

**This CIA/report has been developed<sup>1</sup> for Kakano Aotearoa 2017 Limited as a CIA as part of the S32 report for DEXIN Investments Ltd ('DEXIN').**



**Manaaki whenua, manaaki tangata  
Care for the land, care for the people**

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## Context

DEXIN Investments Ltd ('DEXIN') has made a submission to the Proposed Waimakariri District Plan ('proposed WDP') to support the rezoning of their property at 1250 Main North Road, Pegasus ('the Site'). The Site is approximately 3.05 ha in size located on the corner of Main North Road (State Highway 1) and Pegasus Boulevard. It is currently zoned Rural in the operative Waimakariri District Plan and is proposed to be rezoned Rural Lifestyle in the proposed WDP. The proposed zoning of surrounding land includes Special Purpose Zone (Pegasus Resort) (SPZ(PR)) to the north-east, south-east and south of the Site, Medium Density Residential zoning to west of the Site on the opposite side of State Highway 1 and Rural Lifestyle Zone to the east. DEXIN made a submission seeking to rezone the Site as SPZ(PR) to align the zoning with the majority of surrounding land and to provide for a range of tourism activities and some medium density residential development. This rezoning (and subsequent development should the rezoning request be successful) is known as the Māketete proposal.

## Purpose of Report

The purpose of this Cultural Impact Assessment (CIA) (further referred to as the Report) is to provide additional information and analysis for the DEXIN 4Sight Consulting section 32 evaluation of the requested rezoning of the Site.<sup>2</sup> Section 32 of the Resource Management Act 1991 requires that an evaluation report identify and assess the benefits and costs<sup>3</sup> of the cultural effects (among others) that are anticipated from the implementation of the provisions that have been proposed for the Māketete proposal.

This Report also identifies information as provided in the appendices that was received from mana whenua and any response to that advice within the Report.

At the earlier stage of the submission process the sections of section 32 analysis relating to the cultural effects/benefits and costs has been left as stating that:

- There are unresolved issues relating to potential effects on the identified Values, Sites and Areas of Significance to Māori (SASM); and
- DEXIN are seeking further advice from mana whenua to support their rezoning request, which has been made on the assumption that potential cultural effects can be resolved.

To support the section 32 evaluation, the Report addresses potential unresolved issues relating to cultural effects on the SASM, Silent File Areas of relevance and Cultural Values, both tangible and intangible, of the area to ensure that the proposed rezoning is supportable from a cultural effects perspective.

To do this, the Report has been prepared to assist with identifying and assessing where applicable and practical the benefits and costs of cultural effects arising from the proposal and requested rezoning of the Site.

The report also identifies other measures that are of relevance to consultation undertaken prior to the generation of this Report and further measures that could be undertaken to include mana whenua values into the development process should the rezoning be successful.

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<sup>2</sup> See Figure 1.

<sup>3</sup> The costs to mana whenua are extremely difficult if not impossible to quantify for the rezoning request. The benefits however are extensive in relation to the proposal and mana whenua values where the mitigation measures that are able to be implemented through the rezoning are undertaken.

This Report summarises Māori cultural values, interests and associations with the area and relevant resources, and the potential impacts of the proposed activity because of the rezoning on these.

I note that there is no statutory requirement for DEXIN or the council to prepare or commission a CIA.

However, an assessment of impacts on cultural values and interests will assist both the submitter (DEXIN) and the Council to meet statutory obligations in several ways, including:

- preparation of an evaluation report to examine whether the provisions in the proposal are the most appropriate way to achieve the objectives of the PDP and the SPZ(PR) in accordance with s32 and s32AA of the Resource Management Act 1991 ('the RMA')
- providing information to inform the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district, as one of the territorial functions under section 31 of the RMA, which is one of the matters to be considered when preparing or changing a district plan in accordance with s74(1)(a) of the RMA
- providing information to enable appropriate consideration of Part 2 matters when preparing or changing a district plan in accordance with s74(1)(b) of the RMA
- providing information to allow the Council to have regard to any relevant planning document recognised by an iwi authority in accordance with s74(2A) of the RMA
- providing a comprehensive resource to inform the preparation of any future resource consent applications and/or consideration of appropriate conditions of resource consent in accordance with s88(2)(b)/Schedule 4 and s108 of the RMA respectively.

To achieve this the Report includes:

- Information on the relevant cultural values associated with the Site and immediate area;
- Identifies the effects on those values and the relationship of mana whenua to them, as a result of the proposed rezoning, including the anticipated activities within the new zone; and
- Recommendations for mitigation measures to avoid, remedy or mitigate any potential adverse effects.

This Report also draws upon a suite of values and mitigation measures adopted and adapted from previous collaborations with mana whenua in regard to the developments within the area, iwi management plans<sup>4</sup>, district plan information and value sets available and relevant to Iwi Ngai Tahu within the wider Te Wai Pounamu takiwa.

## Non-statutory methods

Non-statutory methods such as relationship agreements or protocols between DEXIN and mana whenua would provide for further consultation and solutions which are not solely dependent upon district plan provisions to manage cultural effects.

It is understood that DEXIN is committed to the ongoing development of a relationship with mana whenua and ongoing engagement with respect to future development proposals on the Māketete site.

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<sup>4</sup> See Te Wkaatau Kaupapa, 1990, Resource Management Strategy for the Canterbury Region file:///C:/Users/nigel.harris2/Downloads/TeWhakatauKaupapaResourceManagementStrategy for the CanterburyPartA.PDF, and the Maahanui Iwi Management Plan 2013, <https://www.mahaanuikurataiao.co.nz/iwi-management-plan/>

As such, any commentary in this Report with respect to the proposed SPZ(PR) provisions should be considered alongside this ongoing commitment from DEXIN to continuing engagement, as it is the combination of both statutory and non-statutory processes that will effectively manage effects on the cultural values of the site.

## The role of other proposed WDP provisions

This Report focuses on the proposed provisions of the SPZ(PR) and the extent to which these proposed provisions can address potential adverse effects on the cultural values associated with the Site. However, it is noted that the proposed WDP already contains other mechanisms to recognise and protect mana whenua cultural values<sup>5</sup>.

In the case of the proposed WDP, it spatially identifies Ngā whenua tapu o ngā iwi - Sites and Areas of Significance to Māori (SASM) and contains associated provisions that aim to adequately address potential impacts of activities upon those values. A review of the SASM provisions to assess the adequacy and accuracy of the proposed WDP in terms of their spatial records and provisions to protect sites of cultural value is outside the scope of this Report. However, as the entire Site is contained within the SASM006 Wāhi Tapu – Silent File Overlay and the SASM 013 Ngā Tūranga Tupuna (cultural landscape) Waimakariri ki Rakahuri overlay on the proposed WDP maps, the SASM provisions in the proposed WDP to protect cultural values associated with this wāhi tapu will also apply in addition any provisions in the SPZ-PR if the rezoning is successful.

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<sup>5</sup> Any assessment of Wāhi Taonga and Wāhi Tapu cannot be made in isolation from the context of history. Historical events and practices impact directly on current practices and beliefs.

## Development Context

As previously stated DEXIN has made a submission to the proposed WDP to seeking the rezoning of their property at 1250 Main North Road, Woodend, requesting amendment of the zoning from Rural Lifestyle (as per the notified WDP) to SPZ(PR). The Site is approximately 3.05 ha in size located on the corner of Main North Road (State Highway 1) and Pegasus Boulevard (see Figure 1 below).



**Figure 1 Site proposed for development**

As part of this rezoning request, two new specific activity areas are proposed to be included in the Outline Development Plan (ODP) to provide for a range of tourism activities and a limited amount of medium density residential activities. A proposed masterplan and associated development plans have also been prepared for the Site.

In summary the ODP and masterplan include terraced residential dwellings on the north, east and south site boundaries surrounding a central market area and open spaces, with parking and vegetated bunding on the western boundary with Main North Road. The Taranaki stream would be bounded to the south by the marketplace terraces and be enhanced through planting. Amenity access across the stream via walkways and footbridges are proposed. One vehicle crossing over the stream is proposed to the west of the Site.

## Existing Site Conditions

The Ecological report<sup>6</sup> provided by 4Sight Consulting details the Site and surrounding features:

- *The Site is bound to the west by Main North Road (State Highway 1), to the southeast and northeast by large lot residential Lots and to the north, south and east by Pegasus Golf Course.*
- *A single dwelling is present on the Site, with several sheds located to the east of the house, backing onto the stream.*
- *The Site is largely flat, generally following a gentle gradient towards the northeastern corner.*
- *The majority of the Site is in pasture, with mature poplars forming wind breaks along the southern, northern and parts of the eastern site boundary.*
- *Mature pine, gum, macrocarpa and willow trees are present within the centre of the Site, alongside sections of the stream and following some fence lines.*
- *A small orchard is present in the northeast corner, to the south of the stream.*

*The Taranaki Stream, a tributary of Rakahuri / Ashley River, bisects the site. This is one of the major features of the Site and the only area that has strong ecological value which can be enhanced further. The stream is a spring-fed plains stream and originates near the intersection of Smarts Road and Rangiora Woodend Road, approximately 5km upstream of the site. Taranaki Stream enters the property through culverts beneath Main North Road approximately mid-way along the western property boundary, draining through the Site to exit from its north-eastern corner. An incised and straightened drain also follows the northern property boundary and converges with the stream near the north-eastern Site boundary. No ecological overlays under the proposed WDP apply to the site. Taranaki stream is identified in the proposed WDP as subject to esplanade provisions. The stream, as a tributary of Rakahuri/Ashley River, is identified as a site and area of significant to Māori (SASM) containing Mahinga Kai environs, habitats and taonga species (SASM 025).*

*A wāhi tapu site (SASM 006) is also identified in the vicinity.*

*Photos<sup>7</sup> provided in the appendix of the Ecological Report<sup>8</sup> illustrate that the Taranaki Stream upstream of the site (west of Main North Road) and through the western half of the site was very straight and channelised. The northern drain can be seen as a shallow depression at this time too. Several large trees are present adjacent to the stream near the house and to the east of the farm sheds and the orchard appears to be established.*

*Few changes within the site are evident through to current day, with the exception of the shelterbelt poplars being planted between 2000 and 2004. In 2000 an ornamental pond is evident within the lifestyle properties immediately northeast of the site and extensive planting of these properties had occurred. By 2008 the Pegasus golf course development was underway, with active earthworks occurring surrounding the site, including the formation of the ponded water features that form part of the stormwater management for the golf course and associated residential developments.*

*By 2017 the Ravenwood retail and residential subdivision was underway to the west of Main North Road. As part of this development, the channelised Taranaki Stream was realigned to form a*

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<sup>6</sup> 4SIGHT CONSULTING (2022) Pegasus Makete, 1250 Main North Road, Woodend – Ecological assessment.

<sup>7</sup> Site history: Historic aerial photographs of the site are available from 1942 within the Ecological Report 4SIGHT CONSULTING (2022) Pegasus Makete, 1250 Main North Road, Woodend – Ecological assessment. The historic aerial photographs are also attached as Appendix 1 to this Report.

<sup>8</sup> 4SIGHT CONSULTING (2022) Pegasus Makete, 1250 Main North Road, Woodend – Ecological assessment.



