



Cultural Evaluation  
Kingston Village  
Plan Change



**Kāi Tahu Ki Otago Ltd**  
**June 2008**

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## Cultural and Intellectual Property Rights

This report has been prepared for Arrow Resource Management and the Queenstown Lakes District Council. All cultural and intellectual property rights remain with Te Rūnanga o Ōtākou and Kāti Huirapa Rūnanga ki Puketeraki.

|   |   |
|---|---|
|                        |   |
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## 1. Introduction

The Queenstown Lakes District Council (the Council) is investigating a plan change to provide for the future expansion of Kingston. The Council proposes the comprehensive rezoning of land to the south of the existing township. The proposed Kingston Village site is bounded by the Kingston railway tracks on three sides, and is well contained by landscape features including the mountains to the west and an escarpment to the south.

The Council, recognising that the plan change had the potential to affect Kāi Tahu cultural values, commissioned a cultural values report from Te Ao Marama Incorporated. Te Ao Marama represents Te Rūnaka o Awarua, Oraka Aparima Rūnaka, Waihopai Rūnaka and Hokonui Rūnaka. This report recognises that Ngā Rūnaka o Murihiku share an interest in the inland mountains and lakes with Te Rūnanga o Ōtākou, Kāti Huirapa Rūnanga ki Puketeraki, and Te Rūnanga o Moeraki (collectively Kāi Tahu ki Otago).

Arrow Resource Management Ltd has commissioned KTKO Ltd to explore the shared areas of interest in Kingston for Kāi Tahu ki Otago. This assessment undertakes to provide the following:

- ❖ Technical advice in the form of a cultural assessment of the potential issues for Kāi Tahu ki Otago in regards to the rezoning of the Kingston Village site.
- ❖ Outline the Kāi Tahu ki Otago association with the area; and values of importance to Kāi Tahu such as mauri, kaitiakitanga, awa/nga wai, mahika kai, wāhi tapu/wāhi taoka, and cultural landscapes.
- ❖ Provide recommendations on the mitigation of the effects of development on Kāi Tahu cultural values.

This report has been prepared on the basis of information available on 18 June 2008. In particular, it is noted that a further ecological report from Natural Solutions Ltd was not available at this stage.

This report should not be seen as all the consultation required with Kāi Tahu ki Otago but as a basis for ongoing consultation and discussion during the development of the plan change for the Kingston Village. Further, this report should be read in conjunction with the cultural values report prepared by Te Ao Marama Incorporated.

## 2. Proposed Kingston Village Site <sup>[1]</sup>

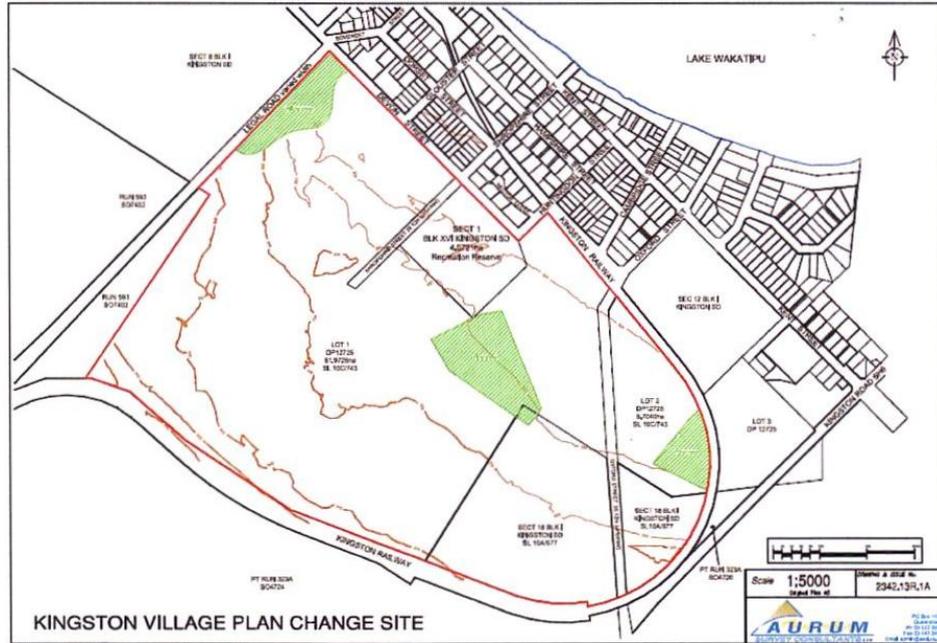


Figure 5: Kingston Village site



**Key:**

Residential activities:

|  |
|--|
| Highest density (Ave 425m <sup>2</sup> ) |
| Medium density (Ave 600m <sup>2</sup> )  |
| Lowest density (Ave 750m <sup>2</sup> )  |

Other activities:

|            |
|------------|
| Employment |
| School     |
| Open Space |

Figure 6: draft master plan for the Kingston Village site

<sup>1</sup> Kingston Village Plan Change – Discussion Document, Figures 5 and 6, pp.7 & 9.

