with these areas.

Te Ngāi Tūāhuriri Rūnanga have consistently advocated for the protection of the mauri of water bodies through the requirement for, and enforcement of appropriate setbacks or buffers between water bodies and land use activities. However, past engagement with district councils has elevated Rūnanga concerns as encroaching activities (within prescribed setbacks) are more often than not consented by councils, despite consistent Rūnanga objections. It is recommended that Waimakariri District Council considers the potential benefits associated with the maintenance of water body setbacks in both urban and rural environments.

9.6 Restrictions on Access

As outlined in the Iwi Management Plan, any land use activities which impede or restrict mana whenua access to identified sites and areas of cultural significance (including wāhi tapu, wāhi taonga as well as mahinga kai sites) is of particular concern to the Rūnanga. The Plan specifies that mana whenua access to culturally significant sites and areas has been adversely affected for a number of reasons including restrictions to physical access as many sites and areas are located on non-tribally owned lands (both Crown and private).

Whilst mana whenua accept and support the need to restrict public access to sensitive areas. i.e. to protect the habitat and breeding ground of indigenous species; Ngāi Tahu access to sites and resources should be recognised and provided for independently from general public access. Additionally, the Iwi Management Plan states that customary access is a customary right, which means that mana whenua must have unencumbered physical access to these areas¹⁹.

9.7 Structures, Utilities and Roads

Structures have the potential to impact on cultural landscapes, depending on the existing values and characteristics of the landscape concerned, and the scale and design of the structure.

In some cases it may be the earthworks associated with the structure that are more of concern, or its proximity to water-bodies.

The Iwi Management Plan identifies that Ngāi Tahu has a particular interest in energy generation, distribution and use. Of particular relevance to the District Plan, Policy P17.5 supports in principle the use of wind and solar energy generation in Canterbury.

In respect of transport, the Iwi Management Plan identifies the protection of sites of significance and indigenous biodiversity from transport infrastructure. The policies specify that in order to protect tangata whenua values, development and construction of transport infrastructure should avoid sites and areas identified as wāhi tapu, wāhi taonga and silent files.

¹⁸ Christchurch District Plan, sub-chapter 6.6, Water Body Setbacks, policy 6.6.2.1.2.

¹⁹ Mahaanui Iwi Management Plan 2013, pg 152.

9.8 Intensive Farming and Heavy Industry

Buildings and activities associated with intensive farming and heavy industries, particularly in the rural environment have the potential to impact on sites and areas of cultural significance. The effects may be directly related to earthworks or the impact of large scaled buildings on the landscape. However, in some cases, even if the intensive farm or heavy industry is not directly within or on a wāhi tapu or wāhi taonga site or area, the proximity to these types of activities may be culturally inappropriate.

9.9 Commercial Forestry

The Iwi Management Plan identifies that commercial forestry can have significant effects on sites and areas of cultural significance. This may be through significant change to the cultural landscape e.g., earthworks, the spread of wilding trees or physical modification and damage to waterways. The establishment of commercial forestry at a larger scale can involve earthworks which contaminate and cause sedimentation in waterways, result in damage or destruction to significant sites, or the loss of indigenous biodiversity values including mahinga kai.

9.10 Intensification of Activities in the Coastal Environment

In addition to land development such as subdivision or earthworks, there is concern that some recreational activities of high frequency or concentrated activity can potentially damage landforms, ecology or create sedimentation that may impact water quality. In particular, the use of motorised vehicles on active dune systems or on the margins of water-bodies are of potential concern, as are commercial scaled kite surfing and horse-training.

9.11 Commercial Recreation and Tourism

The scale and frequency of commercial recreation and tourism activities have the potential to impact cultural values. This may be through the construction of buildings, the nature of activities e.g., motorised activities; or the concentration of people. This is of particular concern in a wāhi tapu landscape or site where increased human activity and presence may conflict with the spiritual associations with the setting.

10 RECOMMENDED PLANNING PROVISIONS

Having identified the landscape categories in Section 8.0 above, and the potential threats or risks to cultural values in Section 9, this section sets out a preferred approach to the management of those activities and risks for the reviewed District Plan. It focuses on the scope and content of proposed objectives and policies, but not the actual wording of new provisions.

One of the key recommendations is to enable mana whenua input to resource consent processes and decision-making for sites and areas of cultural significance. It is understood that there will be a mana whenua section in the Reviewed District Plan which will include policies setting out how mana whenua will work with the District Council. Whilst this is to be developed as part of a separate scope of work, the following matters are noted here for completeness.

10.1 OBJECTIVES

The proposed landscape categories encompass large areas which will contain a number of varying cultural values and respective associations. It is recommended the Council develops objectives that describe the ultimate outcome anticipated from the management of activities within these differing landscapes:

- The historic and contemporary relationship of mana whenua with their ancestral lands, water, sites, wāhi tapu and wāhi taonga within the district is **recognised and provided for**.
- An integrated approach to management of land use recognising **ki uta ki tai** and the inter-relationship between land use, ecosystems, natural processes and water.

10.2 POLICIES:

A suite of policies addressing subject matters as outlined below, are recommended for the different landscape categories.

10.2.1 Ngā Tutohu Whenua

The Ngā Tutohu Whenua landscape category is catchment scaled and intended to recognise, acknowledge and inform District Plan users of the historical and contemporary relationship, values and interests of Ngāi Tahu to the District. This landscape category also reflects a holistic approach to environmental management and ki uta ki tai.

A policy is proposed which establishes the basis for mana whenua engagement in environmental management and decision-making. It is not proposed that there be any specific rules relating to this landscape category except to the extent that specified activities adopt a buffer or setback from Wāhi Tapu, Wāhi Taonga and Ngā Turanga Tūpuna landscapes or sites. Recognition of Māori place names within the District Plan is also supported.

- Recognition that **the entire** Waimakariri District is of immense cultural significance to Te Ngāi Tūāhuriri and accordingly Ngāi Tūāhuriri's interests extend to all matters related to the future development of the District.