*naturalised, meandering stream channel. It is understood to have been realigned closer to its historic alignment (PDP 2015). Riparian replanting of the realigned watercourse has also occurred.*

*The site is blessed with many assets besides its State Highway location. It is surrounded on three sides (North, East and South) by Pegasus International Golf Course. It is dissected by the Taranaki Stream. It is a flat and easily developed site but with the opportunity to rewild the stream and create a waterbody that increases biodiversity and mahinga kai. On the stream is the remains / foundations of the original flour mill for the District. There are two existing access routes into the site from the west. Adjacent properties and significant planting protects the site from prevailing easterly winds.*

### Proposed elements of the Māketete development

The Urban Design assessment prepared by James Lunday contains a description of the proposed elements of the Māketete development<sup>9</sup>:

**Local Market Wine Tasting and Artisan Food:** *We see the foundation of this site as being a local farmers market. We have identified Matakana Market as a precedent. The development intent is a local farmers market. The market can take advantage of the local and proposed landscape features. The market would be supplemented by visitor attractions aimed at the families and would showcase local artisan wines, food and art/craft products.*

**Agricultural Heritage:** *There is the opportunity to preserve and possibly celebrate the original water and wind powered mill where local grains could be processed.*

**Mahinga Kai:** *could be a strong educational feature along a re-widened stream along with native and exotic edibles and medicinal plants. Kai would be a strong educational feature. There would be wellbeing opportunities, events and weddings, as well as overnight accommodation.*

**Art and Craft:** *Opportunities to learn, watch or purchase locally made art and craft.*

**Educational:** *We see education as a large part of this experience. We have become distant from where our food comes from and how we can produce it in a more sustainable way. There isn't any other farm and food experience opportunity in the wider area. This is also an opportunity for learning about nature and sustainable practices both outdoors and under cover. Ideal for schools, clubs and Universities to use for learning purposes.*

**Family Entertainment:** *There is a lack of outdoor family entertainment within Canterbury. We intend that entertainment that is fun and educational is delivered as part of the development offering: this includes every aspect of rural and pre agricultural opportunities expressed in active play.*

**Relaxation Zone:** *For the adult visitor the opportunity for relaxation, enjoying local hospitality, massage, yoga and craft classes. This all set in an agrarian landscape.*

**Workshops and Events:** *This area has a deeper history that can be represented not only through mahinga kai but in weaving, carving and greenstone and traditional food. Engagement with iwi will be important in respect to the deeper history and how this story could be told. This can be reinforced by tradition crafts of food production, furniture making, jewellery making, right through to artists' studios and galleries. The Commons and Village green can also host one off events. It would be the aim to make this the major attraction between Christchurch and Kaikoura. This will reinforce visitors*

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<sup>9</sup> Urban Design Assessment June 2022 Prepared by: James Lunday DINZ Dip. Arch, B.A.Hons(First), B.Pl an.Hons(First), Dip. UD (Oxford Brookes), M.A.UD Distinction (Oxford Brookes) Director Common Ground

to Pegasus, Pegasus Golf Course and Pegasus Hot Pools and Village. To the North and east the site is ringed by Golf course housing further integrating this development with the Golf Course.

### Key elements of the Masterplan design

The Urban Design assessment prepared by James Lunday<sup>10</sup> also assesses the performance of the proposed Masterplan in regard to international best practice Urban Design Principles. Three of the key principles relevant to mana whenua interests are as follows:

#### **Sustainability**

*It should be the intent to create buildings and places that reduce the associated ecological footprint, enhance natural features, ecosystems, water quality, culture and cultural and historic heritage. There should be rules and guidelines that expect reduce energy, waste, and provide buildings that age well over time. There is the opportunity to enhance the landscape and biodiversity of Community Pegasus/Ravenswood/ Woodend.*

#### **Community**

*It has long been a welcoming community to diverse range of residents, workers, and visitors. However there have been a lack of employment opportunities and a place to gather and celebrate. It is the intent that Pegasus Māketē will become that meeting place and a place to hold local fairs, markets, and events. The design allows for this to happen. The proposed housing also brings in a variety of higher density typologies that do not yet exist in the area.*

#### **Cultural Heritage**

*There are remnants of what we believe to be the first flour mill in the district, Ravens Mill. It is proposed to preserve and interpret this history. There have been discussions with local Iwi and their report expresses their opinion on the development and focuses on the enhancement of the natural environment, stormwater and protection and development of mahinga kai that once would have been present the stream and wider area.*

### Ecology

In 4.3 of “The Discussion PEGASUS MĀKETĒ, 1250 MAIN NORTH ROAD, WOODEND – ECOLOGICAL ASSESSMENT For DEXIN Investments Limited November 2022” states overall, the ecological values of the majority of the Site are considered to be low, and those areas of ecological interest and value (the Taranaki Stream) are to be maintained within the development plan.

The development of the Site offers an opportunity to improve and enhance biodiversity values within the Site and enhance the riparian habitat values of the stream within the Site. Ecological design input will be required at the detailed design and Resource Consent stages to ensure that the development design maintains riparian margins and protects or improves instream habitat values for aquatic biota.

A summary of ecological values prepared for DEXIN by 4Sight Consulting says: “Overall, the site comprises a highly modified environment used for rural purposes for an extended period. While the section of Taranaki Stream that bisects the site has been historically modified, it comprises the most notable ecological feature within the site. The stream provides habitat for a small range of common macroinvertebrates and native fish species. Six native fish species, including three species listed as ‘at risk’, and the exotic brown trout, have been recorded from the stream reaches surrounding the site

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<sup>10</sup> Section 3.2, Ibid

*and can be expected to also permanently or temporarily occupy the site stream at times. Common bully and longfin eel ('at risk – declining') were observed during the site visit. While the vegetation within the site is dominated by exotic species, including several weed species, and is not ecologically significant, the narrow band of riparian vegetation is providing some important functions for the Taranaki Stream. The vegetation provides patchy shading cover to the stream bed, helps to stabilise the typically steep stream banks and provide inputs of leaf litter, terrestrial insects and other debris that contribute food and resources for instream biota.*

*The range of species present upstream of the site include inanga and giant bully. These fish rely on burst swimming to pass instream obstacles, so their presence indicates that there are no notable barriers to migratory fish passage throughout the Taranaki Stream. Flood gates are known from near the Ashley River confluence and likely provide a temporary barrier for fish passage, when closed.”<sup>11</sup>*

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<sup>11</sup> Table 1 in the Ecological report identifies: New Zealand Freshwater Fish Database records for Taranaki Stream \* from Dunn et al. 2018

## Proposed amendments to the SPZ(PR) and the Pegasus Design Guidelines

There are two key ways the proposed WDP can provide for consideration of cultural values when developing the Māketete Site – through the SPZ(PR) provisions and through the Pegasus Design Guidelines. There are opportunities to amend the wording of both to better provide for consideration of cultural values, collaboration with mana whenua and development/enhancement of waahi taona and mahinga kai.

### SPZ(PR) provisions

There are opportunities to better reflect mana whenua aspirations for the area through the zone introduction, objectives and policies of the SPZ(PR) as follows (new text from the DEXIN submission underlined, suggested additional text in red underlined):

#### **Introduction**

Activity Area 8 – Māketete Village provides for a range of tourism and supporting commercial activities that will provide a visitor destination to complement Pegasus Resort. The foundation of the village will be a market area to provide for local producers to directly retail produce and to provide spaces to develop and enhance waahi taonga and mahinga kai. The area will be supplemented by visitor attractions that will showcase local artisan produce and provide educational and entertainment experiences to visitors to highlight sustainable production of food and materials and to reflect the important cultural values of the area.

#### **SPZ(PR)-O2 – Design components**

The development of spa/wellness and hot pool complex centred on a spa village, and tourism and residential activities centred on a Māketete Village within a framework of open space and recreation facilities, that reflect the local open space, recreational, landscape and visual amenity values, provide an authentic reflection of the cultural values of the area in collaboration with mana whenua and achieve urban design excellence consistent with the Pegasus design guidelines.

#### **SPZ(PR)-P1 – Outline Development Plan**

Use and development of land shall:

1. be in accordance with the development requirements and fixed and flexible elements in SPZ(PR)-APP1, or otherwise achieve similar or better outcomes, except in relation to any interim use and development addressed by (3) below;

2. ensure that development:

a. results in a vibrant, mixed-use area that achieves a complementary mix of hotel and visitor accommodation, spa/wellness and hot pool complex, golf education facility, māketete tourism, residential activities and small-scale commercial activities and ancillary activities;

b. contributes to a strong sense of place, and a coherent, functional and safe neighbourhood;

c. retains and supports the relationship to, and where possible enhances recreational features;

- d. is in accordance with the Pegasus design guidelines;
- e. achieves a high level of landscape, visual and amenity values; and
- f. encourages mixed use developments that are in accordance with SPZ(PR)-APP1 as a means of achieving coordinated, sustainable and efficient development outcomes; and
- g. provides an authentic reflection of the cultural values of the area in collaboration with mana whenua; and

3. where the land is in interim use, the interim use shall not compromise the timely implementation of, or outcomes sought by, SPZ(PR)-APP1.

## Pegasus Design Guidelines

Activities that are proposed on the Māketete Site requiring resource consent as a restricted discretionary activity<sup>12</sup> need to be designed in accordance with the Pegasus Design Guidelines in APP2 of the SPZ(PR), for example a Māketete Tourism Activity or a Multi-Unit Residential Development. The relevant sections of the Pegasus Design Guidelines that address matters of interest to mana whenua are discussed below and suggested amendments are shown:

### Activity Area 8: Māketete Village

The amendments proposed to the SPZ(PR) – APP2 – Pegasus Design Guidelines in the DEXIN submission include the following new text relating to Activity Area 8 in the ODP – the Māketete Village (new text from the DEXIN submission underlined, suggested additional text in red underlined):

Māketete Village provides for a range of tourism and supporting commercial activities that will provide a visitor destination to complement Pegasus Resort. The foundation of the village will be a market area to provide for local producers to directly retail produce and to provide spaces to develop and enhance waahi taonga and mahinga kai. The area will be supplemented by small scale commercial food and beverage operations and visitor attractions that will showcase local fine arts, artisan crafts, cultural activities, and historical interpretation, which will reflect the important cultural values of the area. Educational and entertainment experiences for visitors will focus on sustainability, food production, crafts, local history, and cultural heritage.

There is a need for car parking to support the activities of this zone. The ODP shows the carparking placed parallel to the State Highway with a landscape buffer between the carparking and the road. This is intended to have low mounds with mostly low-level native planting and some larger trees. The interior of the site including the Māketete is intended to have pedestrian access only.

The Specific Objectives for the Māketete Village Activity Area are:

- To ensure the development creates an intimate, human scaled and cohesive environment with buildings providing activation to the public realm.
- To ensure the buildings are arranged around a landscaped 'Village Green' which provides open space for recreation and can cater for a variety of outdoor events.

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<sup>12</sup> Other activities are either discretionary or non-complying, where the full range of potential cultural impacts can be considered as well as the Guidelines or are permitted or controlled but with likely no or very minimal effects on cultural values e.g., a residential activity in an area of the site set aside for houses.

- To encourage verandas and awnings where appropriate to enhance the streetscape and pedestrian environment, and to provide a variety of outdoor seating and recreation spaces to provide shelter in different weather conditions.
- To require all built forms to be appropriately modulated to ensure visual variation in the façades of buildings.
- To encourage varied design within a palette of materials and finishes.
- To provide a range of entertainment and educational activities relating to themes of agriculture, horticulture, food production, winemaking, museum/historical interpretation, sustainability, arts, crafts and culture.
- To provide a space for local producers and markets to sell and promote their products.
- To develop and enhance waahi taonga and mahinga kai opportunities through developing spaces for culturally authentic entertainment and educational activities and through landscaping and biodiversity enhancement projects.
- To encourage landscaping that reflects the surrounding natural landscape and is appropriate for the area, enhancing the amenity and biodiversity of the area, and to protect the ecology and amenity of the existing creek.
- To minimise the impact of carparking by requiring extensive landscaping within and around the carpark and to create a safe pedestrian environment in the interior of the site by limiting vehicular traffic to the perimeter.
- To ensure that other parts of the Village Resort are well and safely connected to the Māketu development with pedestrian and cycleways.
- To retain historical and cultural artifacts and provide interpretative displays relating to the history of the site.
- To develop the design that has regard to Ngāi Tūāhuriri development values and cultural narrative.

### Design Considerations

The amendments proposed to the SPZ(PR) – APP2 – Pegasus Design Guidelines in the DEXIN submission include the following new text to be inserted into the design considerations section (new text from the DEXIN submission underlined, suggested additional text in red underlined):

*The built form design considerations are intended to encourage a diversity of built form that will complement the overarching objectives of Pegasus Resort. Each of the Activity Areas have a different set of guidelines which aim to weave together to ensure Pegasus Resort:*

- *Maintains an appreciated amenity surrounding an international golf course;*
- *Complements the existing landscape and locale;*
- *Has diversity of built form and outdoor spaces;*
- *Has different buildings which do not overlook or overshadow one another, that respect the overall pattern of fronts, backs and sides;*
- *Connects with and enhances the architecture of the existing golf course club rooms and buildings;*
- *Provides variation of façades and appropriate visual scale through use of recesses and materiality adjoining the golf course and public realm (such as Pegasus Boulevard); and*
- *Defines each of the activity areas and their associated uses; and*
- *References the local historical and cultural context, including working alongside mana whenua to provide authentic reflections of cultural values.*

## Key aspects of mana whenua and the values associated with the area

### Culture and cultural values in this context

In the context of this Report what is meant by the term 'cultural values' are those things tangible and intangible which relate to mana whenua as detailed.