### **3. Cultural Background**

#### **3.1 Takata Whenua**

The first people of the South Island, Te Waipounamu, were the Waitaha people. Successive waves of iwi followed at a later time; the Ngati Mamoe and finally Kāi Tahu, who migrated from the North Island. Over time the three iwi merged through conquest, marriage and peace alliances. Kāi Tahu are therefore an amalgam of Waitaha, Kati Mamoe and Kāi Tahu whakapapa, generally referred to collectively as Kāi Tahu Whānui.

Permanent settlements were primarily around the coast, due to the reliance on the sea as a means of transport and for the availability of kai moana and fish. Seasonally, trips would be made to inland Otago to collect food and stone resources, and south to the mutton bird (Titi) islands. Trails along the coast and inland became well established; waterways and the coastal waters also provided transport routes.

#### **3.2 Māori Association with Inland Otago**

The Central Otago lakes area was a source of seasonal mahinga kai, and stone resources including pounamu (greenstone). The area was accessed by a network of ara tawhito (old trails) that connected the coastal settlements with the inland lakes, Te Koroka (Dart River), and with Tai Poutini (West Coast).

The Central Otago lakes district was typical of the whole of the interior of Te Wai Pounamu in the sense that it had some permanent settlements, but the area was largely used as a seasonal resource for highly mobile coastal communities. The main bird hunted in the area was weka and moa (during the early period). Throughout the Central Otago area there are numerous moa butchery sites.

Of other birds, ducks (both grey and paradise shelduck) were hunted in the spring, and “flappers” (young birds attempting to fly) in December. Species of birds that were hunted throughout the area include kukupa (native pigeon), pukeko, putakitaki (paradise shelduck), koreke (native quail), tui and koparapara (bellbird).

In addition, eel (tuna) and koaro would have been present in the Kawarau and Shotover Rivers and their main tributaries, and would have most likely been a relied-on staple when travelling through the area.

A pre-European kāika (settlement)/pa called Takerehaka (or Te Kere Haka) was located at Kingston. The kāika was a stronghold of Marakai (Anderson 1998: 45). There have been no artefact find-spots in the immediate area that is subject to this plan change (Hamel 2007). However, culturally significant spot-finds may be uncovered during earthworks, especially during site preparation and topsoil stripping.

## **4. Statutory and Planning Framework**

### **4.1 Resource Management Act 1991**

#### Part 2 Purpose and Principles of the Act

The purpose of the Act is to promote the sustainable management of natural and physical resources (s5). In achieving this purpose regard must be had to the matters of national importance detailed in s.6. The relevant principles that are applicable to the study area include:

- 6(d) *The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;*
- 6(e) *The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga.*
- 6(f) *The protection of historic heritage from inappropriate subdivision, use, and development. Historic heritage includes sites of significance to Māori [s.2 'historic heritage', b(iii)].*

In addition, particular regard shall be had to other matters set out in s.7, including:

- 7(a) *Kaitiakitanga:*
- 7(aa) *The ethic of stewardship*

Implications for the Kingston Village Plan Change

| <b>Issue</b>   | <b>Recommendation (s)</b><br><b>[Refer 6.1 – 6.5]</b>                  |
|--|--|
| Public access  | Cultural Landscapes  |
| Relationship with ancestral lands, water, sites, wāhi tapu, and other taonga | Wai Māori; Wāhi Tapu; Mahika Kai and Biodiversity; Cultural Landscapes |
| Protection of historic heritage  | Wāhi Tapu  |
| Kaitiakitanga  | Wai Māori; Mahika Kai and Biodiversity                                 |

## **4.2 Ngāi Tahu Claims Settlement Act 1998**

The Ngāi Tahu Claims Settlement Act included as cultural redress a number of mechanisms to recognise and give practical effect to Ngāi Tahu mana over taonga resources and areas of land. These include Statutory Acknowledgements, Topuni, Nohoanga and place name changes.

### Statutory Acknowledgements

The aim of statutory acknowledgments is to improve the effectiveness of Ngāi Tahu participation under the Resource Management Act in decisions affecting those acknowledged areas. There is a requirement under the Act to record statutory acknowledgement areas within regional and district plans for the purpose of public information. There are statutory acknowledgements for the Maitai River and Whakatipu Wai Māori (Lake Wakatipu). Details of these statutory acknowledgements are included in Appendix 2.

### Implications for the Kingston Village Plan Change

| <b>Issue</b>   | <b>Recommendation (s)</b><br><b>[Refer 6.4]</b> |
|--|---|
| Statutory acknowledgement for Whakatipu Wai Māori (Lake Wakatipu). | Cultural Landscapes                             |

### **4.3 Kāi Tahu ki Otago Natural Resource Management Plans 1995 and 2005**

The Kāi Tahu ki Otago Natural Resource Management Plans 1995 and 2005 (NMRP) are the principal natural resource management planning documents for Kāi Tahu ki Otago and provide a framework to achieve a greater understanding of the natural resource values, concerns and issues of Kāi Tahu ki Otago.