10.2.2 Wāhi Tapu/Wāhi Taonga

A key recommendation is to increase the specificity in policies and assessment matters as they relate to the protection of wāhi tapu and wāhi taonga. Rules for activities within a Wāhi Tapu / Wāhi Taonga area should be the most stringent and provide for avoidance of disturbance of urupā, and protection from inappropriate development, disturbance, damage or destruction.

The provisions should require engagement with Rūnanga and automatically identify Papatipu Rūnanga as an affected party.

The possible scope of policies includes:

- Any disturbance of urupā is to be avoided.

- The policy should contain an exception to allow Te Ngāi Tūāhuriri Rūnanga or their authorised agent/representatives, opportunities to undertake activities associated with further identification and protection of such sites.
- Wāhi tapu me wāhi taonga sites are to be protected from any inappropriate development activities, or activities which will result in disturbance, damage or destruction of these sites.
- Facilitate opportunities for enhancement of cultural and ecological values within wāhi tapu and wāhi taonga, particularly where associated with mahinga kai.
- Activities occurring adjacent to these sites must not result in adverse effects on them.

It is anticipated that the policies would support a high level of engagement with Papatipu Rūnanga for any activities which could result in a disturbance. A recommendation for an engagement policy is included below.

10.2.3 Nga Tuanga Tupuna

The scope of policies for the reviewed District Plan could include:

- Recognition that Ngā Tūranga Tupuna are important cultural landscapes in terms of both the historic and contemporary relationships mana whenua hold with these areas.
- Enhancement of mahinga kai and customary uses by way of providing opportunities to enhance planting and to use taonga species for planting and landscaping.
- Improved access along water bodies and wetland areas for customary use.
- Enhancement of waterbodies, springs (waipuna), wetlands (repo) through the reinstatement of original watercourses, riparian planting and avoiding encroachment by inappropriate buildings, structures and activities.
- Protection of urupā from disturbance and inappropriate activities.
- Requirements for accidental discovery protocols and cultural monitoring as part of earthworks activities.
- Opportunities to incorporate Ngāi Tahu associations with areas within Ngā Tūranga Tupuna, particularly through design input for public buildings, community facilities and other large scale developments (including residential and commercial).
- Requiring all development proposals from network utility companies, Councils and requiring authorities to demonstrate through engagement, cultural impact assessments and cultural health assessments that the design, location and installation of utilities are appropriate from a cultural perspective.

10.2.4 Ngā Wai

The key policy considerations in relation to ngā wai concern avoiding encroachment on identified water bodies by earthworks and structures and avoiding the loss of wetlands by earthworks, structures, land drainage and vegetation removal.

- Recognition that ngā wai (including water bodies, waipuna, reporepo and parts of the coastal environment) are culturally significant to mana whenua.
- Recognise the status of waterways identified as Statutory Acknowledgements in the Ngai Tahu Claims Settlement Act and ensure that land use is managed to avoid encroachment on and manage the effects of land use on those waterways.

- Ensure that land use activities are managed in respect of potential effects they may cause on waterbodies by:
 - Maintaining the natural character of the water bodies
 - Enhancing riparian planting, and in particular the use of taonga species as part of planting
 - Setbacks for structures and activities
 - Reinstatement of original watercourses
- Ensure activities and structures on the surface of water do not adversely affect taonga species or customary uses
- To recognise and enhance opportunities for customary use and access
- Ensure new land uses do not generate additional waste and stormwater that is discharged into Nga Wai.
- Commit to the replacement and up-grading of infrastructure to avoid adversely affecting water bodies.

10.2.5 Archaeological Sites

- Avoid damage to or destruction of archaeological sites.

10.2.6 Engagement

It is recommended that the reviewed District Plan include specific policies on engagement.

- Resource consent applicants and landowners required to engage with Te Ngāi Tūāhuriri Rūnanga before applying for resource consent or undertaking activities either adjacent to within identified sites of cultural significance.
- Where no prior Rūnanga engagement has occurred, the Council (WDC) will ensure that engagement occurs with the Rūnanga at the time an application is lodged.
- As part of the engagement process, mana whenua are enabled to determine the need for, and scope of, cultural assessments.
- Requirement for network utility operators to engage with mana whenua for any notices of requirement, outline plans and resource consent applications. As part of the engagement process, opportunities for cultural assessments (as determined appropriate by the rūnanga) should be provided.

10.3 RULES

See Appendix 2 Ngā Tutohu Whenua, Appendix 3 Ngā Wai, Appendix 4 Ngā Turanga Tupuna and Appendix 5 Wāhi Tapu / Wāhi Taonga for guidance on the types of rules and controls that may be appropriate for management of land use and activities within the above landscape categories.

10.4 ASSESSMENT MATTERS

The following section describes the types of assessment matters that should be included in the reviewed District Plan.

10.4.1 Ngā Tutohu Whenua

Rules relating to Ngā Tutohu Whenua require more intensive or rural processing activities to be setback from Wāhi Tapu/Wāhi Taonga and Ngā Turanga Tupuna landscapes. It is appropriate for applicants to engage with the relevant Papatipu Rūnanga enabling any feedback to be incorporated into resource consent applications. This allows Rūnanga to contribute to the consenting process through recommendations or consent conditions to provide for and protect cultural values.

- Whether the Rūnanga has been consulted and how the applicant proposes to incorporate the outcomes of that consultation;
- Potential adverse effects on both tangible and intangible Ngāi Tahu values as determined by the Rūnanga through initial engagement;
- Effects of the proposal on Ngāi Tahu values as determined through a Cultural Impact Assessment and if any recommendations from that Assessment have been integrated into the proposal;
- Whether the proposed activity will result in the removal of indigenous vegetation and effects on mahinga kai and other customary uses.