Throsby (1997), an early contributor to the field of cultural economics, provides two definitions of culture. The first, which is referred to as culture in the anthropological sense, defines culture as the set of attitudes, beliefs, practices, values, shared identities, rituals, customs and so on which are common to a group, whether the group is delineated on geographical, ethnic, social, religious or any other grounds. That is, culture can be thought of as the features of a group which the group uses to define cultural values itself.

Throsby's second definition of culture, which can be referred to as the embodied definition, refers to the set of activities and the products of these activities, such as the practice of the pursuit of exercising cultural practices. This definition of culture can be thought of as the physical embodiment of the anthropological definition of culture.

In this report interpreting the term 'culture' very broadly. The Report will be focusing on an analysis on both as culture in the anthropological sense and the embodied definition above.

The definition of cultural values here encompasses waahi taonga and waahi tapu, and other relevant values such as mahinga kai tikanga.<sup>13</sup> There is an acknowledgement that the methodological and philosophical distinctiveness of Traditional Ecological Knowledge (TEK) from western science is well known and there is a wide recognition of the contribution that TEK can make to conservation of biodiversity and resource management. Compared with science, TEK tends to be more holistic (Berkes, F., et al. 2000). TEK develops from individual experience leading to individual knowledge which becomes general knowledge when others experience similar phenomena (Stevenson, M. 1996). TEK is not static however but evolves continuously (Peirotti, R., & Wildcat, D. 2000). TEK is inherently multidisciplinary, develops from observations over long periods of time, and is context specific; humans are perceived to be inextricably linked to local places and the natural world than any other part (Wenzel., G. 1999).

### Mana whenua associations and values<sup>14</sup>

To understand mana whenua associations to Te ao Mārama (the natural world) within the takiwā of Te Ngāi Tūāhuriri one must first understand their histories, activities, core values and the many issues which impact on those associations. A core aspect to understanding the values and associations is the realisation that Te ao Marama is seen by mana whenua as a whole functioning and integrated system which they are bound to by whakapapa, tikanga and sense of place. Water quality and quantity is but one of the major issues facing their values and associations within a wider environmental context. The past guarantees of successive Central, Regional and Local Governments and past actions have done little to protect, enhance and promote these rights and activities associated to Te ao Marama and their precious land, air and water resources. For decades the loss and degradation of Te ao Marama through past administrative controls, the sometimes mis or

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<sup>13</sup> Adopted and adapted from Value and Culture Corey Allan, Arthur Grimes and Suzi Kerr Motu Working Paper 13-09 Motu Economic and Public Policy Research September 2013

<sup>14</sup> The site is within a cultural landscape among the highest of high hapu and tribal significance, and in the vicinity of several Silent Files. There are multiple identified NZAA Maori archaeological sites, along with over 600 geo-tagged 'sites' in the wider Pegasus development area.

unmanaged and under regulated activities have impeded and impacted on these associations, core values and beliefs of mana whenua.

Water is a significant cultural resource that connects Ngāi Tahu to the landscape and the culture and traditions of the tūpuna (ancestors). Water is the life giver of all things and is central to Māori life. For mana whenua, the current state of the cultural health of the waterways and groundwater is evidence that water management and governance in the takiwā has failed to protect freshwater resources. Water quality is degraded as a result of urban and rural land use. This has a significant effect on the relationship of Ngāi Tahu to water, particularly in regard to mauri, mahinga kai, cultural well-being and indigenous biodiversity. The discharge of contaminants such as sediment to water is culturally unacceptable to mana whenua. There are a number of resources readily available which outline these values and associations from academic literature, popular press, the statutory recognised plans of iwi and the numerous iterations of mana whenua to the many Government departments responsible for the sustainable management of natural and physical resources.

*Ko au te wai, ko te wai ko au: I am the water and the water is me*

### Mana whenua

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

Traditional systems of ownership and control of property were defined by a complicated structure of customary rights governing who had the rights to use the lands, various resources, and when they could do so (Evison, 1993). Mana whenua relates to the political and occupational authority over a particular area, usually defined by natural boundaries (Te Whakatau Kaupapa, 1997).

Mana whenua rights also carry with them the responsibility to manage the resources sustainably for future generations. This responsibility is realised through kaitiakitanga. Kaitiakitanga in its simplest form embraces notions of stewardship and guardianship. This includes the responsibility to care for the physical, ecological and spiritual wellbeing of a place or resource (New Zealand Conservation Authority, 1997). The original kaitiaki were the atua (gods). They were commonly manifested in the physical realm as particular places, features or living things, which acted as guardian spirits. The guardians of oceans and waterways for example, often come in the form of fish or taniwha (New Zealand Conservation Authority, 1997). Kaitiaki status among tangata whenua is genealogically defined. Henare R. Tau (1993) explains the genealogical basis for Ngāi Tahu's responsibilities as kaitiaki:

*"When Kaiapoi pa was under siege, certain important taonga to Ngāi Tahu were entrusted to one of the Chiefs of Kaiapoi pa. This was Tiamorehu. These taonga have been entrusted through the generations to identified members of his whanau as kaitiaki (Tau, 1993: 95)."*<sup>15</sup>

A group's mana whenua status over an area, must be asserted by continued occupation (ahi kaa) and use of the resources in that area in order to be recognised by other groups. In a literal sense ahi kaa

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<sup>15</sup> The original name was "Te Kōhanga Kaikai a Waro."



meant that the tribes 'fires' had to be kept burning on the land (Te Whakatau Kaupapa, 1997). Territorial jurisdictions were strictly defined and vigorously defended. Evison (1993:6) says that:

*"The chiefs and elders of the Ngai Tuahuriri hapu ...based at Kaiapoi pa, were particularly jealous of their territorial rights and allocated territory and resources on land and sea, to the minor chiefs and heads of whanau, who apportioned the work and responsibilities among individuals".*

This describes the system of wakawaka whereby lands were divided into sections (wakawaka) identifiable by the physical resources of the area. Mahinga kai sites were considered one indicator of ownership and occupation of these areas, and could have included interests such as eel weirs, tohu, trees for bird snaring, gardens, clumps of flax, and shellfish beds (Parsonson 1979).

Rights of access to and usage of these areas was defined by whakapapa (genealogy) and descent which was hapu-based (Tau 1989). This is supported by Tikao:

*"...one hapu would not go without authority on another hapu's land to take eels...those...sites were handed down from the ancestors to their descendants from long ago"* (Best 1986, as cited in Tau 1989:14).

Each hapu controlled and worked a defined stretch of territory. Within each hapu's rohe particular whanau had the exclusive rights to the occupation and use of resources of a given wakawaka. The giving of gifts sourced from that area to neighbouring whanau, hapu or iwi was considered 'an overt statement of their right to take these resources' (Te Whakatau Kaupapa, 1997).

The right to control water-based resources (particularly sea-based) was called mana-moana (Te Whakatau Kaupapa 1997). The taking of all freshwater fish was regulated in the same manner as land-based resources. Individual families had to confine their fishing activities to such waters as they were entitled to work, this might be a section of a river or stream. Such rights were largely based on ownership of the lands impinging upon the streams (Best 1986).

## Te Ngāi Tūāhuriri

Ngāi Tūāhuriri is one of the primary hapū of Ngāi Tahu whose tribal boundaries (takiwā) centre on Tuahiwi. Tūāhuriri is our ancestor, from whom we all descend and we take our name from him. The following is a traditional Ngāi Tūāhuriri pepehā, or tribal statement of identity.

*Ko Maungatere te Maunga*

*Our mountain, Maungatere (Mount Grey) stands above us;*

*Ko Waimakariri, ko Rakahuri ngā Awa*

*Our rivers – the Waimakariri and Rakahuri (the Ashley) – flow below;*

*Ko Tūāhuriri te Tangata*

*Tūāhuriri is our ancestor.*

Tuahiwi is the home of Ngāi Tūāhuriri and has played a vital role in Ngāi Tahu history. The takiwā (district) of Te Ngāi Tūāhuriri centres on Tuahiwi and extends from the Hurunui River to the Hakatere River and inland to the Main Divide. Nearby the famous Kaiapoi Pā was established by the first Ngāi Tahu ancestors when they settled Te Waipounamu. Kaiapoi Pā was the major capital, trading centre and point from which further penetration of the South Island occurred making the area a genealogical centre for all Ngāi Tahu Whānui. Kaiapoi Pā was established by Moki's elder brother

Turākautahi who was the second son of Tūāhuriri hence “Ngāi Tūāhuriri” is the name of the hapū of this area.

*Ko taku ture I ahu mai I tōku tupuna, I a Tūāhuriri*

*My laws stem from my ancestor Tūāhuriri*

While the principal settlement in the district was at Kaiapoi Pā, smaller inland settlements also co-existed at sites along the Cam River and at Tuahiwi (among others). Tuahiwi was attacked by Te Rauparaha enroute to lay siege to Kaiapoi Pā. The eventual destruction of Kaiapoi Pā by Te Rauparaha in 1832 rendered the entire area unsafe and the Ngāi Tūāhuriri people fled to the safety of other Ngāi Tahu settlements at Koukourarata and further South. Tuahiwi and other kāinga in the area lay deserted until the threat of war had passed. Many leading Ngāi Tahu whānau returned to live at Tuahiwi in the 1840s. Māori Reserve lands were later allocated to Ngāi Tūāhuriri whānau at Tuahiwi. From this time Tuahiwi became the principal area of Ngāi Tahu settlement in North Canterbury.

While Ngāi Tūāhuriri have had an association with Tuahiwi and its environs since the earliest days of Ngāi Tahu settlement, their relationship to that land was altered irrevocably with the arrival of European settlers. The Kaiapoi Māori Reserve was set aside as a place of residence by Kaiapoi Ngāi Tahu as a result of the Canterbury Purchase (Kemps Deed) in 1848, which saw the Crown purchase 20,000,000 acres from Ngāi Tahu for 2,000 pounds. In 1859 Tuahiwi or the Kaiapoi Māori Reserve was the first Māori Reserve where land was subdivided and title was individualized so as to encourage the building of a township. The reserve was subdivided into blocks allotted to specific Ngāi Tūāhuriri whānau.

Despite the land at Tuahiwi being the largest of the Māori reserves allocated, it was insufficient for the people to generate a living from. In order to survive financially, the land outside the immediate village area was let to Pākehā farmers – by the 1880s this practice had increase to the point that most of the Kaiapoi Reserve was leased out. Through a series of Native Land Acts that followed, Māori land was quickly alienated to Pākehā. Much of the original Kaiapoi Māori Reserve is no longer in Ngāi Tūāhuriri ownership.

### [Ngāi Tahu Whānui and Te Rūnanga o Ngāi Tahu](#)

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

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

Papatipu Rūnanga are the administrative councils of traditional Ngāi Tahu hapū (sub-tribes) based around their respective kāinga / marae based communities and associated Māori reserves, pā, urupā and mahinga kai areas.

## “Te Rūnanga o Ngāi Tahu (declaration of Membership) Order 2001

This order is supplementary to the above Act and superseded schedule one of that Act. The Papatipu Rūnanga and their respective takiwā are set out in this order. Te Ngāi Tūāhuriri Rūnanga is thus established as Papatipu Rūnanga of Ngāi Tahu.”

## Mahinga Kai in the modern context

Mahinga kai is the food and fibre that is gathered, the places it is gathered, and associated social practices that sustain Ngāi Tahu Whānui. Sustaining food sources for the physical and cultural health of future generations, and supporting manaakitanga (hospitality and reciprocity), is of paramount importance.

Mahinga kai is a source of mana and an integral part of Ngāi Tahu culture; and was guaranteed to Ngāi Tahu in Kemp’s purchase of Canterbury. Accordingly, mahinga kai formed a substantial part of Te Kerēme – The Ngāi Tahu Treaty claim.

