

Waimakariri District Council Proposed Waimakariri District Plan

Recommendations of the PDP Hearings Panel

Recommendation Report 4

Hearing Stream 2 Part 2: District Wide Matters – Historic and Cultural Values – SASM – Sites and Areas of Significance to Māori

This report should be read in conjunction with **Report 1** and **Recommendation Report 2**.

Report 1 contains an explanation of how the recommendations in all subsequent reports have been developed and presented, along with a glossary of terms used throughout the reports, a record of all Panel Minutes, a record of the recommendation reports and a summary of overarching recommendations. It does not contain any recommendations per se.

Recommendation Report 2 contains the PDP Panel's recommendations on the PDP's Part 2: District-wide Matters – Strategic directions - SD Strategic directions objectives and policies.

Appendix 1: Schedule of attendances

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version (provisions not consequentially renumbered)

The Hearings Panel for the purposes of **Hearing Stream 2** comprised Commissioners Gina Sweetman (Chair), Allan Cubitt, Gary Rae, Megen McKay, Neville Atkinson and Niki Mealings.

1. Introduction

Report outline and approach

1. This is Report 4 of 36 Recommendation Reports prepared by the PDP Hearings Panel appointed to hear and make recommendations on submissions to the Proposed Waimakariri District Plan (PDP).
2. The report addresses the objective, policies, rules and other provisions relating to the Part 2: District-wide Matters – Historic and cultural values – SASM – Sites and Areas of Significance to Māori and the submissions received on those provisions. The relevant provisions are:
 - Matters of Discretion and Control
3. We have structured our discussion on this topic as follows:
 - (a) **Section 2** summarises key contextual matters, including relevant provisions and key issues/themes in submissions;
 - (b) **Section 3 contains** our evaluation of key issues and recommended amendments to provisions; and
 - (c) **Section 4** contains our conclusions.
4. This Recommendation Report contains the following appendices:
 - (a) **Appendix 1: Schedule of attendances** at the hearing on this topic. We refer to the parties concerned and the evidence they presented throughout this Recommendation Report, where relevant.
 - (b) **Appendix 2: Recommended amendments to the Proposed Plan – Tracked from notified version.** This sets out the final amendments we recommend be made to the PDP provisions relating to this topic. The amendments show the specific wording of the amendments we have recommended and are shown in a ‘tracked change’ format showing changes from the notified version of the PDP for ease of reference. Where whole provisions have been deleted or added, we have not shown any consequential renumbering, as this method maintains the integrity of how the submitters and s42A Report authors have referred to specific provisions, and our analysis of these in the Recommendation Reports. New whole provisions are prefaced with the term ‘new’ and deleted provisions are shown as struck out, with no subsequential renumbering in either case.
5. We record that all submissions on the provisions relating to the Sites and Areas of Significance to Māori chapter have been taken into account in our deliberations. In general, submissions in support of the PDP have not been discussed but are accepted or accepted in part. More detailed descriptions of the submissions and key issues can be found in the relevant s42A Reports, Responses to Preliminary Questions and written Reply Reports, which are available on the Council’s website.

6. In accordance with the approach set out in Report 1, this Report focuses only on 'exceptions', where we do not agree fully or in part with the s42A report authors' recommendations and / or reasons, and / or have additional discussion and reasons in respect to a particular submission point, evidence at the hearing, or another matter. Original submissions have been accepted or rejected as recommended by the s42A report author unless otherwise stated in our Recommendation Reports. Further submissions are either accepted or rejected in conformance with our recommendations on the original submission to which the further submission relates.
7. The requirements in clause 10 of the First Schedule of the Act and s32AA are relevant to our considerations of the PDP provisions and the submissions received on those provisions. These are outlined in full in Report 1. In summary, these provisions require among other things:
 - (a) our evaluation to be focussed on changes to the proposed provisions arising since the notification of the PDP and its s32 reports;
 - (b) the provisions to be examined as to whether they are the most appropriate way to achieve the objectives; and
 - (c) as part of that examination, that:
 - i. reasonable alternatives within the scope afforded by submissions on the provisions and corresponding evidence are considered;
 - ii. the efficiency and effectiveness of the provisions is assessed;
 - iii. the reasons for our recommendations are summarised; and
 - iv. our report contains a level of detail commensurate with the scale and significance of the changes recommended.
8. We have not produced a separate evaluation report under s32AA. Where we have adopted the recommendations of Council's s42A report authors, we have adopted their reasoning, unless expressly stated otherwise. This includes the s32AA assessments attached to the relevant s42A Reports and/or Reply Reports. Those reports are part of the public record and are available on the Council website. Where our recommendation differs from the s42A report authors' recommendations, we have incorporated our s32AA evaluation into the body of our report as part of our reasons for recommended amendments, as opposed to including this in a separate table or appendix.
9. A fuller discussion of our approach in this respect is set out in Section 5 of Report 1.

2. Summary of provisions and key issues

Outline of matters addressed in this section

10. In this section, we provide relevant context around which our evaluation of the notified provisions and submissions received on them is based. Our discussion includes:
 - (a) summary of relevant provisions;
 - (b) themes raised in submissions; and
 - (c) identification of key issues for our subsequent evaluation.

Submissions

11. There were 45 submissions, 127 submission points and 53 further submissions on Sites and Areas of Significance to Māori related provisions.