10.4.2 Ngā Turanga Tūpuna:

It is important that the rules relating to Ngā Tūpuna require the applicant to engage with the relevant Papatipu Rūnanga enabling any feedback to be incorporated into their resource consent application. This allows Rūnanga to contribute to the consenting process through recommendations or consent conditions to provide for and protect cultural values.

- Whether the rūnanga has been consulted and how the applicant proposes to incorporate the outcomes of that consultation;
- Whether the proposal will result in the disturbance of any culturally significant sites;
- Effects of the proposal on Ngāi Tahu values and proposed mitigation measures;
- Whether the proposed activity will result in the removal of indigenous vegetation and effects on mahinga kai and other customary uses;
- Whether the proposal maintains or restores natural features with cultural values within these areas;
- Effects of the proposal on archaeological values including provision for the resourcing of cultural monitors and accidental discovery protocols (as deemed necessary by the Rūnanga);
- The extent to which the proposed activity will affect the natural character of Te Tai o Mahaanui / the coastal environment;
- The extent to which the proposed activity incorporates mana whenua associations with areas/ sites within Ngā Tūpuna areas.
- In respect of utilities, the extent to which the proposed utility has a technical or operational need for its location.

10.4.3 Wāhi Tapu me Wāhi Taonga Rules:

In terms of developing assessment matters for Wahi Tapu me Wahi Taonga sites, the following provide a starting point for consideration:

- Potential adverse effects on both tangible and intangible Ngāi Tahu values as determined by the Rūnanga through initial engagement;
- Whether a cultural impact assessment has been undertaken by a rūnanga mandated writer and the extent to which the proposal is consistent with the values and recommendations identified;
- Effects of the proposal on archaeological values including provision for the resourcing of cultural monitors and accidental discovery protocols (as deemed necessary by the Rūnanga);
- The extent to which identified sites of cultural significance are proposed to be protected;
- Whether the rūnanga has been consulted and how the applicant proposes to incorporate the outcomes of that consultation;
- In regards to sites which are on the New Zealand Heritage List/ Rārangi Kōrero, whether Heritage New Zealand Pouhere Taonga has been consulted and the outcomes of that consultation;
- In respect of utilities, WDC should consider the extent to which the utility has technical or operation needs for its proposed location. If these needs can be met at an alternative location, this should be examined.

10.4.4 Ngā Wai

In terms of developing assessment matters for Ngā Wai sites, the following provide a starting point for consideration:

- Whether the Rūnanga has been consulted, the outcome of that consultation and whether the development or activity responds to, or incorporates the outcome of that consultation;
- Effects on sites of archaeological value including consideration of the need to impose an Accidental Discovery Protocol or have a cultural monitor present;
- The effects of the proposed activity on Ngāi Tahu values and the appropriateness of any mitigation measures including new planting and improved access for customary use;
- Whether the proposal will remove indigenous vegetation and any effects on mahinga kai and other customary uses;
- The extent to which the proposed activity will affect the natural character of the water-body and its margins.
- Whether wastewater disposal and stormwater management systems recognise the cultural significance of ngā wai, and do not create additional demand to discharge directly; and
- In respect of utilities, the extent to which the proposed utility has technical or operational needs for its location.