The kaupapa of the plans is 'Ki Uta ki Tai' (Mountains to the Sea) and reflects the Kāi Tahu ki Otago philosophy of natural resource management. The plans emphasise the holistic management of the inter-related elements within and between catchments, the air, land and coastal environment.

The 2005 plan is divided into catchments, with specific provisions for each catchment, as well as provisions for the whole Otago area. The Kingston Village falls within the Clutha/Mata-au catchment. The 2005 plan contains issues, objectives and policies that are relevant to the development of the Kingston Village.

#### *Wai Māori [5.3.3 and 10.2.3]*

Relevant Wai Māori policies for this study include:

- ❖ To protect and restore the mauri of all water.
- ❖ The waters of the Otago Catchment are healthy and support Kāi Tahu ki Otago customs.
- ❖ To encourage the use of the Cultural Health Index as a tool for monitoring waterways.
- ❖ To require that fish passage is provided for at all times, both upstream and downstream.
- ❖ To require that wet concrete does not enter the active flow channels.
- ❖ To require that all practical measures are taken to minimise sedimentation or the discharge of sediment to water.
- ❖ To require that all practical measures are undertaken to minimise the risk of contaminants being discharged directly or indirectly to water
- ❖ To oppose the draining of wetlands. All wetlands are to be protected.
- ❖ To encourage the adoption of sound environmental practices where land use intensification occurs.

- ❖ To require reticulated community sewerage schemes that have the capacity to accommodate future population growth.

Implications for the Kingston Village Plan Change

| <b>Issue</b> | <b>Recommendation (s)</b><br><b>[Refer 6.1]</b> |
|--------------|---|
| Wai Māori    | Wai Māori                                       |

*Wāhi Tapu [5.4.3, 5.4.4, and 10.3.3]*

Relevant Wāhi Tapu policies for this plan change include:

- ❖ Wāhi tapu throughout the Otago region are protected in a culturally appropriate manner.
- ❖ To require that wāhi tapu sites are protected from further loss or destruction.
- ❖ To require accidental discovery protocols for any earth disturbance activities.
- ❖ To require all Māori archaeological finds to remain the cultural property of Kāi Tahu ki Otago.

Implications for the Kingston Village Plan Change

| <b>Issue</b> | <b>Recommendation (s)</b><br><b>[Refer 6.2]</b> |
|--------------|---|
| Wāhi Tapu    | Wāhi Tapu                                       |

*Mahika Kai and Biodiversity [5.5.3, 5.5.4, and 10.4.3]*

Relevant Mahika Kai and Biodiversity policies for this plan change include:

- ❖ Mahika kai resources are healthy and abundant within the Otago Region.
- ❖ Habitats and the wider needs of mahika kai, taoka species and other species of importance to Kāi Tahu ki Otago are protected.
- ❖ Indigenous plant and animal communities and the ecological processes that ensure their survival are recognised and protected to restore and improve indigenous biodiversity within the Otago Region.
- ❖ To restore and enhance biodiversity with particular attention to fruiting trees so as to facilitate and encourage sustainable native bird populations.
- ❖ To require that all assessments of effects on the environment include an assessment of the impacts of the proposed activity on mahika kai.

- ❖ To protect and enhance existing wetlands, support the reinstatement of wetlands and promote assistance for landowners for fencing-off wetlands.
- ❖ To promote the protection of remaining indigenous fish habitat.

Implications for the Kingston Village Plan Change

| <b>Issue</b>                | <b>Recommendation (s)</b><br><b>[Refer 6.3]</b> |
|-----------------------------|---|
| Mahika Kai and Biodiversity | Mahika Kai and Biodiversity                     |

*Cultural Landscapes [5.6.3, 5.6.4, and 10.5.3]*

The relevant cultural landscape issues for this plan change include:

- ❖ To promote the adoption of Statutory Acknowledgements into regional and district plans and regional policy statements through the formulation of specific objectives, policies and rules, in conjunction with Kā Papatipu Rūnaka for the statutory area.
- ❖ To encourage and promote the use of traditional place names.
- ❖ The relationship that Kāi Tahu ki Otago have with land is recognised in all resource management activities and decisions.
- ❖ Significant cultural landscapes are protected from inappropriate use and development.
- ❖ To avoid the adverse impacts of earthworks, excavation, filling or the disposal of excavated material on significant natural landforms and areas of indigenous vegetation; and to avoid, remedy, or mitigate soil instability and accelerated erosion resulting from earthworks.
- ❖ To require public foot access along lakeshores and riverbanks within subdivisions.

Implications for the Kingston Village Plan Change

| <b>Issue</b>        | <b>Recommendation (s)</b><br><b>[Refer 6.4]</b> |
|---------------------|---|
| Cultural Landscapes | Cultural Landscapes                             |

#### 4.4 Queenstown Lakes Partially Operative District Plan: Section 4.3 - Takata Whenua

The relevant objectives and policies for this plan change are:

##### *Objective 1 - Kaitiakitanga (Guardianship)*

- ❖ Recognition and provision for the role of Kāi Tahu as customary Kaitiaki in the District.