Traditional and contemporary Mahinga kai species are regarded as taonga species. These are the native birds, plants and animals of special cultural significance and importance to Ngāi Tahu. Species associated with the Pegasus area and surrounding catchment are listed below:”

### Birds

Name in Māori	Name in English	Scientific name
Hoiho	Yellow-eyed penguin	<i>Megadyptes antipodes</i>
Kāhu	Australasian harrier	<i>Circus approximans</i>
Kākā	South Island kākā	<i>Nestor meridionalis meridionalis</i>
Kākāpō	Kākāpō	<i>Strigops habroptilus</i>
Kākāriki	New Zealand parakeet	<i>Cyanoramphus spp</i>
Kakaruai	South Island robin	<i>Petroica australis australis</i>
Kakī	Black stilt	<i>Himantopus novaezelandiae</i>
Kāmana	Crested grebe	<i>Podiceps cristatus</i>
Kārearea	New Zealand falcon	<i>Falco novaeseelandiae</i>
Karoro	Black-backed gull	<i>Larus dominicanus</i>
Kea	Kea	<i>Nestor notabilis</i>
Kōau	Black shag	<i>Phalacrocorax carbo</i>
	Pied shag	<i>Phalacrocorax varius varius</i>
	Little shag	<i>Phalacrocorax melanoleucos brevirostris</i>
Koekoeā	Long-tailed cuckoo	<i>Eudynamys taitensis</i>

Kōparapara or Korimako	Bellbird	<i>Anthornis melanura melanura</i>
Kororā	Blue penguin	<i>Eudyptula minor</i>
Kōtuku	White heron	<i>Egretta alba</i>
Kōwhiowhio	Blue duck	<i>Hymenolaimus malacorhynchos</i>
Kūaka	Bar-tailed godwit	<i>Limosa lapponica</i>
Kūkupa/Kererū	New Zealand wood pigeon	<i>Hemiphaga novaeseelandiae</i>
Kuruwhengu/Kuruwhengi	New Zealand shoveller	<i>Anas rhynchotis</i>
Mātā	Fernbird	<i>Bowdleria punctata punctata</i> and <i>Bowdleria punctata stewartiana</i> and <i>Bowdleria punctata wilsoni</i> and <i>Bowdleria punctata candata</i>
Matuku moana	Reef heron	<i>Egretta sacra</i>
Miromiro	South Island tomtit	<i>Petroica macrocephala macrocephala</i>
Miromiro	Snares Island tomtit	<i>Petroica macrocephala dannefaerdi</i>
Mohua	Yellowhead	<i>Mohoua ochrocephala</i>
Pākura/Pūkeko	Swamp hen/Pūkeko	<i>Porphyrio porphyrio</i>
Pārera	Grey duck	<i>Anas superciliosa</i>
Pateke	Brown teal	<i>Anas aucklandica</i>
Pīhoihoi	New Zealand pipit	<i>Anthus novaeseelandiae</i>
Pīpīwharauoa	Shining cuckoo	<i>Chrysococcyx lucidus</i>
Pīwakawaka	South Island fantail	<i>Rhipidura fuliginosa fuliginosa</i>
Poaka	Pied stilt	<i>Himantopus himantopus</i>
Pokotiwaha	Snares crested penguin	<i>Eudyptes robustus</i>
Pūtakitaki	Paradise shelduck	<i>Tadorna variegata</i>
Riroriro	Grey warbler	<i>Gerygone igata</i>
Roroa	Great spotted kiwi	<i>Apteryx haastii</i>
Rowi	Ōkārīto brown kiwi	<i>Apteryx mantelli</i>
Ruru koukou	Morepork	<i>Ninox novaeseelandiae</i>

Takahē	Takahē	<i>Porphyrio mantelli</i>
Tara	Terns	<i>Sterna</i> spp
Tawaki	Fiordland crested penguin	<i>Eudyptes pachyrhynchus</i>
Tete	Grey teal	<i>Anas gracilis</i>
Tīeke	South Island saddleback	<i>Philesturnus carunculatus carunculatus</i>
Tītī	Sooty shearwater/Muttonbird/Hutton's shearwater Common diving petrel South Georgian diving petrel Westland petrel Fairy prion Broad-billed prion White-faced storm petrel Cook's petrel Mottled petrel	<i>Puffinus griseus</i> and <i>Puffinus huttoni</i> and <i>Pelecanoides urinatrix</i> and <i>Pelecanoides georgicus</i> and <i>Procellaria westlandica</i> and <i>Pachyptila turtur</i> and <i>Pachyptila vittata</i> and <i>Pelagodroma marina</i> and <i>Pterodroma cookii</i> and <i>Pterodroma inexpectata</i>
Tītītipounamu	South Island rifleman	<i>Acanthisitta chloris chloris</i>
Tokoeka	South Island brown kiwi	<i>Apteryx australis</i>
Toroa	Albatrosses and Mollymawks	<i>Diomedea</i> spp
Toutouwai	Stewart Island robin	<i>Petroica australis rakiura</i>
Tūi	Tūi	<i>Prothemadera novaeseelandiae</i>
Tutukiwi	Snares Island snipe	<i>Coenocorypha aucklandica huegeli</i>
Weka	Western weka	<i>Gallirallus australis australis</i>
Weka	Stewart Island weka	<i>Gallirallus australis scotti</i>
Weka	Buff weka	<i>Gallirallus australis hectori</i>

Plants

Name in Māori	Name in English	Scientific name
Akatorotoro	White rata	<i>Metrosideros perforata</i>
Aruhe	Fernroot (bracken)	<i>Pteridium aquilinum</i> var <i>esculentum</i>
Harakeke	Flax	<i>Phormium tenax</i>
Horoeka	Lancewood	<i>Pseudopanax crassifolius</i>

Houhi	Mountain ribbonwood	<i>Hoheria lyalli</i> and <i>H. glabata</i>
Kahikatea	Kahikatea/White pine	<i>Dacrycarpus dacrydioides</i>
Kāmahi	Kāmahi	<i>Weinmannia racemosa</i>
Kānuka	Kānuka	<i>Kunzia ericoides</i>
Kāpuka	Broadleaf	<i>Griselinia littoralis</i>
Karaeopirita	Supplejack	<i>Ripogonum scandens</i>
Karaka	New Zealand laurel/Karaka	<i>Corynocarpus laevigata</i>
Karamū	Coprosma	<i>Coprosma robusta</i> , <i>coprosma lucida</i> , <i>coprosma foetidissima</i>
Kātote	Tree fern	<i>Cyathea smithii</i>
Kiekie	Kiekie	<i>Freycinetia baueriana</i> subsp <i>banksii</i>
Kōhia	NZ Passionfruit	<i>Passiflora tetrandra</i>
Korokio	Korokio Wire-netting bush	<i>Corokia cotoneaster</i>
Koromiko/Kōkōmuka	Koromiko	<i>Hebe salicifolia</i>
Kōtukutuku	Tree fuchsia	<i>Fuchsia excorticata</i>
Kōwhai Kōhai	Kōwhai	<i>Sophora microphylla</i>
Mamaku	Tree fern	<i>Cyathea medullaris</i>
Mānia	Sedge	<i>Carex flagellifera</i>
Mānuka Kahikātoa	Tea-tree	<i>Leptospermum scoparium</i>
Māpou	Red matipo	<i>Myrsine australis</i>
Mataī	Mataī/Black pine	<i>Prumnopitys taxifolia</i>
Miro	Miro/Brown pine	<i>Podocarpus ferrugineus</i>
Ngaio	Ngaio	<i>Myoporum laetum</i>
Nīkau	New Zealand palm	<i>Rhopalostylis sapida</i>
Pānako	(Species of fern)	<i>Asplenium obtusatum</i>
Pānako	(Species of fern)	<i>Botrychium australe</i> and <i>B. biforme</i>
Pātōtara	Dwarf mingimingi	<i>Leucopogon fraseri</i>
Pīngao	Pīngao	<i>Desmoschoenus spiralis</i>

Pōkākā	Pōkākā	<i>Elaeocarpus hookerianus</i>
Ponga/Poka	Tree fern	<i>Cyathea dealbata</i>
Rātā	Southern rātā	<i>Metrosideros umbellata</i>
Raupō	Bulrush	<i>Typha angustifolia</i>
Rautāwhiri/Kōhūhū	Black matipo/Māpou	<i>Pittosporum tenuifolium</i>
Rimu	Rimu/Red pine	<i>Dacrydium cypressinum</i>
Rimurapa	Bull kelp	<i>Durvillaea antarctica</i>
Taramea	Speargrass, spaniard	<i>Aciphylla</i> spp
Tarata	Lemonwood	<i>Pittosporum eugenioides</i>
Tawai	Beech	<i>Nothofagus</i> spp
Tētēaweka	Muttonbird scrub	<i>Olearia angustifolia</i>
Tī rākau/Tī Kōuka	Cabbage tree	<i>Cordyline australis</i>
Tīkumu	Mountain daisy	<i>Celmisia spectabilis</i> and <i>C. semicordata</i>
Titoki	New Zealand ash	<i>Alectryon excelsus</i>
Toatoa	Mountain Toatoa, Celery pine	<i>Phyllocladus alpinus</i>
Toetoe	Toetoe	<i>Cortaderia richardii</i>
Tōtara	Tōtara	<i>Podocarpus totara</i>
Tutu	Tutu	<i>Coriaria</i> spp
Wharariki	Mountain flax	<i>Phormium cookianum</i>
Whīnau	Hīnau	<i>Elaeocarpus dentatus</i>
Wī	Silver tussock	<i>Poa cita</i>
Wīwī	Rushes	<i>Juncus</i> all indigenous <i>Juncus</i> spp and <i>J. maritimus</i>

*Marine mammals*

<b>Name in Māori</b>	<b>Name in English</b>	<b>Scientific name</b>
Ihupuku	Southern elephant seal	<i>Mirounga leonina</i>
Kekeno	New Zealand fur seals	<i>Arctocephalus forsteri</i>
Paieka	Humpback whales	<i>Megaptera novaeangliae</i>
Parāoa	Sperm whale	<i>Physeter macrocephalus</i>

Rāpoka/Whakahao	New Zealand sea lion/Hooker's sea lion	<i>Phocarctos hookeri</i>
Tohorā	Southern right whale	<i>Balaena australis</i>

*“Species in the lists above represent some of the species that are likely to be in and around the surrounding environs, however, these lists are not comprehensive and other taonga may also be present. This does not detract from their importance to mana whenua”.*<sup>16</sup>

Development following the Canterbury Earthquake Sequence have frequently opted for planting native vegetation which has resulted in the creation of corridors. These have been instrumental in some places for attracting natives back into areas where they had previously been expatriated. The proximity of Tūhaitara Coastal Park to the Pegasus Golf Course provides potential opportunities for recruitment of native plants and birds into the surrounding areas. The return of native and endemic species is in keeping with Māori tikanga of improving the current state of the environment. Mana whenua prefer that native vegetation incorporated into the planting plan would be ecologically functional, providing both habitat and resources for native species.”

#### Further Context

In the inherited understanding of the Treaty, Rakihia Tau, Upoko Runanga and the Ngai Tahu Claimant on behalf of Ngai Tahu Whanau stated that-

*" Article Two of the Treaty would give protection to the Maori and this was to include the protection of Maori property rights. Rangatiratanga over our Mahinga Kai that we desired to retain..".*

This clearly then would suggest that Rangatiratanga is inextricably linked to the natural resources of Ngai Tahu as is Whakapapa.

The Treaty of Waitangi recognises Maori Rangatiratanga. In today's context the Crown, or an agent to the crown is required to continue to acknowledge Maori Rangatiratanga. In order to give effect to that recognition the crown has certain duties.

An important Treaty principle is the duty of the crown to actively protect Maori interests in their use and management and relationship with the forests, lands, freshwater and marine resources.

Without legal recognition of Rangatiratanga it would then seem difficult to or if not impossible to put into effect Kaitiakitanga and therefore consider inter and intergenerational equity which is a core belief surmounting throughout the Ngai Tahu Report.<sup>17</sup>

It is this view of nature bound up with Whakapapa, Kaitiakitanga and Rangatiratanga that enables and enabled the Maori environmental ethic and its attendant management practices of conservation for human use to continue i.e. Rahui, Mataitai, and Taiapuri.