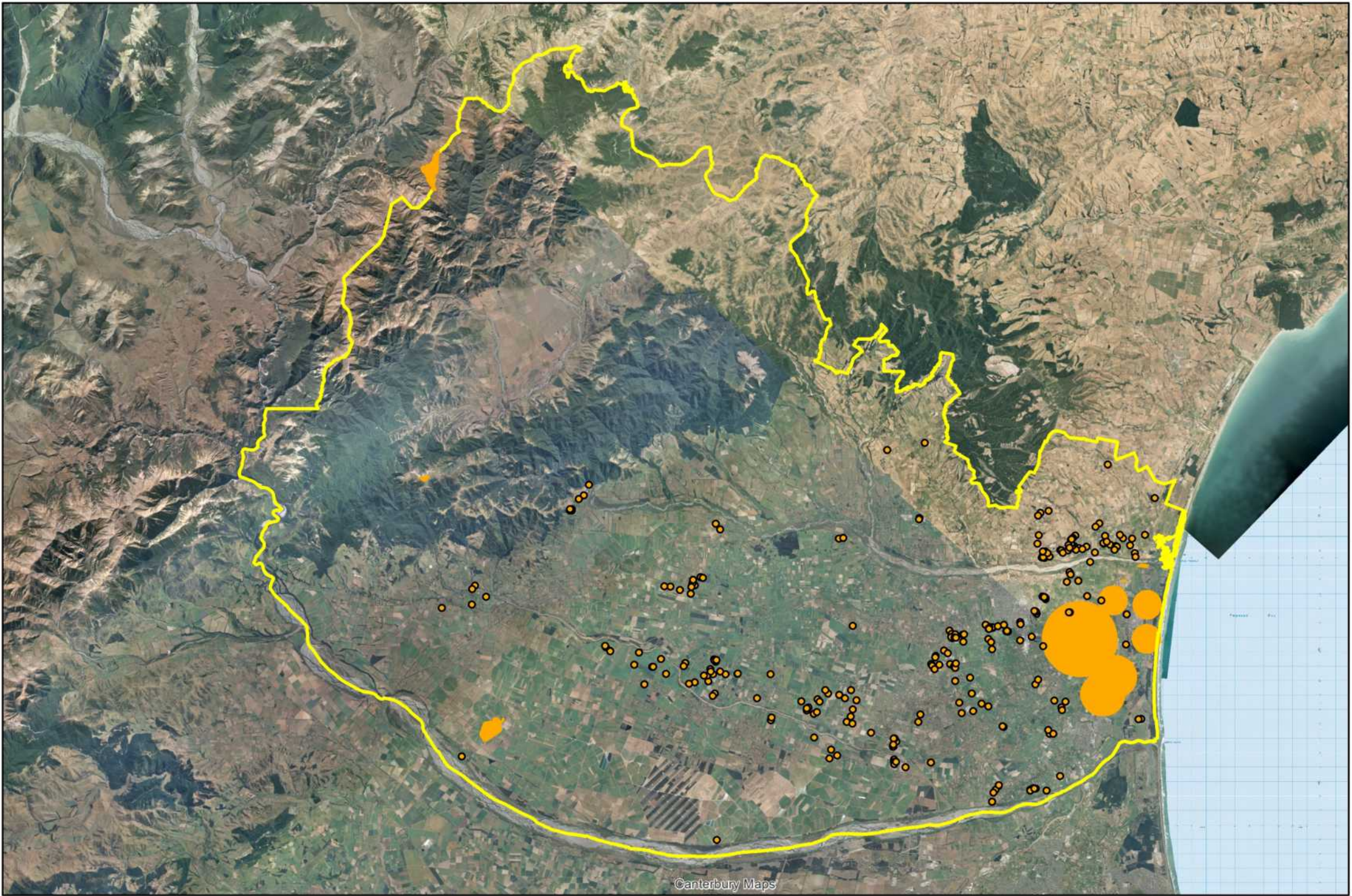
11 RECOMMENDATION

It is recommended that the Waimakariri District Council adopt the maps and outline of provisions (objectives, policies, rules and assessment matters) contained within this report as the preferred approach for the recognition, management and protection of cultural landscapes.

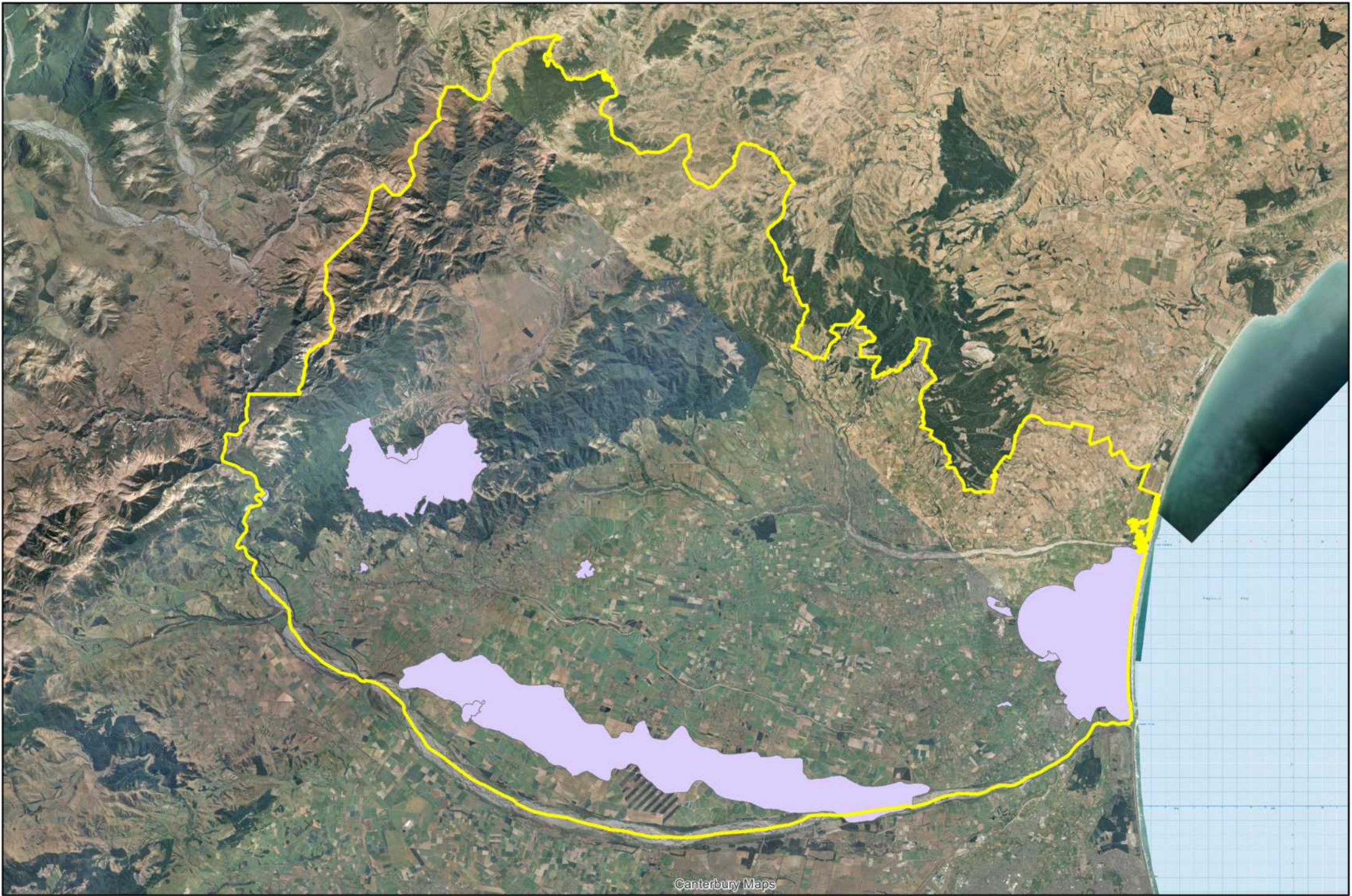
It is understood that this report whilst providing direction on the preferred approach, does not contain detailed or final provisions and that these will be the subject of further development and engagement with Rūnanga.