##### Policies:

- ❖ To ensure the kaitiaki role of iwi, via the appropriate Runanga, is achieved through on-going consultation on policy development relating to the natural and physical resources of the District [Policy 1.1].
- ❖ To recognise the “Kāi Tahu Ki Otago: Natural Resource Management Plan” as a resource which can form the basis for consultation between Kāi Tahu Runanga and Council (Section 74 of the Act) [Policy 1.3].

##### Implications for the Kingston Village Plan Change

| <b>Issue</b>  | <b>Recommendation (s)</b><br><b>[Refer 6.5]</b> |
|---|---|
| Recognition and provision for the role of Kāi Tahu as customary Kaitiaki. | General   |

##### *Objective 3 - Wāhi Tapu and Wāhi Taoka*

- ❖ Recognition and protection of places of burial, other wāhi tapu, and all wāhi taoka, as places of cultural and traditional importance to Kāi Tahu.

##### Policies

- ❖ To recognise wāhi tapu and wāhi taoka, and protect them from disturbance and interference from modification through earthworks, mining, and other development [Policy 3.1].
- ❖ Should any koiwi takata (Māori bone remains) be unearthed, to implement procedures for the management of such finds and unearthings consistent with the Kāi Tahu policy for the management of koiwi takata [Policy 3.2].

- ❖ To establish appropriate communication contact points between the Council and the kaitiaki runanga for the District to ensure information and consultation occurs [Policy 3.3].

Implications for the Kingston Village Plan Change

| <b>Issue</b>              | <b>Recommendation (s)</b><br><b>[Refer 6.2]</b> |
|---------------------------|---|
| Wāhi tapu, and Wāhi taoka | Wāhi Tapu                                       |

*Objective(s) 4 - Mahika Kai*

- ❖ The retention of the high quality of the mountain waters, and the retention and improvement of the water quality of the tributaries and water bodies of the District through appropriate land management and use [Objective 4.1].

Policies

- ❖ To recognise, by Council policy and decision-making, the importance of mahika kai to the culture and relationship Kāi Tahu share with the indigenous resources traditionally gathered in the District [Policy 4.1].
- ❖ To encourage land uses and management practices which ensure the vegetation cover is maintained in order to assist in sustaining the life supporting capacity of the soil [Policy 4.4].
- ❖ To maintain and enhance public access to the District's public forests and lakes and rivers and wetlands, having regard to their traditional importance as mahika kai [Policy 4.8].

Implications for the Kingston Village Plan Change

| <b>Issue</b> | <b>Recommendation (s)</b><br><b>[Refer 6.3]</b> |
|--------------|---|
| Mahika Kai   | Mahika Kai and Biodiversity                     |

*Objective 5 - Wai (Water)*

- ❖ The management of the land resource and associated waste discharges in such a way as to protect the quality and quantity of water in the District to a standard consistent with the human consumption of fish, swimming and protects the mauri (life force) of the lakes and rivers.

Policies

- ❖ To recognise the importance of the concept of mauri (life force) as it applies to lakes and rivers [Policy 5.1].
- ❖ In the development and upgrading of public sewage treatment and disposal systems and in the development of new and extended settlements [Policy 5.2].
- ❖ To adopt performance standards or require resource consents for land use activities, including mining, in order to minimise the adverse effects on the quality of the District’s water resources and associated habitat [Policy 5.3].
- ❖ To encourage, where appropriate, the creation and enhancement of wetlands [Policy 5.4].

Implications for the Kingston Village Plan Change

| <b>Issue</b> | <b>Recommendation (s)</b><br><b>[Refer 6.1, 6.3]</b> |
|--------------|--|
| Wai Māori    | Wai Māori; Mahika Kai and Biodiversity               |

*Objective 6 - Repo Raupo (Wetlands)*

- ❖ The maintenance and enhancement of existing wetlands and their re-establishment, where practicable.

Policies

- ❖ To recognise the important part wetlands play in maintaining the health of lakes and rivers and habitat for plant and fish life [Policy 6.1].
- ❖ To encourage the re-establishment of wetlands where practicable [Policy 6.2].

Implications for the Kingston Village Plan Change

| <b>Issue</b> | <b>Recommendation (s)</b><br><b>[Refer 6.3]</b> |
|--------------|---|
| Mahika Kai   | Mahika Kai and Biodiversity                     |

*Objective 7 - Ingoa Rarangi (Place Names)*

- ❖ The continued and enhanced use of traditional Kāi Tahu place names as an educational resource to explain the cultural and historical relationship of Kāi Tahu to the environment.

Policies

- ❖ When the use of the Māori language is being considered for streets or places, to consult and involve Kāi Tahu in the process [Policy 7.1].
- ❖ To give consideration to the recognition of traditional place names [Policy 7.3].