Throughout the Ngāi Tahu Report these values attitudes and beliefs are repetitive in the Ngai Tahu evidence and accepted even if at times in parts by the findings of the Tribunal.

In the case of Kemps purchase the Crown failure to preserve and protect Ngai Tahu' Rangatiratanga over their land and valued possessions being in breach of article 2 of the Treaty clearly again points

<sup>16</sup> See the Ngāi Tahu Claims Settlement Act 1998, schedule of Taonga Species.

<sup>17</sup> See The Ngāi Tahu Report 1991

[https://forms.justice.govt.nz/search/WT/reports/reportSummary.html?reportId=wt\\_DOC\\_68476209](https://forms.justice.govt.nz/search/WT/reports/reportSummary.html?reportId=wt_DOC_68476209),



to the links between Rangatiratanga, Whakapapa and Kaitiakitanga with Mahinga Kai as a central pivotal instrument of the whole process of Ngai Tahu, and one of the most important.

## Kaitiakitanga – The Link

*Toi tu te marae a tane*

*Toi tu te marae a tangaroa .-*

*Toi tu te lwi.*

*If the world of Tane survives*

*If the world of Tangaroa survives*

*The people survive.*

Kaitiakitanga is the exercise of guardianship by the Tangata Whenua of the area according to Tikanga Maori. Tikanga Maori denotes those customs and traditions that have been handed through many generations and accepted as a reliable and appropriate way of achieving and fulfilling certain objectives and goals.

Such proven methods, together with their accompanying protocols, are integrated into the Ngāi Tahu systems of standards, values, attitudes and beliefs. For Ngāi Tahu it is evident there is an obligation to exercise kaitiakitanga

The obligation to safeguard the wellbeing and mauri of ancestral lands, water, sites waahi tapu, value flora and fauna, and other taonga in Ngāi Tahu's rohe for future generations is themed throughout the Ngāi Tahu settlement process. It is evident in today's managed environment as well e.g. Tangata Tiaki Kaitiaki within the Customary Sea Fisheries legislation of 1998.

Kaitiakitanga is directly related to Rangatiratanga and Kaitiakitanga is an inherent part of the exercise of Rangatiratanga. Without legal recognition of Rangatiratanga then Kaitiakitanga becomes difficult if not impossible to put into effect (Mutu, M. 1994.p.12).

As mentioned earlier with the passing of legislation which empowers and recognises these important aspects of Ngāi Tahu attitudes to this concept is changing.

## Mahinga kai

Mahinga kai is reflective of the most treasured aspects of Ngai Tahu.

*"..The claim involving Mahinga Kai was one of the most emotionally charged elements of the Ngai Tahu Claim".<sup>18</sup>*

The communal exploitation and use of natural resources both for tribal consumption and trade was basic to the Māori economy and hence to the whole social fabric of tribal and intertribal life.

Under the Crown Settlement Offer 1997 Mahinga Kai denoted traditional food and other resource producing places, including cultivations.

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<sup>18</sup> Rakihiihia peers comm 1998.

*"...Ngai Tahu see their Mahinga Kai in a holistic way." and the tribunal "... were frequently reminded of the spiritual aspects attached to the food gathering and distribution processes..."<sup>19</sup>*

These management processes gave Ngāi Tahu a right to take food from the ocean, coastline, rivers, inland waterways, swamps, plains, high country, mountains and forests.

In its most fundamental capacity Mahinga Kai was vital to the survival of the Ngāi Tahu. In addition to this Mahinga Kai was central to Ngāi Tahu's social, cultural and economic existence. The seasonal gathering, cultivating and exchange of food was means of renewing contracts with distant relations, of reinforcing traditional and cultural values; of maintaining controls; and... providing a tangible link with the past.

This was evident through the practice of Kaihaukai, a system of trade which was well utilised among hapu as a means of food exchange. This allowed for both variation in diet, and a continual supply of food through trade, but its principal function was to reinforce kinship links on an annual basis.

According to Tau (1989) the importance of Mahinga Kai to Māori communalities has changed over the years. Its primary subsistence function became limited in the 1920's and 30's to an activity which supplemented monetary income, until the present day where it exists as a practice exercised primarily for its 'cultural importance'. In a modern context the ability to have access and control over Mahinga Kai is an expression of Māori customary rights which has a number of functions. It is regarded as an opportunity for Māori to participate in the food gathering practices of their Tupuna (ancestors) and strengthen Whanaungatanga (kinship relationships) among Iwi, Hapu and Whanau. Continued access to and harvesting of Mahinga Kai is also essential in order to maintain Ahi Kaa rights.

For places to continue to be recognised as Taonga belonging to particular Whanau, Hapu or Iwi those tribal groups had to periodically revisit those places and renew the occupational signs – i.e. rekindle the fires (G Habib Wai 27 T4:224 in Tau 1989:36).

Mahinga Kai is central to the expression of Manaakitanga (hospitality). Tradition demanded that hosts prepare local foods for their guests, and districts came to be recognised by these local specialties. The provision of the best foods available was both a show of respect for the visitors and enhanced the Mana of the group itself. This function is still practiced in the provision of Mahinga Kai for Hui and Tangihanga. Ngāi Tahu gathered food from a wide area by a process of 'following and seeking', rather than relying on returning to past kāinga where the food may no longer have been. This necessitated the Hapu's continual migration throughout all regions of Te Wai Pounamu (Tau RTM & Tau HR Wai 27, H6).

Under the Crown Settlement Offer 1997 mahinga kai denotes traditional food and other resource producing places, including cultivations. This gives Ngāi Tahu the right to take food from the ocean, coastline, rivers, inland waterways, swamps, plains, high country, mountains and forests (Te Whakatau Kaupapa 1997). In its most fundamental capacity mahinga kai was vital to the survival of the Ngāi Tūāhuriri. In addition to this mahinga kai was central to Ngāi Tūāhuriri social, cultural and economic existence. The seasonal gathering, cultivating and exchange of food was means of

*"renewing contracts with distant relations, of reinforcing traditional and cultural values; of maintaining controls; and...providing a tangible link with the past"* (Te Whakatau Kaupapa, 1997 (3):14).

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<sup>19</sup> Rakihiia Tau, peers comm, 1991,

This was evident through the practice of kaihaukai, a system of trade which was well utilised among hapu as a means of food exchange. This allowed for both variation in diet, and a continual supply of food through trade, but its principal function was to reinforce kinship links on an annual basis (Tau 1989). Tikao describes this practice:

*“the people [at Rapaki] would send word of a proposed kaihaukai some weeks beforehand. The people from Kaiapoi might go to Rapaki carrying tuna (eel), kiore (rat), kauru (cabbage tree), kuri (dog), aruhe (fern root), kumara and so on, while the home people would prepare pipi or kuku (shellfish), shark [etc]...”* (S2:195).

According to Tau (1989) the importance of mahinga kai to Māori communities has changed over the years. Its primary subsistence function, became limited in the 1920's and 30's to an activity which supplemented monetary income, until the present day where it exists as a practice exercised primarily for its 'cultural importance'

In a modern context the ability to have access and control over mahinga kai is an expression of Māori customary rights which has a number of functions. It is regarded as an opportunity for Māori to participate in the food gathering practices of their tipuna (ancestors) and strengthen whanaungatanga (kinship relationships) among iwi, hapu and whanau. (Te Whakatau Kaupapa, 1997). Continued access to and harvesting of mahinga kai is also essential in order to maintain ahi kaa rights.

For places to continue to be recognised as taonga belonging to particular whanau, hapu or iwi those tribal groups had to periodically revisit those places and renew the occupational signs - rekindle the fires (G Habib Wai 27 T4:224 in Tau 1989 :36).

Finally mahinga kai is central to the expression of manaakitanga (hospitality). Tradition demanded that hosts prepare local foods for their guests, and districts came to be recognised by these local specialties.

### Mahinga Kai further explained

In 1879 at Kaiapoi, Wiremu Te Uki, stood before the Smith-Nairn Commission and declared: *“We used to get food from all over our Island; it was all mahinga kai. And we considered our island as in a far superior position to any other, because it is called Waipounamu, the greenstone island; the fame thereof reaches all lands”* (W Te Uki NA /MA/ 67/4: 295).

Te Uki had an obvious pride in his mahinga kai which was more than economic. Mahinga kai identified who he was and where he was from. There is a cultural connection here associated with mahinga kai that needs consideration. Usually, mahinga kai has been discussed in functional terms represented in phrases such as “the seasonal round”, used to describe the migratory habits of Ngāi Tahu. Rarely, if ever, has a cultural connection been made to mahinga kai.

As stated earlier mahinga kai is a reference to a phrase taken out of the 1848 Canterbury Purchase. One of the conditions of sale was that the document promised Ngāi Tahu that all its “mahinga kai” would be reserved for them. The relevant part of the text stated: *“Ko ō mātou kāinga nohonga, ko ā matou mahinga kai, me waiho mārie mō mātou tamariki, mo muri ihi ia mātou, ā mā te kāwana e whakarite mai hoki tētahi wāhi mō mātou a mua ake nei, ā te wāhi a ata rūritia te whenua e ngākai ruru”*.<sup>20</sup>

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<sup>20</sup> Alexander Mackay, Compendium of Official Documents Relative to Native Affairs in the South Island, Vol .2, Govt, Printer, 1872, p, 238)

The Crown interpreted the above text thus “... *our places of residence and cultivations must still be left to us, for ourselves and our children after us. And the Governor must appoint a quantity of land for us hereafter when the land is surveyed*”. (ibid)

The shape of the problem was the interpretation of that word “mahinga kai”. Mahinga kai is given different interpretations by the Crown and by Ngāi Tahu. The Crown's interpretation confines mahinga kai to its minimal definition which is cultivations. In 1868, at a Native Land Court hearing in Christchurch, Fenton ruled that he was bound to accept the Crown's interpretation of Mahinga kai. Fenton declared: *The court is of the opinion that Mahinga kai does not include Weka preserves or any hunting rights, but local and fixed works and operations. (minutes of the Native Land Court 1868)*<sup>21</sup> Fixed works were to mean gardens and fixed eel weirs. On the other hand Ngāi Tahu has given mahinga kai several definitions. In 1879 at the Smith Nairn Commission Wiremu Te Uki defined mahinga kai as: *“Places where we use to obtain food, the natural products of the soil”*.<sup>22</sup>

Later Te Uki added that mahinga kai meant: *“Places where we used to catch birds. The places where we use to catch ducks – paradise ducks ... we used to get food from all over our island; it was all mahinga kai”*.<sup>23</sup> Under further questioning Te Uki added that mahinga kai also referred to “eel weirs”. Other Ngāi Tahu witnesses continued to confirm and enlarge upon what Te Uki had stated. In a petition in 1891 by the Ngāi Tūāhuriri Rūnanga, the Rūnanga interpreted the original passage of Kemps Deed as follows: *“Our food producing places or places where we might expect to obtain future supplies of food and all fisheries are to be reserved for us and our children after us, and it shall be for the Governor hereafter to set apart some portion for us”* (R T M Tau: Wai 27 H6).

### Further histories

These are available which anchor mana whenua with the project area, and broader landscape area, and authoritative accounts of this history can be found in the following titles:

- Tau, R.T.M., Anderson, A.J. (eds.) (2008) Ngāi Tahu: a migration history – the Ancestral associations

The Māori history associated with the project area, and broader landscape area, is immense.

Authoritative accounts of this history can be found in the following titles:

- Tau, R.T.M., Anderson, A.J. (eds.) (2008) Ngāi Tahu: a migration history – the
- Tau, R.T.M. (ed.) (2011) I whanau au ki Kaiapoi: the story of Natanahira Waruwarutu as recorded by Thomas Green. Otago University Press, Dunedin.
- Anderson, A.J. (1998) The Welcome of Strangers: An ethnohistory of southern Maori 1650-1850AD.

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<sup>21</sup> National Archives, LE /1880 /6: The Petition of Te Oti Pita Mutu to the Native Affairs Committee.

<sup>22</sup> Evidence of Wiremu Te Uki #11, National Archives, Māori Affairs Ms, 67 /7, 14 May 1879. Also Ngāi Tahu Archives, Te Rūnanga o Ngāi Tahu.