APPENDIX 1

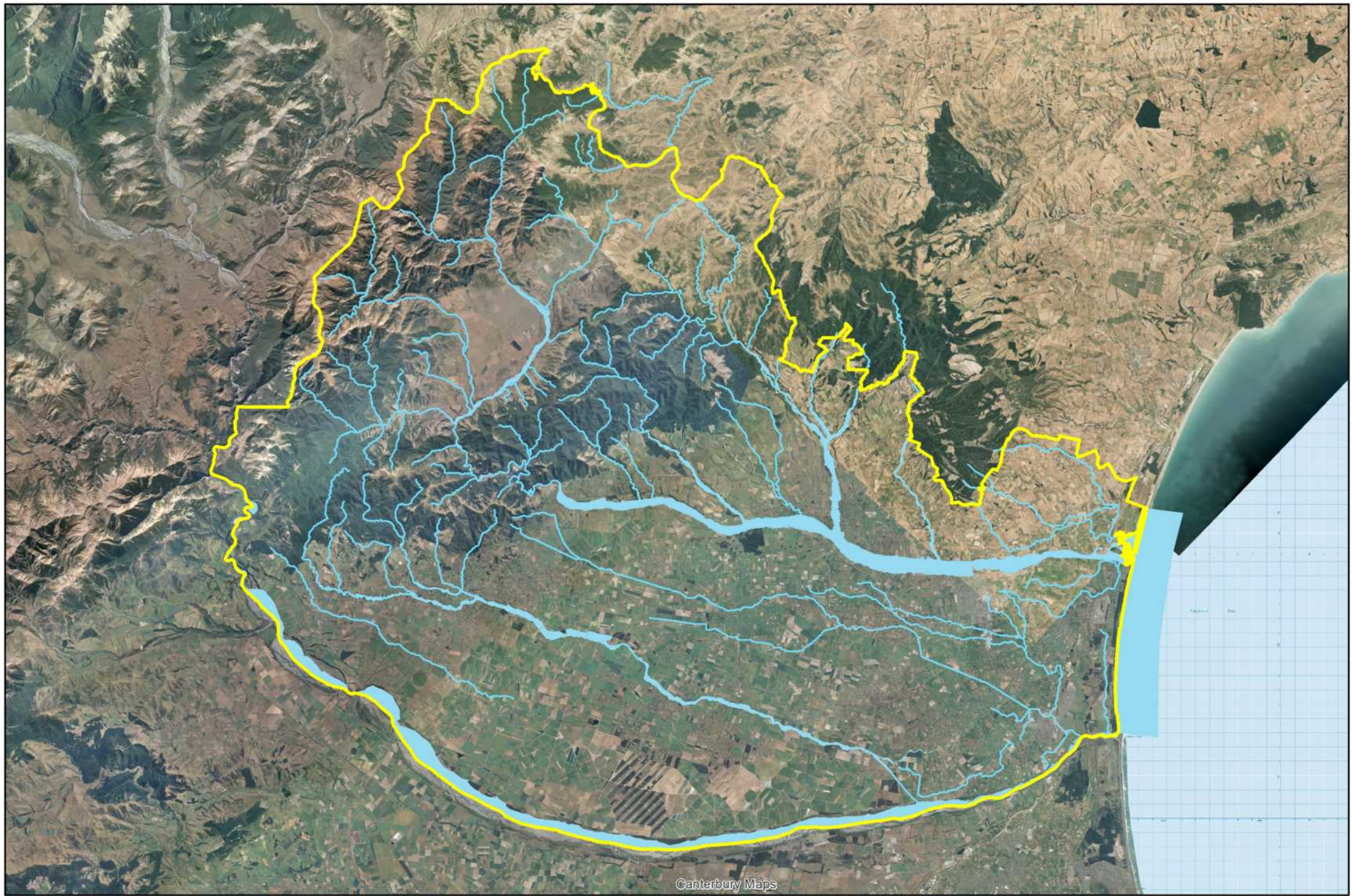
CULTURAL LANDSCAPES - MAPS



Map 1 - Wāhi Tapu/Taonga

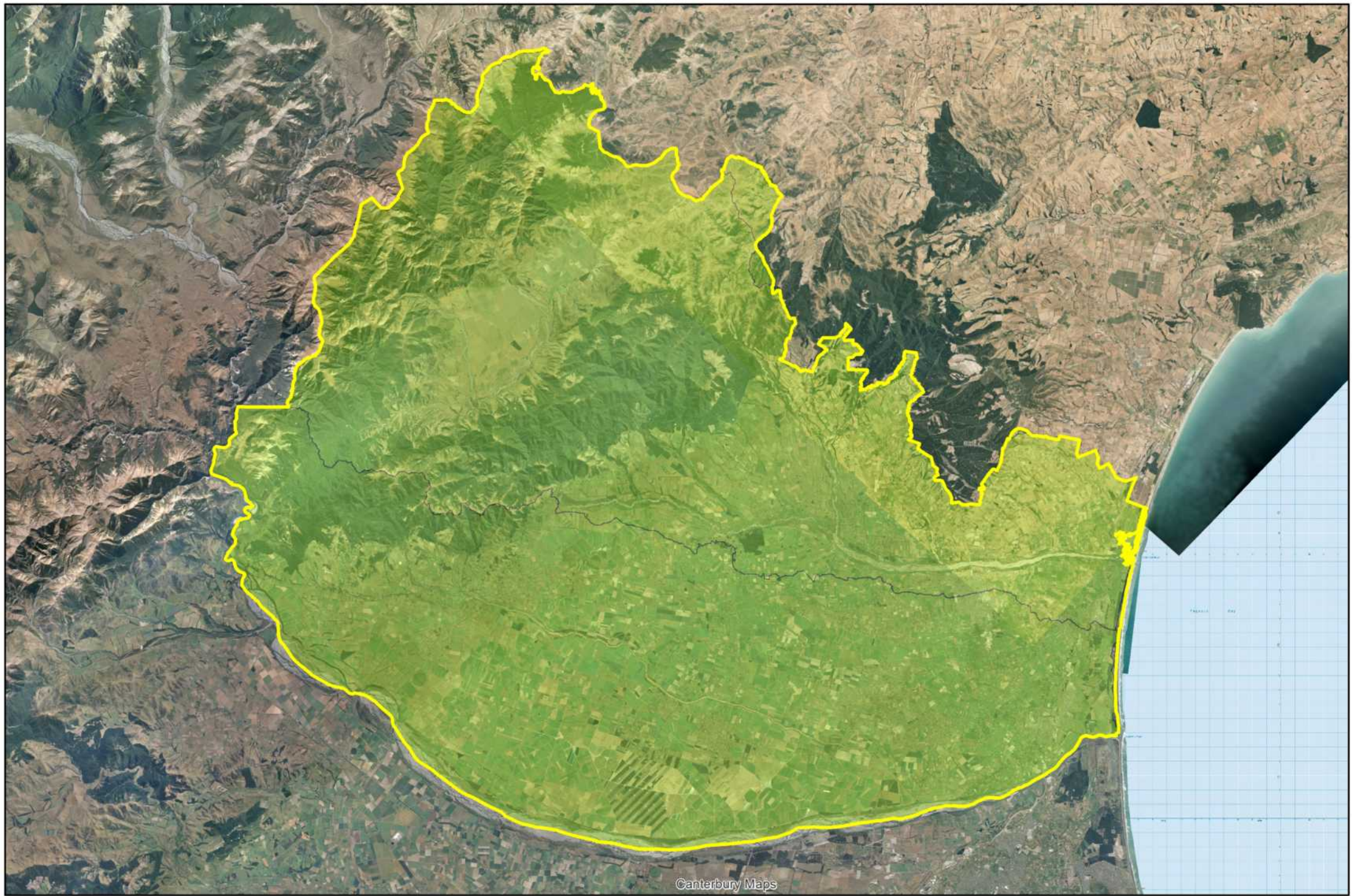


Map 2 - Ngā Tūranga Tūpuna



Canterbury Maps

Map 3 - Ngā Wai



Canterbury Maps

Map 4 - Ngā Tutohu Whenua - Waimakariri and Rakahuri

APPENDIX 2
RULES: NGĀ TUTOHU WHENUA

NGĀ TUTOHU WHENUA

Rural and Urban Areas

	Permitted	Restricted Discretionary	Discretionary	Non-Complying
Rural Industrial Activities Quarrying Commercial Forestry Intensive Farming Commercial recreation and tourism activities	Must be located more than 200m from the boundary with a Wāhi Tapu/Wāhi Taonga or Ngā Turanga Tupuna landscape.		When located within 200m of the boundary with a Wāhi Tapu/Wāhi Taonga or Ngā Turanga Tupuna landscape.	
Large scale subdivision			Applies within Landscape and 200m buffer from Landscape boundary	

APPENDIX 3
RULES: NGĀ WAI

NGĀ WAI

Urban Areas

	Permitted (or Controlled where noted)	Restricted Discretionary	Discretionary	Non-Complying
Buildings	<p>Demolition or removal of any building or part of a building including earthworks, provided no parts of the structure remain in a prescribed setback (to be determined).</p> <ul style="list-style-type: none"> • Must not cause flood, erosion or bank stability vulnerability. <p>General activities associated with existing buildings, i.e. use, repair and maintenance activities also permitted.</p> <p>Note: Erosion and Sediment Control measures required (consistent with the ECan Erosion and Sediment Control Guideline)</p>	<p>Any new buildings or structures (including fences, impervious surfaces) within a prescribed water body setback area.</p> <p>This includes temporary works as well as the placement of permanent structures.</p>		
Roading and Transport	<p>General maintenance and repairs of existing roading.</p>	<p>New bridges</p> <p>Extending or widening existing roads, footpaths, cycleways or parking areas which reduce distance between the road and the water bodies (within prescribed setback distance)</p>	<p>New roads, footpaths, cycleways within prescribed setback</p>	
Earthworks	<p>Works within a prescribed water way setback to be subject to limits on volume and maximum depth.</p>	<p>Restricted discretionary if the permitted standards are not met.</p>		