Implications for the Kingston Village Plan Change

| Issue               | Recommendation (s)<br>[Refer 6.4] |
|---------------------|-----------------------------------|
| Cultural Landscapes | Cultural Landscapes               |

## 5. Conclusion

The Central Otago lakes area was a source of seasonal mahika kai, and stone resources including pounamu (greenstone). The area was accessed by a network of ara tawhito (old trails) that connected the coastal settlements with the inland lakes, Te Koroka (Dart River), and with Tai Poutini (West Coast). A pre-European kāika (settlement)/pa called Takerehaka (or Te Kere Haka) was located at Kingston. The kāika was a stronghold of Marakai (Anderson 1998: 45).

Kāi Tahu ki Otago continue to value the relationship they have with inland Otago, with Whakatipu Wai Māori (Lake Wakatipu), and with the Mauka that surround the inland lakes and rivers.

The Kingston Village Plan Change offers an opportunity to reflect the association of takata whenua with the area; enhance the the life supporting capacity and mauri of waterways and Whakatipu Wai Māori (Lake Wakatipu); protect koiwi takata, taoka, and wāhi tapu sites; and to enhance mahika kai resources and biodiversity.

This report concludes in Section 6 with recommendations for the development of the Kingston Village Structure Plan and Plan Change.

## 6. Kingston Village Plan Change Recommendations

### 6.1 Wai Māori

| <i>Cultural Impact(s)</i>  | <i>Recommendation(s)</i>   |
|--|--|
| Potential degradation of the permanent watercourse and Whakatipu Wai Māori (Lake Wakatipu) | <ul style="list-style-type: none"> <li>❖ Promote best practice management of storm-water from buildings and areas of hard standing to maximise on-site retention and to reduce contaminants entering water, including the use of rain gardens, storm water planters, swales, and the proposed wetland.</li> <li>❖ Include the management of run-off and storm water as a District Plan assessment matter.</li> <li>❖ Require the management of run-off during any site disturbance and construction to avoid silt and other contaminants entering water.</li> <li>❖ Promote best practice methods for works within the watercourse that minimizes the risk of sedimentation and contaminants entering water, and that provides for fish passage at all times.</li> </ul> |
| Fitness of Waterways for Cultural Usage  | <ul style="list-style-type: none"> <li>❖ Promote the use of the Cultural Health Index for the monitoring of the permanent stream.<sup>2</sup></li> </ul>   |
| Development and upgrading of public sewage treatment                                       | <ul style="list-style-type: none"> <li>❖ Nga Rūnaka support the timely provision of reticulated services for Kingston.</li> </ul>  |

### 6.2 Wāhi Tapu

| <i>Cultural Impact(s)</i>                              | <i>Recommendation(s)</i>  |
|--|---|
| Protection of koiwi takata, taoka, and wāhi tapu sites | <ul style="list-style-type: none"> <li>❖ Include an accidental discovery protocol as an appendix to the plan change.</li> <li>❖ Update Appendix 3:5 (Archaeological Sites) of the District Plan to include sites F41/1, F41/132 and F41/134.</li> </ul> |

<sup>2</sup> Tipa, G & Teirney, L. (2003) *A Cultural Health Index for Streams and Waterways*. [<http://www.mfe.govt.nz/publications/water/cultural-health-index-jun03/>], Wellington. Ministry for the Environment.

| <i>Cultural Impact(s)</i>   | <i>Recommendation(s)</i>   |
|---|--|
| Protection of koiwi takata, taoka, and wāhi tapu sites (continued). | ❖ Include the protection of koiwi takata, taoka, and wāhi tapu sites as a District Plan assessment matter. |

### 6.3 Mahika Kai and Biodiversity

| <i>Cultural Impact(s)</i>       | <i>Recommendation(s)</i>   |
|---------------------------------|--|
| Loss of indigenous biodiversity | <ul style="list-style-type: none"> <li>❖ Promote the use of locally sourced genetic plants for landscaping and garden areas within the Kingston Village.</li> <li>❖ Promote the restoration and enhancement of biodiversity with particular attention to fruiting species to facilitate and encourage the breeding of native birds.</li> <li>❖ Develop a native planting restoration guide for Kingston.<sup>3</sup></li> <li>❖ Require an assessment of the effects of activities on biodiversity.</li> </ul> |
| Loss of wetlands (repo raupo)   | ❖ Undertake the restoration and enhancement of the permanent watercourse (adjacent to the employment zone) to offset the draining of existing wet areas on the site.   |

### 6.4 Cultural Landscapes

| <i>Cultural Impact(s)</i>  | <i>Recommendation(s)</i>  |
|--|---|
| Displacement of traditions and place names                         | <ul style="list-style-type: none"> <li>❖ Promote the use of Kāi Tahu place names (where applicable).</li> <li>❖ Consider the use of the Māori language in naming streets or places, in consultation with Kāi Tahu.</li> </ul> |
| Public access along lakeshores and river banks.                    | ❖ Enhance public access to Whakatipu Wai Māori (Lake Wakatipu)  |
| Statutory acknowledgement for Whakatipu Wai Māori (Lake Wakatipu). | ❖ Reference the statutory acknowledgement in the plan change for public information.  |