<sup>23</sup> Evidence of Wiremu Te Uki #11, National Archives, Māori Affairs Ms, 67 /7, 14 May 1879. Also Ngāi Tahu Archives, Te Rūnanga o Ngāi Tahu.

## Mana whenua associations

There are a number of mana whenua associations to the area within which the Site sits. In particular, the proposed WDP identifies that the entire Site falls within the SASM006 Wāhi Tapu – Silent File Overlay (see Figure 2 below):

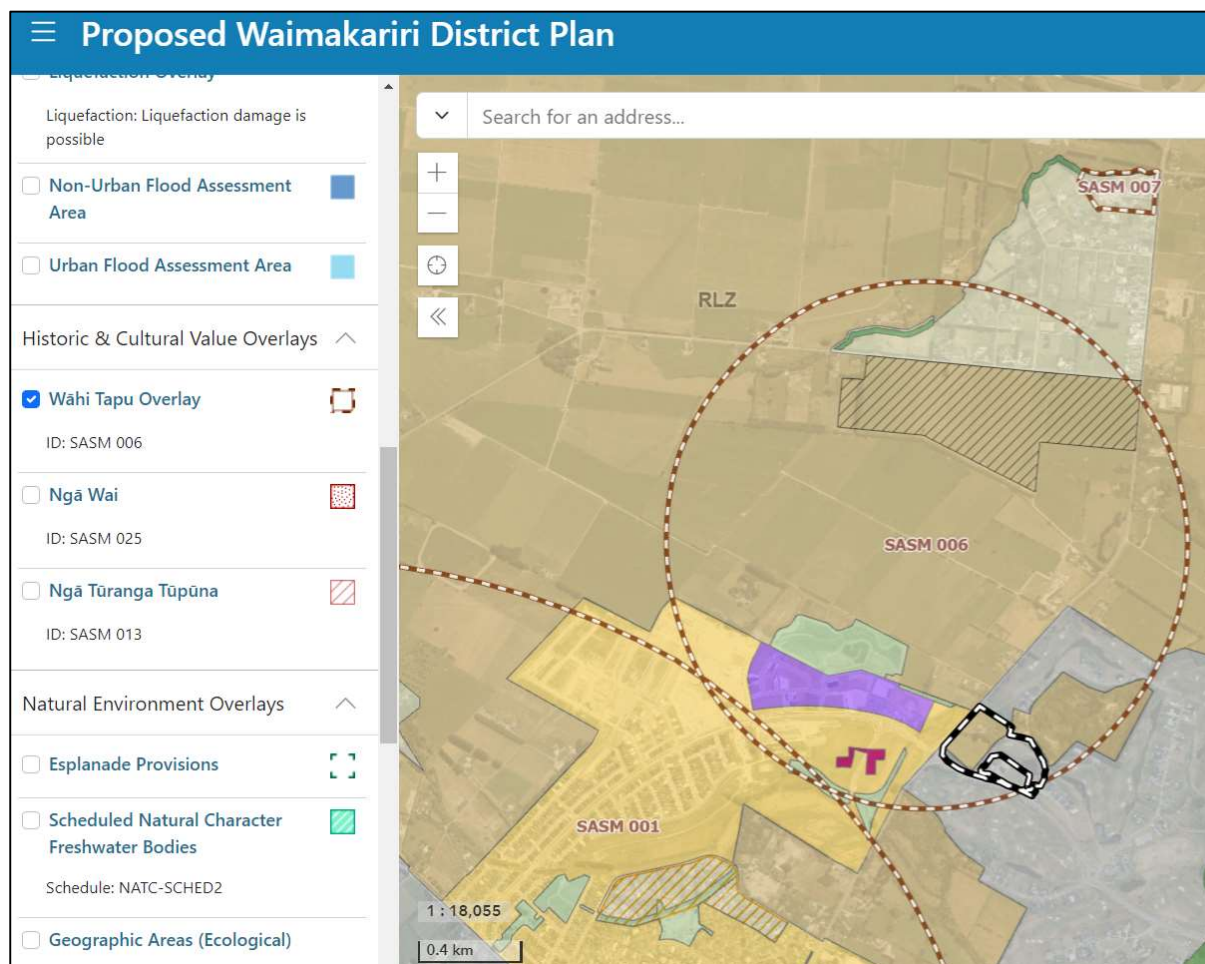


Figure 2: Screenshot of SASM 006 Silent File Overlay (Māketē Site shown in black/white dashed outline) from the proposed WDP<sup>24</sup>

<sup>24</sup> There are unknowns about the level of significance without diminishing the importance of cultural values within this SASM 006 area or the likelihood of finding archaeological remains of Māori materials from the past during development as it is a silent file, but by following the mitigation measures outlined in the following section there should be a path forward for managing adverse cultural effects while still allowing a culturally appropriate development of the Site to progress and the rezoning to be approved.

The proposed WDP identifies that the entire Site falls within the SASM 013 Ngā Tūranga Tūpuna (Cultural Landscape) – Waimakariri ki Rakahuri (see Figure 3 below):

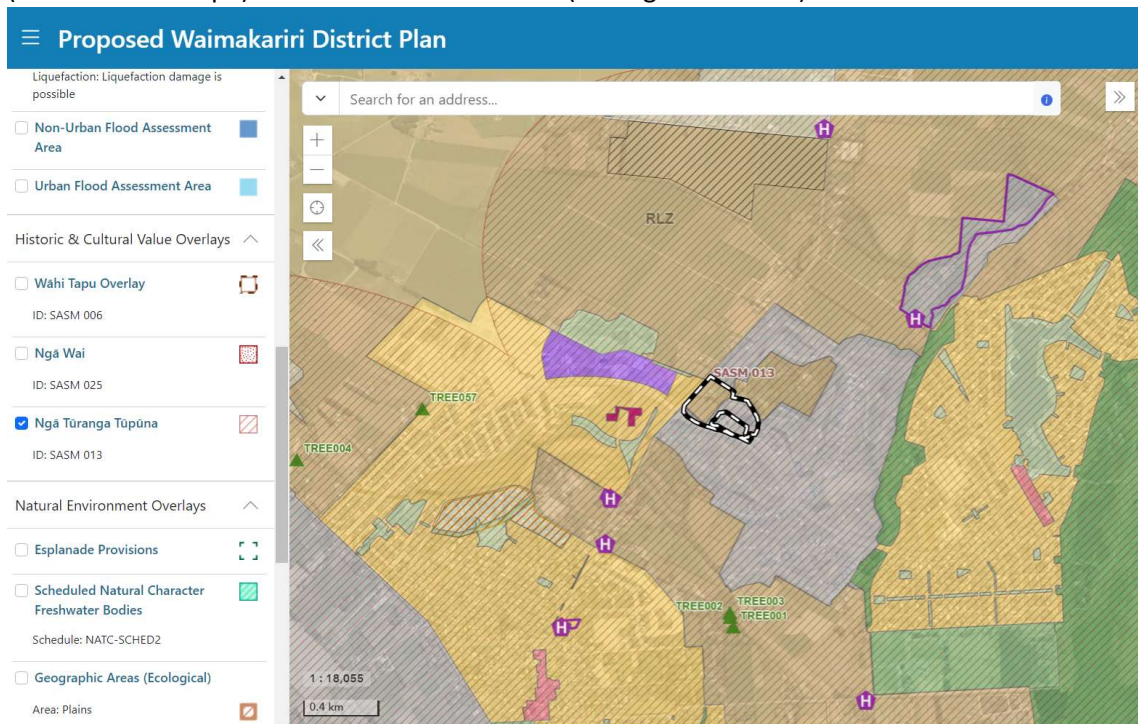


Figure 3: Screenshot of SASM 013 Waimakariri ki Rakahuri cultural landscape (Māketē Site shown in black/white dashed outline) from the proposed WDP

The proposed WDP also identifies that SASM 025 Ngā Wai Rakahuri traverses the Site (see Figure 4 below):

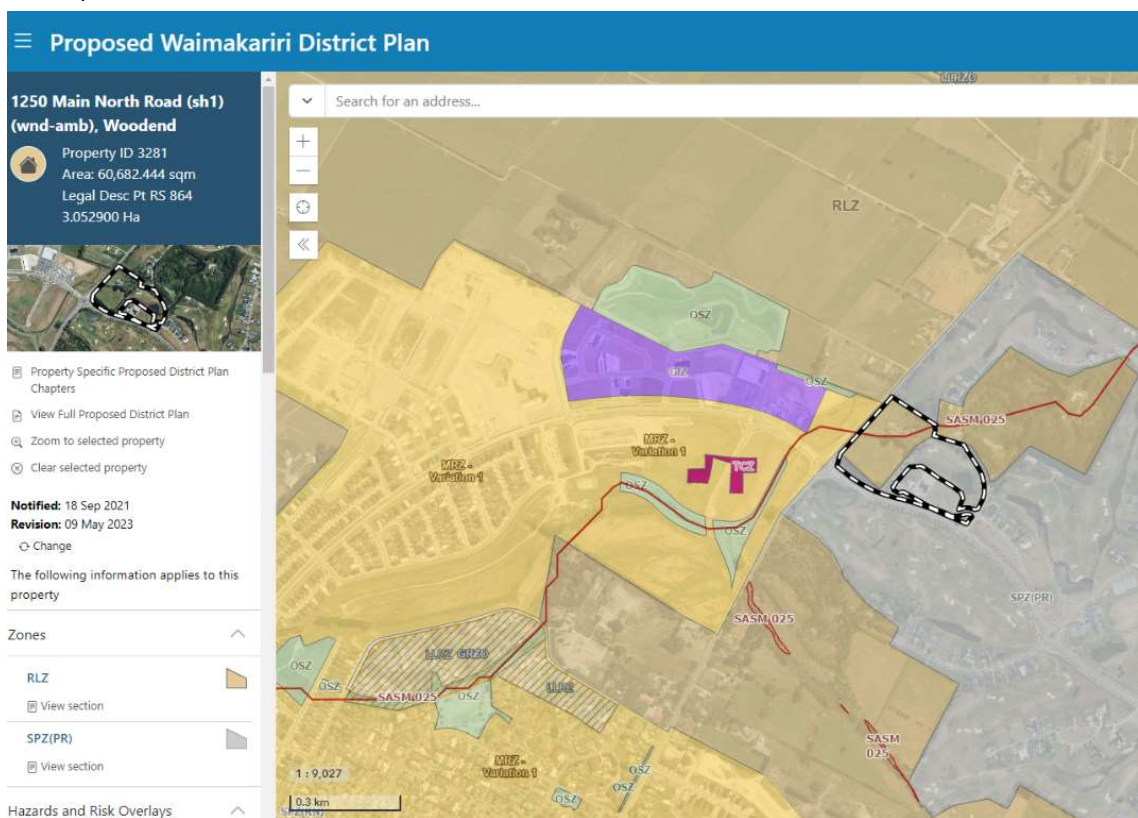


Figure 4: Screenshot of SASM 025 Ngā Wai Rakahuri (Māketē Site shown in black/white dashed outline) from the proposed WDP

## Key guidelines for developers

The potential mitigation measures in this section of the Report are based on other examples of mitigation measures requested by mana whenua to manage development concerns and potential adverse effects on cultural values on other similar sites.<sup>25</sup> These measures are in addition to the suggested amendments to the SPZ(PR) provisions and the Pegasus Design Guidelines discussed in the Report above. It is understood that DEXIN is committed to achieving the mitigation measures requested by mana whenua where practicable for future projects proposed for the Māketete Site and will continue to engage with the Runanga to understand what the mitigation requirements are on a project-by-project basis.

The potential mitigation measures are detailed and drawn upon from various sources and are based on key documents such as the previous cultural values statement from Maahanui Kura Taiao in respect of the proposal for redevelopment of the Pegasus golf course into a spa destination with associated retail and facilities. Other documents that informed the recommended mitigation measures include design guidelines from Matapopore, Ngāi Tahu and Te Ngaā Tūāhuriri (in the context of the regeneration of Ōtautahi) and the Ngā Tahu design guidelines.