	<p>Or earthworks to meet same setback as applied to buildings.</p> <p>Note: Erosion and Sediment Control measures required (consistent with the ECan Erosion and Sediment Control Guideline)</p> <p>Works related to enhancement or maintenance of water bodies including:</p> <ul style="list-style-type: none"> • channel realignment, rock placement for the purposes of habitat improvement. • amenity features associated with public land such as reserves, including public artworks, interpretation panels and seating along or around water bodies. <p>Standards for enhancement and maintenance works include:</p> <ul style="list-style-type: none"> • must not prevent fish passage. • Should not occur during spawning seasons for mahinga kai species. 	<p>Earthworks associated with hazard mitigation and defences against water.</p>		
<p>Subdivision</p>	<p>Boundary adjustments which result in no additional allotments and subject to meeting setback requirements for any earthworks, building platforms and no increase in the number of allotments sharing a boundary with the waterway, unless it includes an esplanade reserve to be a controlled activity.</p>	<p>Restricted discretionary if the setback requirements are not met.</p> <p>Any subdivision which results in the creation of additional allotments adjacent to a Ngā Wai/ identified water body</p> <ul style="list-style-type: none"> • Consent notice - i.e. planting 		

	Subdivision for the purpose of creating esplanade reserves or strips to be a controlled activity.	requirements.		
Utilities	<p>General maintenance of existing utility structures and establishment of temporary structures.</p> <p>Utilities sited at least 20m from a Ngā Wai.</p>	<p>Additions to or replacement of existing utility structures</p> <p>Small scaled utilities within setback.</p>	Large scale network utilities within 20m setback	
Vegetation clearance	<p>Clearance works required to either maintain or enhance the banks of water bodies for mahinga kai, ecological, amenity reasons or flood management.</p> <p>Works include:</p> <ul style="list-style-type: none"> removing exotic species and replanting with margins and berms with indigenous species. 		The removal of significant indigenous vegetation (criteria set out in Appendix 3 of the Canterbury Regional Policy Statement).	Removal of vegetation from margins of a wetland.