<sup>3</sup> The Manukau City Council restoration design guide, 'Restoring Our Native Plants', is one example.

| <i>Cultural Impact(s)</i>  | <i>Recommendation(s)</i>   |
|--|--|
| Relationship with Whakatipu Wai Māori (Lake Wakatipu) and the surrounding Mauka. | ❖ Integrate buildings into the landscape through controls on building bulk, location, design and colour. Specifically, development should not overshadow the relationship that Kāi Tahu have with Whakatipu Wai Māori (Lake Wakatipu) and the surrounding Mauka. |

## 6.5 General Recommendations

| <i>Issue</i>                                   | <i>Recommendation(s)</i>   |
|--|--|
| Consistent referencing of Takata Whenua issues | <ul style="list-style-type: none"> <li>❖ Link the Kingston Village Plan Change to Section 4.3 (Takata Whenua) of the District Plan.</li> <li>❖ Reference the Kāi Tahu ki Otago Natural Resource Management Plans 1995 and 2005.</li> </ul> |

## Appendix 1 - References

Anderson, A (1998). *The Welcome of Strangers: An Ethnohistory of Southern Māori A.D. 1650-1850*. Dunedin. Otago University Press in association with the Dunedin City Council.

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## Appendix 2 - Statutory Acknowledgements

### **Ngāi Tahu Claims Settlement Act Schedule 42: Statutory acknowledgement for the Mataura River**

The Crown acknowledges Ngai Tāhu's cultural, spiritual, historic, and traditional association to the Mataura River, as described below:

*The area of the Mataura River above the Mataura Falls was traditionally used by the descendants of the Ngati Mamoe chief, Parapara Te Whenua. The descendants of Parapara Te Whenua incorporate the lines of Ngati Kuri from which the Mamaru family of Moeraki descend. Another famous tupuna associated with the river was Kiritekateka, the daughter of Parapara Te Whenua. Kiritekateka was captured by Ngai Tahu at Te Anau and her descendants make up the lines of many of the Ngai Tahu families at Otakou.*

*For Ngai Tahu, histories such as these reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngai Tahu as an iwi.*

*The Mataura was an important mahinga kai, noted for its indigenous fishery. The Mataura Falls were particularly associated with the taking of kanakana (lamprey). The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of Mataura, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today.*

*The mauri of the Mataura represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the river.*

## **Ngāi Tahu Claims Settlement Act Schedule 75: Statutory Acknowledgement for Whakatipu Wai Māori (Lake Wakatipu)**

The Crown acknowledges Ngai Tāhu's cultural, spiritual, historic, and traditional association to Whakatipu-wai-Māori, as described below:

*The name Whakatipu-wai-Māori originates from the earliest expedition of discovery made many generations ago by the tupuna Rakaihautu and his party from the Uruao waka. Rakaihautu is traditionally credited with creating the great water ways of the interior of the island.*

*There are many traditions relating to the lake. One of the most famous tells that the hollow which forms the bed of the lake was created when the people known as Te Rapuwai came upon the giant tipua (ogre) Matau as he lay there in a deep sleep. Matau had been responsible for the disappearance of many small hunting parties and had entrapped a beautiful maiden, Manata. The father of Manata offered her in marriage to the man who could bring her safely home. Matakauri, who was in love with Manata ventured forth, discovering that Matau slept when the northwest wind blew. Matakauri selected a day when the wind was blowing the right way and set forth. He found Manata and, using his mere, he attempted to sever the bonds which held her, but try as he would he failed. Manata began to sob bitterly, and as her tears fell on the cords, they melted away. Matakauri carried Manata back to the village where they became man and wife. However, Matakauri knew that while Matau lived no maiden was safe, so he set forth when again the northwest wind blew, and set fire to the large growth of bracken that acted as a bed for the giant. Matau was smothered in flames, the fat from his body augmenting the fire, until the blaze was so fierce that it burned a hole more than 1,000 feet deep. The snow on the surrounding hills melted and filled the hole, which is known today as Lake Wakatipu.*

*Whakatipu-wai-Māori once supported nohoanga and villages which were the seasonal destinations of Otago and Murihiku (Southland) whanau and hapu for many generations, exercising ahi ka and accessing mahinga kai and providing a route to access the treasured pounamu located beyond the head of the lake. Strategic marriages between hapu strengthened the kupenga (net) of whakapapa and thus rights to use the resources of the lake. It is because of these patterns of activity that the lake continues to be important to rūnaka located in Murihiku, Otago and beyond. These rūnaka carry the responsibilities of kaitiaki in relation to the area, and are represented by the tribal structure Te Rūnanga o Ngai Tahu.*

*The lake also supported permanent settlements, such as the kaika (village) Tahuna near present-day Queenstown, Te Kirikiri Pa, located where the Queenstown gardens are found today, a Ngati Mamoe kaika near the Kawarau Falls called O Te Roto, and another called Takerehaka near Kingston. The Ngati Mamoe chief Tu Wiri Roa had a daughter, Haki Te Kura, who is remembered for her feat of swimming across the lake from Tahuna, a distance of some three kilometres.*

*The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the lake, the relationship of people with the lake and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today.*

## **Appendix 3– Guidelines for Development in the Study Area**

Comment from the Rūnanga should be sought whenever an activity has the potential to impact on the cultural values identified within the study area.