A more detailed list of potential mitigation measures for future developments is included in the sections below, however the key mitigation measures are:

- Having processes in place to manage the potential discovery of any koiwi Tangata and/or taonga tuturū (i.e. cultural monitoring and an Accidental Discovery Protocol)
- Provision for improved native flora and fauna and mahinga kai values;
- Reference (symbolic or otherwise) to previous areas of habitation and food gathering (mahinga kai) and the history of the surrounding area through storying and naming of areas;
- The potential placement of markers and art works (space made available in consultation with an identified artist and architect for treatments) associated with Mana whenua;
- Inclusion of dual naming's for significant amenities;
- Opening of cultural spaces with indoor and outdoor connectedness utilising naming and identifiers of indigenous flora and fauna;
- The application of the cultural sustainability indicators on future developments, as set out in the Exemplar Design Guidelines of Matapopore;
- Protection and enhancement of any receiving waterway or storm water run-off through upgraded best practice storm water or run off systems;
- Treatment and disposal and other low impact urban design requirements to improve water quality, reticulation and utilisation;
- Inclusion of gardens (Māra) with native plantings associated to the area in keeping with the geography and landscape as well as use and purpose such as edibles and medicinal qualities (Rongoā) and pa harakeke for weaving for utilisation of Mana whenua;
- Inclusion of native plantings for education, amenity, bio control, biodiversity and environmental resilience and protection considering eco system services.

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<sup>25</sup> Parts of this section are adopted and adapted from - Tau, T, R. (2014) Justice Precinct, Cultural and Historical Overview: Christchurch, Ngāi Tahu Research Centre.

## More detail on mitigation measures

Future resource consents that are applied for to establish the Māketete development will need to contain the following types of consent conditions (depending on the resource consent being applied for) and/or reflect the following principles of development:

### Accidental discovery and cultural monitoring

A general principle for managing the potential discovery of any kōiwi Tangata and/or taonga tuturū is as follows:

*Any Kōiwi Tangata and/or taonga tuturū is to be treated and managed in accordance with Ngāi Tūāhuriri requirements. These will depend on the nature of the discovery and are to be determined by mana whenua.*

A specific condition be included for future consents involving ground disturbance which allows for cultural monitoring as follows:

*A member of Te Ngāi Tūāhuriri Runanga, trained in the recognition of archaeological deposits, is advised at least 10 working days prior to any earthworks being undertaken, to allow them the opportunity to be onsite to assist and offer cultural advice during all excavations [relevant contact details for the runanga to be inserted at the time the consent condition is imposed]*

An Accidental Discovery Protocol (ADP) condition be included for future consents involving ground disturbance as follows:

*Should any archaeological material or sites be discovered during the course of work on the site, work in that area of the site shall stop immediately and the appropriate agencies, including Heritage New Zealand Pouhere Taonga and the Mana Whenua, shall be contacted immediately, in accordance with the Accidental Discovery Protocol set out in Appendix 3 of the Mahaanui Iwi Management Plan: [http://www.mkt.co.nz/wp-content/uploads/2016/05/Mahaanui-IMP-web\\_Part32.pdf](http://www.mkt.co.nz/wp-content/uploads/2016/05/Mahaanui-IMP-web_Part32.pdf)*

### Earthworks

- Avoid sediment having an adverse effect on downstream environments both during and post earthworks.
- All erosion and sediment control measures installed should be constructed, inspected and maintained in accordance with ECan's Erosion and Sediment Control Toolbox for Canterbury.

### Ecology

- Careful consideration should be given to the position of artificial lighting near waterways and to light intensity requirements.
- Native plants will be used within the development area to provide important food and habitat resources for native birds as well as aquatic and terrestrial invertebrates opposed exotic counterparts.

### Cultural landscapes

- Protect and enhance any sites of cultural value within the proposed development area, including waterways;
- Use traditional Ngāi Tahu names for street and neighborhood names, or name for developments;
- Use of indigenous species as street trees, in open space and reserves;



- Landscaping design that reflects cultural perspectives, ideas and materials;
- Inclusion of interpretation materials, communicating the history and significance of places, resources and names to tāngata whenua;
- Use of tāngata whenua inspired and designed artwork and structures;
- Indigenous species used in planting and landscaping should be appropriate to the local environment, and where possible from locally sourced seed supplies;
- Options and opportunities to incorporate cultural and/or mahinga kai themed gardens in open and reserve space can be considered in development planning (e.g., pā harakeke as a source of weaving materials, reserves planted with tree species such as mātai, kahikatea and tōtara could be established with the long-term view of having mature trees available for customary use);
- Any cultural design elements should be informed by consultation and collaboration with Mana whenua artists to ensure appropriate stories are told across the landscape.

### Stormwater

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

### Water supply and use

- New developments should incorporate measures to minimise pressure on existing water resources, community water supplies and infrastructure, including incentives or requirements for:
  - low water use appliances and low flush toilets;
  - grey water recycling; and
  - rainwater collection.
- Developments must recognise, and work to, existing limits on water supply. For example, where water supply is an issue, all new dwellings should be required to install rainwater collection systems.
- Promote recycling and composting opportunities (e.g. supporting zero waste principles).
- Where a development is proposed for an area with existing wastewater infrastructure, the infrastructure must be proven to be able to accommodate the increased population prior to the granting of the subdivision consent.

- New rural residential or lifestyle block developments should connect to a reticulated sewage network if available.
- Where new wastewater infrastructure is required for a development:
  - The preference is for community reticulated systems with local treatment and land-based discharge rather than individual septic tanks; and
  - Where individual septic tanks are used, the preference is a wastewater treatment system rather than septic tanks.
- Use native ground cover species for swales, stormwater management network and home gardens.

## Summary<sup>26</sup>

DEXIN has provided a series of technical reports to support the s32 requirements of the rezoning proposal that will include the Māketete development. This Report takes a further step which provides an impartial and comprehensive narrative on the relationship of mana whenua to the Site and wider area, which includes consideration of the key activities of the rezoning proposal and the potential impacts and effects on those known cultural values. The Report also suggests amendments to the SPZ(PR) provisions and the Pegasus Design Guidelines to better reflect mana whenua aspirations for the area.

The Report provides an in-depth range of key cultural indicators and potential mitigation measures which DEXIN as the owner of the Site is committed to undertake, and considers the likely benefits associated with the rezoning, including the Māketete development proposal. These matters are summarised in the following table and demonstrate the commitment of DEXIN to developing the Māketete Site in a manner that is sympathetic to the cultural significance of the Site and designed to avoid, remedy or mitigate adverse effects on mana whenua values.

DEXIN has remained committed to continued engagement with the Rūnanga throughout this process and this engagement is ongoing. While there has been positive feedback from individual mana whenua on aspects of the proposal, particularly the opportunities for mana whenua to establish activities that let them realise their cultural aspirations, MKT on behalf of the Rūnanga did not provide their support for the rezoning on grounds of impacts to the wider cultural landscape of importance to them. However as demonstrated from this Report analysis, little or minimal impact on cultural values is foreseen and all reasonable and realistic mitigation measures have been identified, including the commitment of DEXIN to:

- Ensure that the development of the Site is executed to a higher than usual standard;
- Design the Māketete development to take into account the realities of waahi tapu and waahi taonga.

The cultural values and associations of mana whenua within silent file and SAMS areas will be subject to the protocols as stated within the following table.

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<sup>26</sup> This document was developed from an impartial perspective.

Key activities of the proposal	Potential impacts from the proposed rezoning and subsequent development on mana of mana whenua	Potential effects on key values		Key cultural indicators	Potential mitigation <sup>27</sup>	Applicant commitment		Costs and benefits
		Waahi taonga	Waahi tapu			Known policy drivers and indicators e.g. previous iwi plans and aspirations	Commitment to avoid remedy and mitigate any adverse effects:	
Overall development	<ul style="list-style-type: none"> <li>Adverse cultural impacts on sites of significance to mana whenua.</li> <li>The proposed development would result in a change from rural to urbanised land use, resulting in potential ecological effects.</li> </ul>	Not expected yet in the event of discovery of human remains and any waahi taonga such as Maori materials from the past or waahi tapu the protocols as set down by current legislation would prevail.	Not expected yet in the event of discovery of human remains and any waahi taonga such as Maori materials from the past or waahi tapu the protocols as set down by current legislation would prevail.	<b>General</b> <ul style="list-style-type: none"> <li>Having processes in place to manage the potential discovery of any koiwi Tangata and/or taonga tuturū (i.e. cultural monitoring and an Accidental Discovery Protocol)</li> <li>Provision for improved native flora and fauna and mahinga kai values.</li> <li>Reference (symbolic or otherwise) to previous areas of habitation and food gathering (mahinga Kai) and within the surrounding areas through storying and naming of areas.</li> <li>Utilising significant names, history and mahinga kai associated with the area.</li> <li>The potential placement of markers and art works (space made available in any consultation with an identified artist and architect for treatments) associated with mana whenua.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure the development of the Site creates an intimate, human scaled and cohesive environment with buildings providing activation to the public realm.</li> <li>Adhere to ADP in the event of encountering any human remains or any waahi taonga.</li> <li>Develop design that has regard to Ngāi Tūāhuriri development values and cultural narrative.</li> <li>Undertake environmental and cultural considerations for restoration, enhancement and works, including opportunities for mana whenua to be on site and monitor development works.</li> </ul>	*		<b>Benefits:</b> <ul style="list-style-type: none"> <li>Increased opportunity for employment and development of cultural development and use of modern and unique facilities</li> <li>Opportunity for mana whenua contractors to participate in the construction phases of the development</li> <li>Provide a further level of participation and control of protection and enhancement of waahi tapu and waahi taonga within the development area</li> <li>Enhance biodiversity waahi taonga and mahinga kai</li> </ul>
Ground disturbance	<ul style="list-style-type: none"> <li>The potential for sediment discharge from the Site during construction.</li> <li>The potential for disturbance of waahi tapu or waahi taonga.</li> </ul>	Not expected yet in the event of discovery of human remains and any waahi taonga such as Maori materials from the past or waahi tapu the protocols as set down by current legislation would prevail.	Not expected yet in the event of discovery of human remains and any waahi taonga such as Maori materials from the past or waahi tapu the protocols as set down by current legislation would prevail.	<ul style="list-style-type: none"> <li>Inclusion of dual namings for significant amenities.</li> <li>Opening of cultural spaces with indoor and outdoor connectedness utilising naming and identifiers of indigenous flora and fauna.</li> <li>The application of the cultural sustainability indicators on the development as set out in the Exemplar Design Guidelines of Matapopore.</li> <li>Protection and enhancement of any receiving waterway or storm water run-off through upgraded best practice storm water or run off systems.</li> <li>Treatment and disposal and other low impact urban design requirements to improve water quality, reticulation and utilisation.</li> </ul>	<ul style="list-style-type: none"> <li>Development and implementation of an erosion and sediment control plan can be expected to be required as part of Waimakariri District Council and Environment Canterbury requirements, to ensure the protection of receiving environments.</li> <li>Monitoring plan developed and implemented.</li> </ul>	*		<b>Costs<sup>29</sup>:</b> <ul style="list-style-type: none"> <li>Potential loss of cultural landscape if present</li> <li>Potential loss of biodiversity instream if enhancement as indicated is not undertaken</li> <li>Potential loss of Māori materials from the past if they are discovered and appropriate identification, protection and recovery by mana whenua is not undertaken</li> </ul>

<sup>27</sup> The Key features in the Masterplan and the Proposed Masterplan Assessment are available in the Urban Design Assessment June 2022.