NGĀ WAI				
Rural areas				
	Permitted	Restricted Discretionary	Discretionary	Non-Complying
Earthworks	<p>Must be located outside specified setbacks. See buildings below. Plus:</p> <p>Earthworks for post holes for fencing, planting holes for trees and plants, maintenance of existing farm tracks and farm ponds, cultivation of existing pasture.</p>	<p>Earthworks occurring within specified setbacks.</p> <p>Earthworks associated with hazard mitigation and defences against water.</p>		
Quarrying			All quarrying in a general Rural Zone.	
Forestry	Existing forestry includes-associated tending, maintenance and harvesting.		Any new commercial forestry activities, including plantation forestry (for wood protection purposes) within the rural zones.	
Buildings	<p>Demolition or removal of any building or part of a building including earthworks permitted provided no parts of the structure remain in the setback.</p> <ul style="list-style-type: none"> • Must not cause flood, erosion or bank stability vulnerability. • Note: Erosion and Sediment Control measures required (consistent with the ECan Erosion and Sediment Control Guideline) <p>General activities associated</p>	<p>Any new buildings or structures (including fences, impervious surface) within a prescribed water body setback.</p> <p>This includes temporary works as well as the placement of permanent structures.</p>		

	with existing buildings, i.e. use, repair and maintenance activities also permitted.			
Subdivision	<p>Boundary adjustments which result in no additional allotments to be a controlled activity.</p> <p>Boundary adjustments are subject to standard setback requirements (from waterways/ Ngā Wai) for any boundary adjustment.</p> <p>Subdivision for the purpose of creating esplanade reserves or strips shall be a controlled activity.</p>	Boundary adjustments and rural subdivision where setbacks not met.		
Utilities and Energy Generation	General maintenance of existing utility structures and establishment of temporary structures provided at least 20m from a Ngā Wai (waterbody or spring) and 100m from the edge of a Ngā Roto (lake).	<p>Additions to or replacement of existing utilities within setbacks.</p> <p>Construction or extension of any access tracks to utilities (new or existing) within prescribed setbacks.</p> <p>Installation and operation of equipment for assessing a site for suitability for renewable electricity generation within prescribed setbacks.</p>	<p>New utility structures within prescribed setbacks.</p> <p>Renewable energy generation within prescribed setbacks.</p>	
Roading and Transport	General maintenance and repairs of existing roading, cycleways and walkways	<p>New bridges</p> <p>Extending or widening existing roads, walk or cycle ways which reduce the distance to the water bodies within prescribed setbacks</p>	New roads, cycle tracks and walkways within prescribed setbacks	
Farming	Pastoral/extensive farming, horticulture and viticulture permitted in the rural zones.	Stockyards, outdoor storage areas/buildings and horticultural structures		

	<p>Stockyards, outdoor storage areas/buildings and horticultural structures are permitted provided,</p> <ul style="list-style-type: none"> • A minimum 10m setback from any water body is maintained. • Fencing along waterways to prevent stock access. <p>Planting of indigenous plantings along riparian margins to be encouraged.</p>	within prescribed setbacks.		
Intensive Farming and Rural Industrial Activities			All Intensive farming and Rural Industrial activities in Rural Zones.	
Vegetation clearance	<p>Clearance works to maintain or enhance the banks of water bodies for mahinga kai, ecological or amenity reasons.</p> <p>Works include:</p> <ul style="list-style-type: none"> • removing exotic species and replanting with margins and berms with indigenous species. 		The removal of significant indigenous vegetation (criteria set out in Appendix 3 of the Canterbury Regional Policy Statement).	Removal of vegetation from margins of wetland.

APPENDIX 4

RULES: NGĀ TURANGA TŪPUNA

Ngā Tūranga Tūpuna				
Rural Areas				
	Permitted	Restricted Discretionary	Discretionary	Non-Complying
Rural Industrial Activities and Intensive Farming			Rural industrial activities e.g., timber yards, dairy processing Intensive farming activities Applies within Landscape and 200m buffer from Landscape boundary	
Earthworks	Permitted subject to prescribed standards. Earthworks for post holes for fencing, planting holes for trees and plants, maintenance of existing farm tracks and farm ponds, cultivation of existing pasture.	Earthworks that exceed the permitted volume and/ or depth.		
Buildings	Dwellings, Farm Accessory Buildings within permitted standards in the Rural Zone Buildings permitted in a Papakāinga/Kāinga Nohoanga Zone	Oversized Farm Accessory buildings		
Commercial Forestry	Existing forestry includes-associated tending, maintenance and harvesting.		New commercial forestry activities Applies within Landscape and 200m buffer from Landscape boundary	
Quarrying			Quarrying activities Applies within Landscape and 200m buffer from Landscape	

			boundary	
Farming	<p>Pastoral, extensive, horticulture, viticulture.</p> <p>Stockyards, outdoor storage areas/buildings and horticultural structures are permitted provided,</p> <ul style="list-style-type: none"> • A minimum 10m setback from any water body. • Fencing along waterways to prevent stock access. <p>Planting of indigenous plantings along riparian margins to be encouraged</p>	<p>Stockyards, outdoor storage areas/buildings and horticultural structures within prescribed setbacks.</p>		
Utilities and Renewable Energy Generation	<p>General maintenance, operation or repair of existing utility structures and establishment of temporary structures.</p> <p>Small scale renewable energy generation</p>	<p>Installation and operation of equipment for assessing a site for suitability for renewable electricity generation.</p> <p>Construction or extension of access tracks to utilities (new or existing).</p> <p>Replacement of and additions to existing utility structures</p>	<p>New utility structures</p> <p>Relocation, of existing utility structures.</p> <p>Large-scale renewable energy generation</p>	
Roading and Transport	<p>General maintenance and repairs of existing roads, cycleways and walkways</p>	<p>New bridges</p> <p>Widening of existing roads, cycle ways and walkways</p>	<p>New roads, cycleways and walkways.</p>	
Indigenous Vegetation Clearance	<p>Customary harvest</p> <p>Clearance to maintain or enhance the banks of water bodies for mahinga kai, ecological or amenity reasons. Works include:</p> <ul style="list-style-type: none"> • removing exotic species and replanting margins and berms with indigenous species. 		<p>The removal of significant indigenous vegetation (criteria set out in Appendix 3 of the Canterbury Regional Policy Statement).</p>	<p>The removal of vegetation adjoining wetlands</p>