Appendix 3 provides guidelines on the activities of particular concern to the Rūnanga within the study area and the desired outcomes. This relates specifically to applications affecting areas of mahika kai, wai Māori, kāika nohoanga, umu, and ara tawhito.

### **1. Mahika Kai (Places Where Resources Including Food Were/Are Procured) and Sources of other Cultural Materials)**

The "traditional" seasonal activities of Kāi Tahu were planned and patterned, designed to make the most of abundant freshwater and terrestrial resources which were seasonally diverse and geographically dispersed. It is important to emphasize that mahika kai remains a cornerstone of Kāi Tahu culture and identity. Although the number of sites available to Kāi Tahu has reduced drastically and the abundance and diversity of mahika kai species is also reduced, mahika kai continues to play a vital role in the health and well-being of Kāi Tahu. Every effort must be taken to avoid, remedy or mitigate the effects of resource use and development on mahika kai sites and resources.

#### **Characteristics to be protected**

- Mahika kai and taonga species composition
- Habitats sufficient to meet the needs of mahika kai species at all stages of their life cycle
- The good health of mahika kai species and other cultural materials so that they are safe for cultural use, including consumption
- Access to key habitats and species
- Ability to sustain cultural mahika kai practices

### **Potential Impacts**

- Loss of Kāi Tahu access to sites and species (terrestrial, riparian and aquatic)
- Physical damage to, or loss of, mahinga kai habitats
- Reduced abundance and diversity of species
- Damage or contamination of species
- Inability to gather and use resources because of ill-health of the species
- Loss of fish passage within a catchment, through reduced flows, instream activities, or the placement of barriers
- *See also the potential impacts with respect to wai Māori*

### **Activities of Particular Concern**

- Privatization of previously accessible areas
- Land-use intensification
- Land clearance.
- Earthworks
- Subdivision
- Instream activities
- Contamination of the water from point and diffuse sources
- *See also the activities of concern with respect to wai Māori*

### **Desired Outcomes**

- Protection of the ability to gather and use valued mahinga kai species from sites which are easily accessible and in a healthy condition.
- Protecting mahinga kai habitats from damaging activities is a priority.

## **2. Wai Māori (Important Freshwater Areas)**

Water, as the provider and sustainer of life, is integral to Kāi Tahu's spiritual beliefs, traditional values and cultural practices. Protecting the mauri (life force) of water is a fundamental management principle for Kāi Tahu. The condition of water is seen as a reflection of the health of Papatuanuku, the Earth Mother. A waterbody with an intact mauri will sustain healthy ecosystems, support mahinga kai practices, and sustain Kāi Tahu ki Otago.

### **Characteristics to be protected**

- The mauri of the resource through:
  - Maintenance of water quality to a standard suitable for the

continuation of cultural uses.

Continued support for the diversity of life found within the waters.

- Connections
  - Between land, riparian areas, and the waterway
  - Between land, riparian areas, and the waterway
  - Ki uta ki tai – from the sources to the sea
- Cultural uses for which specific waters are valued
- Association with specific freshwater resources

### **Potential Impacts**

- Desecration of mauri through:
  - Modification to the river channel and margins.
  - Water quality degradation (point and diffuse sources).
  - Cumulative effects of resource use and development.
- Loss of access to riverbank and the water resource
- Loss of ability to sustain cultural usage
- Loss of mahinga kai species and habitats
- Loss of connections
- Loss of association

### **Activities of Particular Concern**

- Discharges (point and diffuse sources)
- Land use change
- Cumulative effects
- Privatisation
- Land clearance
- Earthworks
- Subdivision
- Instream activities

### **Desired Outcomes**

- The cultural values of rivers, streams, lakes, wetlands and estuaries are maintained.

### **3. Kāika Nohoanga (Occupation, Settlement Sites)**

Kāi Tahu did not populate Otago with numerous towns and homesteads. They hunted, fished, and gathered throughout the region during different seasons at different times. The way they survived, and the cold climate, made such a large territory necessary. Although Kāi Tahu were located largely along the sea coast in permanent settlements, they ranged inland visiting temporary campsites on a regular seasonal basis. Iwi history shows, through place names and whakapapa, a continued occupation through a network of settlements distributed along both sides of the entire main river systems, from the source lakes to the sea.

#### **Characteristics to be protected**

- Remnant features / characteristics of the kāika.

#### **Potential Impacts**

- Accidental discoveries
- Physical damage to, or loss of, sites

#### **Activities of Particular Concern**

- Earthworks
- Subdivisions
- Land clearance

#### **Desired Outcomes**

- Accidental discovery protocols in place with resource users and developers to ensure the protection of any taonga uncovered

### **4. Umu (Earth Ovens)**

The areas in which ovens are found are quite diverse, including old stream banks, ancient river terraces, low spurs or ridges, and along the coast.