<sup>29</sup> It is difficult if not impossible to measure the costs of the proposed development in a monetary sense.

			would prevail.	<ul style="list-style-type: none"> <li>Inclusion of gardens (Māra) with native plantings associated to the area in keeping with the geography and landscape as well as use and purpose such as edibles and medicinal qualities (Rongoā) and pa harakeke for weaving for utilisation of Mana whenua.</li> <li>Inclusion of native plantings for education, amenity, bio control, biodiversity and environmental resilience and protection considering eco system services.<sup>28</sup></li> </ul>			
Vegetated bunding on the western boundary	<ul style="list-style-type: none"> <li>Bank modifications and construction in proximity to the stream.</li> </ul>	Not expected and difficult to anticipate	Not expected and difficult to anticipate	<p><b>Accidental discovery and cultural monitoring</b></p> <ul style="list-style-type: none"> <li>As per the ADP and cultural monitoring section in the Report above.</li> </ul> <p><b>Earthworks</b></p> <ul style="list-style-type: none"> <li>As per the earthworks section in the Report above.</li> </ul> <p><b>Ecology</b></p> <ul style="list-style-type: none"> <li>As per the ecology section in the Report above.</li> </ul> <p><b>Cultural landscapes</b></p> <ul style="list-style-type: none"> <li>As per the cultural landscape section in the Report above.</li> </ul> <p><b>Stormwater</b></p> <ul style="list-style-type: none"> <li>As per the stormwater section in the Report above.</li> </ul> <p><b>Water supply and use</b></p> <ul style="list-style-type: none"> <li>As per the water supply and use section in the Report above.</li> </ul>	<ul style="list-style-type: none"> <li>Development and implementation of an erosion and sediment control plan can be expected to be required as part of Waimakariri District Council and Environment Canterbury requirements, to ensure the protection of receiving environments.</li> <li>Monitoring plan developed and implemented</li> </ul>	*	
Parking	<ul style="list-style-type: none"> <li>The potential for sediment discharge from the site during construction.</li> <li>An increase in impermeable surfaces and associated stormwater runoff following development.</li> </ul>	Not expected and difficult to anticipate	Not expected and difficult to anticipate	<ul style="list-style-type: none"> <li>As per the earthworks section in the Report above.</li> </ul> <p><b>Ecology</b></p> <ul style="list-style-type: none"> <li>As per the ecology section in the Report above.</li> </ul> <p><b>Cultural landscapes</b></p> <ul style="list-style-type: none"> <li>As per the cultural landscape section in the Report above.</li> </ul> <p><b>Stormwater</b></p> <ul style="list-style-type: none"> <li>As per the stormwater section in the Report above.</li> </ul> <p><b>Water supply and use</b></p> <ul style="list-style-type: none"> <li>As per the water supply and use section in the Report above.</li> </ul>	<ul style="list-style-type: none"> <li>Minimise the impact of carparking by requiring extensive landscaping within and around the carpark and to create a safe pedestrian environment in the interior of the site by limiting vehicular traffic to the perimeter.</li> <li>Development and implementation of an erosion and sediment control plan can be expected to be required as part of Waimakariri District Council and Environment Canterbury requirements, to ensure the protection of receiving environments.</li> </ul>	*	
Taranaki stream bounded to the south by the marketplace terraces	<ul style="list-style-type: none"> <li>Removal of mature trees and riparian vegetation and associated habitat loss.</li> </ul>	Not expected and difficult to anticipate	Not expected and difficult to anticipate		<ul style="list-style-type: none"> <li>Ecological design input will be required at the detailed design and Resource Consent stages to ensure that the development design maintains riparian margins and protects or improves instream habitat values for aquatic biota.</li> <li>Encourage landscaping that reflects the surrounding natural landscape and is appropriate for the area, enhancing the amenity and</li> </ul>	*	

<sup>28</sup> The above are adopted from Matapopore sustainable indicators 2016

					biodiversity of the area, and to protect the ecology and amenity of the existing creek.			
Amenity access across the stream via walkways and footbridges are proposed	<ul style="list-style-type: none"> <li>Potential to disturb instream values</li> </ul>	Not expected and difficult to anticipate	Not expected and difficult to anticipate		<ul style="list-style-type: none"> <li>Ecological and sustainable design input will be required at the detailed design and Resource Consent stages to ensure that the development design maintains riparian margins and protects or improves instream habitat values for aquatic biota.</li> <li>Encourage landscaping that reflects the surrounding natural landscape and is appropriate for the area, enhancing the amenity and biodiversity of the area, and to protect the ecology and amenity of the existing creek.</li> <li>Ensure that other parts of the Village Resort are well and safely connected to the Māketete development with pedestrian and cycleways.</li> </ul>	*		
One vehicle crossing of the stream is proposed to the west of the site.	Potential to disturb instream values	Potential to disturb instream values	Potential to disturb instream values		<ul style="list-style-type: none"> <li>Ecological and sustainable design input will be required at the detailed design and Resource Consent stages to ensure that the development design maintains riparian margins and protects or improves instream habitat values for aquatic biota.</li> </ul>	*		
Buildings and infrastructure	Potential impacts such as ground disturbance, noise, debris and toxins				<ul style="list-style-type: none"> <li>Involve mana whenua to ensure that the design of buildings provides an authentic reflection of the cultural values of the area, where appropriate.</li> <li>Create buildings and places that reduce the ecological footprint.</li> <li>Implementation of rules and guidelines that expect reduced energy, waste, and provide buildings that age well over time.</li> </ul>	*		

					<ul style="list-style-type: none"> <li>• Provide a variety of higher density typologies that do not yet exist in the area.</li> <li>• Ensure the buildings are arranged around a landscaped 'Village Green' which provides open space for recreation and can cater for a variety of outdoor events.</li> <li>• Encourage verandas and awnings where appropriate to enhance the streetscape and pedestrian environment, and to provide a variety of outdoor seating and recreation spaces to provide shelter in different weather conditions.</li> <li>• Encourage varied design within a palette of materials and finishes.</li> </ul>			
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Appendix 1: Historical Aerial Maps.<sup>30</sup>

1961 (Retrolens)



1942 (Retrolens)



<sup>30</sup> 4SIGHT CONSULTING (2022) Pegasus Makete, 1250 Main North Road, Woodend – Ecological assessment.

1963 (Retrolens)



1973 (Retrolens)





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**1981 (Retrolens)**



**2000 (Retrolens)**



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2006 (Google Earth)



2008 (Google Earth)



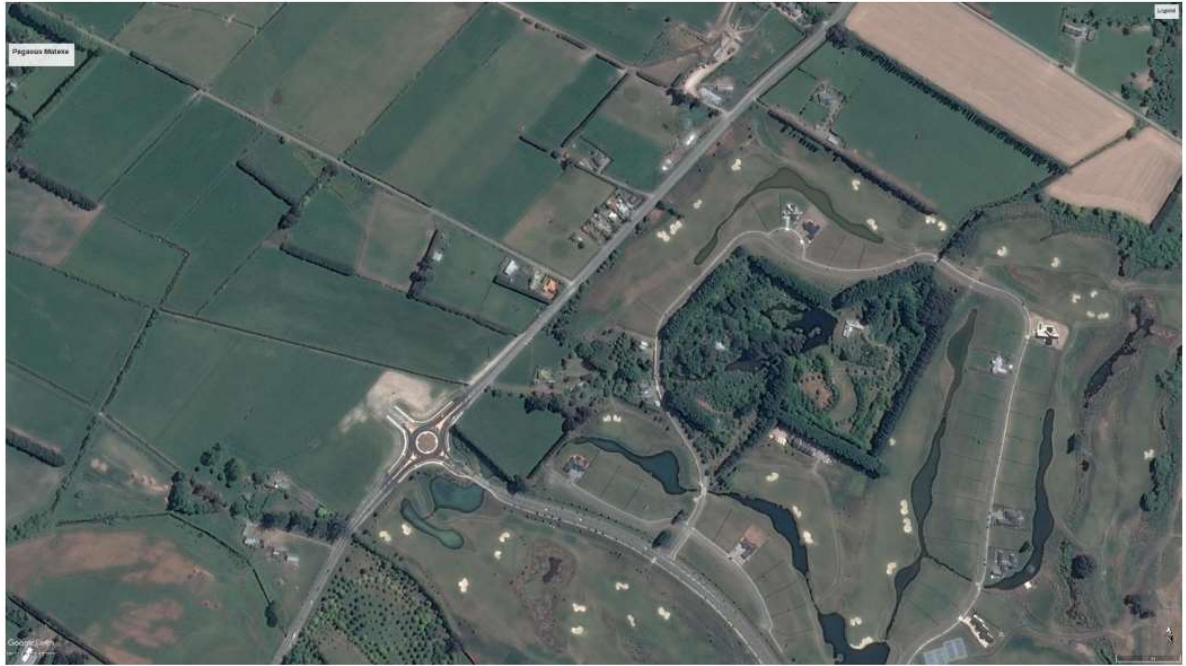
2009 (Google Earth)



2014 (Google Earth)



2016 (Google Earth)

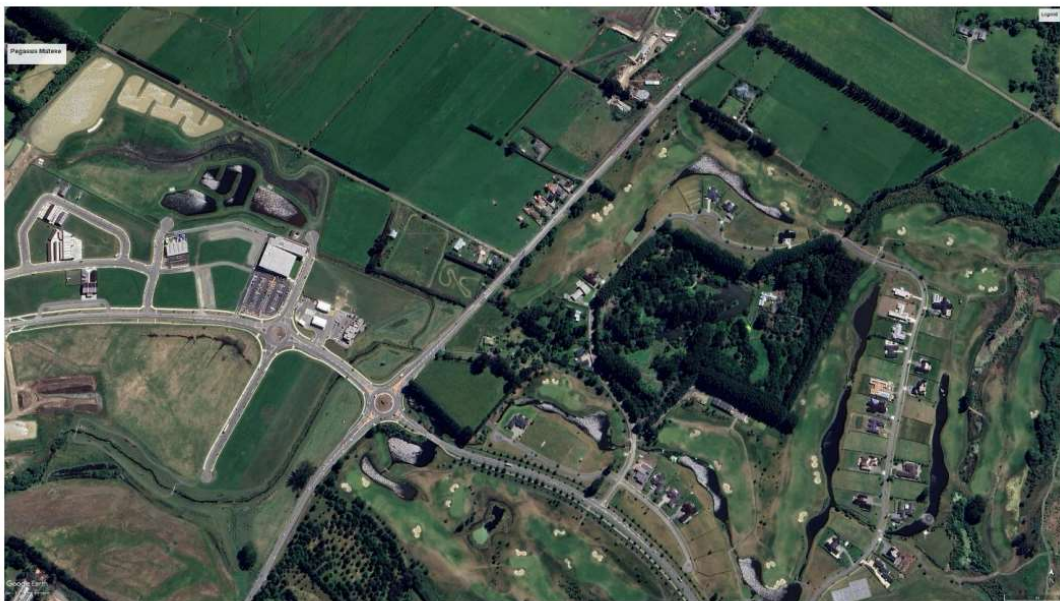


2017 (Google Earth)





2022 (Google Earth)



## Appendix 2: Reflective Consultation Correspondence

**From:** Cherie Tirikatene <[cherie@hepitomata.co.nz](mailto:cherie@hepitomata.co.nz)>

**Sent:** Monday, December 5, 2022 8:24 AM

**To:** Sam Huo <[huobro@hotmail.com](mailto:huobro@hotmail.com)>; Tony Joseph <[tony@josephs.co.nz](mailto:tony@josephs.co.nz)>

**Subject:** Update - Pegasus Māketete Project

To Dexin Investments Limited

Attention: Sam Hou

Re: Pegasus Makete Development- Expression of Interest

Dear Sam,

We have reviewed the plans for the proposed Pegasus Māketete development – 1250 Main North Road Pegasus.

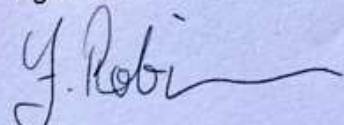
We understand that provisions as currently drafted have moved away from 'Agricultural Tourism Activity' to 'Māketete Tourism Activity' due to other provisions within the PDP. The proposed definition of Māketete Tourism Activity provides for educational and cultural facilities which we believe best capture 'carving/arts' and 'kai' to ensure alignment with what is being proposed within the submission.

We understand that DEXIN has made a submission to the Proposed Waimakariri District Plan to support the rezoning of their property to provide for a range of Māketete Tourism Activity and some medium density residential development.

We are very excited about the opportunities and the level of experience we will bring to the Māketete Project. We would like to express our interest to lease/occupy to provide a carving school/art gallery, and to operate a market garden, education space, and a café/restaurant as has been discussed. The market garden will also focus on educational opportunities relating to growing kai, while the proposed café/restaurant will serve Māori infused kai.

We understand that Dexin Investments Ltd have made a commitment to us in way of first right of refusal and look forward to understanding what the next steps might be.

Ngā mihi



Fayne Robinson  
Master Carver  
Ngāi Tahu

Jade Moana  
Managing Director  
Aweko Kai