	<ul style="list-style-type: none"> channel realignment, rock placement for habitat improvement. amenity features such as public artworks, interpretation panels and seating along or around water bodies. 			
Subdivision	Boundary adjustments no new lots created	<p>Subdivision to create allotments for access, esplanade strips, site protection, utility structures or stopbanks</p> <p>Complying Rural allotments</p>	Non-complying rural allotments	
Commercial recreation and tourism		<p>All commercial recreation and tourism activities.</p> <p>Applies within Landscape and 200m buffer from Landscape boundary</p>		

Ngā Tūranga Tūpuna Urban Areas

Urban Areas

Ngā Tūranga Tūpuna Urban Areas				
Urban Areas				
Earthworks	Permitted within maximum volume and maximum depth.	Any earthworks that do not comply with the permitted volume and/ or depth.		
Buildings	Permitted in accordance with Zone Standards including setback requirements; <ul style="list-style-type: none"> A minimum 10m setback from any water body is maintained during all works related to the construction of a building (i.e. no works within setback or permanent structures). 	Restricted discretionary where prescribed standards not met.		
Subdivision	Boundary adjustments (with no additional lots created). No physical works required.	Any subdivision which results in the creation of additional lots.		
Utilities	As above	As above		
Transport and Rooding	As above	As above		

APPENDIX 5
RULES WĀHI TAPU/WĀHI TAONGA

Wāhi Tapu/ Wāhi Taonga				
Urban Areas				
	Permitted	Restricted Discretionary	Discretionary	Non-Complying
Earthworks	Permitted within maximum volume and maximum depth and protection of springs	Any earthworks that do not comply with prescribed volumes or depth.		
Buildings	General activities associated with existing buildings, i.e. use, repair and maintenance activities.	Any new buildings or additions to existing buildings in a wāhi tapu/ wāhi taonga. Removal or demolition of any existing building or part of a building including associated earthworks.		
Subdivision	Boundary adjustments (with no additional lots created). No physical works required.	Small scale subdivision which results in the creation of additional lots to be used for new residential or industrial purposes.	Large scale residential, commercial or industrial developments which result in the creation of additional lots Applies within Landscape and 200m buffer from Landscape boundary	
Utilities and Renewable Energy Generation	General maintenance and repair activities for existing structures.	Construction or extension of any access tracks to utilities (new or existing). Any new temporary structures. Replacement of, or additions to existing utilities. Small scale renewable energy generation.	The installation of new utility structures or relocation of an existing utility structure. The relocation or replacement of existing utility structures.	
Vegetation clearance			Removal of any significant	

			indigenous vegetation (as per appendix 3 of the CRPS)	
Commercial recreation and tourism		All commercial recreation and tourism activities. Applies within Landscape and 200m buffer from Landscape boundary		

Wāhi Tapu/ Wāhi Taonga

Rural Areas

	Permitted	Restricted Discretionary	Discretionary	Non-Complying
Earthworks	Permitted within maximum volume and maximum depth and setback from springs	Any earthworks that do not comply with permitted volumes or depth. Earthworks associated with demolition of any existing building.		
Quarrying		Extensions to existing quarries	Any new quarrying developments.	
Forestry	Existing forestry includes-associated tending, maintenance and harvesting.	Any new commercial forestry developments including plantation forestry. Exclusions apply for: <ul style="list-style-type: none"> The planting of trees for small scale non-commercial purposes. 		
Buildings	Activities associated with existing buildings ie use, repair and maintenance.	Any new buildings or additions to existing buildings provided they are not located on a wāhi tapu identified as a maunga. Removal or demolition of any existing building or part of a building (including associated	Any new buildings located on a wāhi tapu identified as a maunga.	
Subdivision	Boundary adjustments (with no additional lots created). No physical works required.	Any new subdivision activity which results in the creation of additional lots within a rural area. Exclusions include subdivision for the following purposes: <ul style="list-style-type: none"> General farming activities (stockyards and storage areas). 	Any large scale rural residential developments (i.e. lifestyle blocks) which result in the creation of additional lots.	

Utilities and Renewable Energy Generation	General maintenance and repair activities for existing structures.	<p>Construction or extension of any access tracks to utilities (new or existing).</p> <p>Installation and operation of equipment for assessing a site for suitability for renewable electricity generation.</p> <p>Any new temporary structures.</p> <p>Replacement of, or additions to existing utilities.</p> <p>Small scale renewable energy generation.</p>	<p>The installation of new utility structures or relocation of an existing utility structure.</p> <p>The relocation or replacement of existing utility structures, or</p> <p>Large scale renewable energy generation.</p>	
Roading and Transport	General maintenance and repairs of existing roads, cycleways and walkways	<p>New bridges</p> <p>Widening of existing roads, cycle ways and walkways</p>	New roads, cycleways and walkways.	
Farming	<p>Pastoral, extensive, horticulture, viticulture subject to protection of springs from works and activities</p> <p>Stockyards, outdoor storage areas/buildings and horticultural structures are permitted provided,</p> <ul style="list-style-type: none"> • A minimum 10m setback from any water body. • Fencing along waterways to prevent stock access. <p>Indigenous planting along riparian margins to be encouraged</p>	Stockyards, outdoor storage areas/buildings and horticultural structures within prescribed setbacks.		

Vegetation clearance			Removal of any significant indigenous vegetation (as per Appendix 3 of the CRPS)	
Commercial recreation and tourism		All commercial recreation and tourism activities. Applies within Landscape and 200m buffer from Landscape boundary		