#### **Characteristics to be protected**

- The integrity of sites

### **Potential Impacts**

- Accidental discoveries
- Physical damage to, or loss of, sites

### **Activities of Particular Concern**

- Earthworks
- Reclamation /infilling
- Construction of physical structures
- Land clearance

### **Desired Outcomes**

- Accidental discovery protocols in place with resource users and developers to ensure the protection of any taonga uncovered
- Physical protection of intact umu

## **5. Ara Tawhito (Ancient Trails)**

Te Wai Pounamu was covered with a complex system of trail and access routes. These linked the various Kāi Tahu settlements to the social and economic life of the tribe and tied them into networks of trade which extended well beyond the South Island. Trails were not just routes across terrain; they also had to follow food resources. Trails are an indicator of how far and where Kāi Tahu travelled, and the purpose of undertaking an often long and arduous journey. Knowledge of these trails continues to be held by whanau and hapu and is regarded as a taonga. Interestingly, most of today's transportation routes follow old Kāi Tahu trails.

### **Characteristics to be protected**

- Access: Maintaining access is essential if the association with sites and areas of significance is to be protected.
- Ability to walk the old trail.
- Protection of key locators along the route of the trail.
- Linkages: No site stands alone. Each site must be considered within a set of cultural relationships (linkages). Information about other locations, and their part in the wider cultural, traditional or historical setting, provides a context for understanding the traditions about a particular location. Linkages can also be seen when tracing the activity paths of the ancestors. A hikoī may move from one location to another, the path which is used

then forms part of the significance of the two locations for the duration of the hikoī.

**Potential Impacts**

- Loss of access
- Loss of linkages
- Loss of key features, markers on the trail
- Accidental discoveries

**Activities of Particular Concern**

- Earthworks
- Land clearance

**Desired Outcomes**

- Accidental discovery protocols in place with resource users and developers to ensure the protection of any taonga uncovered.

## **Appendix 4 – Accidental Discovery Protocol**

### **KOIWI TAKATA/TAOKA/WĀHI TAPU PROTOCOL**

#### **Introduction**

This protocol records those procedures that should be followed in the event that koiwi, taoka, wāhi tapu, or archaeological sites, are unearthed or discovered during the development of the Kingston Village.

#### **Definitions**

In this Protocol the following terms are used:

“Koiwi takata” means human skeletal remains.

“Taoka” means cultural artefacts such as implements, weapons or decorations traditionally and historically utilised by tangata whenua and include parts or the remains thereof.

“Wāhi tapu” means any site of religious, cultural or spiritual significance for takata whenua.

Archaeological Sites – as defined by the Historic Places Act 1993

#### **Agreed procedures**

The following procedure will be adopted in the event that koiwi takata, taoka or wāhi tapu are unearthed or discovered, or are reasonably suspected to have been unearthed or discovered, during the course of development.

- (i) Immediately it becomes apparent or is suspected by workers at the site that koiwi takata, taoka or a wāhi tapu site has been uncovered or discovered all activity in the immediate vicinity of the site will cease.
- (ii) The plant operator will shut down all machinery or activity immediately, leave the area and advise his or her Supervisor of the occurrence.

- (iii) The Supervisor shall take steps immediately to secure the area in a way that ensures that the discovery remains untouched as far as possible in the circumstances and shall notify the Project Manager.
- (iv) Dependent on the nature of the discovery, the Project Manager will notify the nominated Runaka representatives, the New Zealand Police and NZ Historic Places Trust (as the case may be – particularly the Police in the event of a koiwi takata discovery).
- (v) The Runaka representatives will contact the appropriate kaumatua to act on their behalf in this matter in order to guide and advise the Council and other parties as to the appropriate course of action and will immediately advise the Project Manager of the identity of such kaumatua and such other details as may be appropriate in the circumstances.
- (vi) The Project Manager will ensure that staff assistance is made available to meet and guide kaumatua, police, or Historic Places Trust staff to the site, assisting with any requests that they may make.
- (vii) If the kaumatua are satisfied that the koiwi takata, taoka or wāhi tapu are of Māori origin the kaumatua will decide how the find is to be dealt with and will communicate such decision to the Council, NZ Police, Historic Places Trust staff and such other parties as are considered appropriate. In the case of a wāhi tapu site discovery further discussions may be required.
- (viii) Activity on site will remain halted until the Police, Historic Places Trust (as the case may be) and the kaumatua have given approval for operations to recommence.
- (ix) The Project Manager shall ensure that kaumatua are given the opportunity to undertake karakia and such other religious or cultural ceremonies and activities at the site as may be considered appropriate in accordance with tikanga Māori (Māori custom and protocol).
- (x) All parties involved will endeavour to ensure that these matters are dealt with as expeditiously as possible.

**Nominated Runaka Representatives**

Te Rūnaka o Awarua, Oraka Aparima Rūnaka, Waihopai Rūnaka and Hokonui Rūnaka.

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