Key issues

12. The issue in contention on this chapter addressed in this report are the Matters of Discretion.

3. SASM-Matters of Discretion

Overview

13. The Panel recommends a slight amendment to the wording recommending by the s42A report author, as summarised below:

Provisions	Panel recommendations
SASM-MD1(6) SASM-MD2(9) SASM-MD3(8)	Replace 'suitable' with 'practicable'

Reasons

14. The submission we consider here is that of Waimakariri Irrigation Limited (WIL)¹, which is supported by a further submission from Transpower², who sought amendment to the matters of discretion that assess the functional or operational need for infrastructure to locate within a SASM, and whether alternative locations or layouts/methodology would be suitable. The submitters sought for the word 'suitable' to be replaced with 'practicable'.
15. The s42A report author preferred 'suitable' because:
 - (a) an assessment of the functional or operational need for infrastructure to locate within a SASM will include an assessment of practicability;
 - (b) the word 'practicable' conveys the notion of feasibility which does not include consideration as to whether it is suitable for the infrastructure activity to occur within a SASM.
16. WIL legal submissions set out their position that 'suitable' is an uncertain phrase within a planning context; 'practicable' is more commonly used and understood. Also, it may be suitable in terms of feasibility to locate at an alternative location, however that does not mean it is practicable.
17. Ms McLeod, for Transpower, focused on the need for the National Grid to locate within a SASM. Her view was that clause 6(1) of Schedule 4 of the RMA and Policy 4 of the

¹ 210.15,210.16, 210.17

² FS92

National Policy Statement on Electricity Transmission (NPSET), which each require consideration of alternative locations or methods, only apply where the activity is substantial, and the adverse effects are significant. She sought amendments to the matters of discretion for consideration of alternative locations to apply only where an activity may result in significant adverse effects. The s42A report author disagreed with Ms McLeod's assessment because clause 6(1) of Schedule 4 outlines the requirements of an assessment of environmental effects and has limited relevance to matters of discretion and Policy 4 of the NPSET does not require adverse effects to be significant. He also determined that the extent of the amendments sought by Ms McLeod were beyond the scope of either WIL's original submission or Transpower's further submission.

18. We agree with the s42A report author in respect of Ms McLeod's evidence and lack of scope. However, we favour WIL's legal submissions over the s42A report author's advice. 'Practicable' is more commonly used and understood within the planning context and will include a consideration of what is more suitable given the nature of the SASM overlay, the activity and effects on cultural values. We consider replacing 'suitable' with 'practicable' in SASM-MD1(6), SASM-MD2(9) and SASM-MD3(8) will provide greater certainty for plan users. We therefore recommend that the WIL submission be accepted.

4. Conclusion

19. For the reasons summarised above, we recommend the adoption of a set of changes to the PDP provisions relating to Part 2: District-wide Matters – Historic and cultural values – SASM – Sites and Areas of Significance to Māori. Our recommended amendments are shown in Appendix 2.
20. Overall, we find that these changes will ensure the PDP better achieves the statutory requirements, national and regional direction, and our recommended Strategic Directions, and will improve its useability.

Appendix 1: Submitter attendance and tabled evidence for Sites and Areas of Significant to Māori - Hearing Stream 1

Attendee	Speaker	Submitter No.
Reporting Officer	<ul style="list-style-type: none"> Alan Matheson 	N/A
Transpower	<ul style="list-style-type: none"> Rebecca Eng Ainsley McLeod 	195, FS 92
Chorus, Spark, Vodafone	<ul style="list-style-type: none"> Graeme McCarrison Chris Horne Colin Clune Andrew Kantor Fiona Matthews 	62, FS 105
Federated Farmers	<ul style="list-style-type: none"> Lionel Hume Karl Dean 	414, FS 83
MainPower New Zealand Ltd	<ul style="list-style-type: none"> Mark Appleman Melanie Foote Annabel Hawkins 	249, FS 58

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version
(provisions not consequentially renumbered)

SASM - Ngā whenua tapu o ngā iwi - Sites and Areas of Significance to Māori

Introduction

This chapter relates to the management of [sites](#)¹ and areas of cultural significance to Ngāi Tūāhuriri, who hold mana whenua status over the area within the District. It recognises and provides for the relationship of Ngāi Tūāhuriri mana whenua with their ancestral lands, water, [sites](#)², wāhi tapu and other taonga, in the future development of the District.

For a fuller description of the history and relationship of Ngāi Tūāhuriri, refer to the chapter Tangata whenua/mana whenua in Part 1 - Introduction and General Provisions.

Ngā tūtohu whenua are the cultural landscapes which encompass entire catchments, including both the Rakahuri and Waimakariri River catchments, thereby encompassing the whole of the District. Ngā tūtohu whenua is the starting point for establishing the extent of areas of particular cultural interests, associations and sensitivity. There are no specific provisions applying to this broader ngā tūtohu whenua cultural landscape.

The provisions of this chapter apply only to the following described cultural landscapes:

- wāhi tapu and wāhi taonga – are treasured places that include wāhi tapu, which are [sites](#)³ and places that are held in reverence due to their significance according to whakapapa (including urupā, pā, maunga tapu, kāinga, and tūrangā waka). In addition to wāhi tapu, other places are treasured due to their high intrinsic values or their capacity to sustain the quality of life and provide for the needs of present and future generations (including areas important to support ecosystems and [sites](#)⁴ related to food gathering and cultural resources);
- ngā tūrangā tūpuna – larger extents of land within which there is a concentration of wāhi tapu or taonga values, or which are of particular importance in relation to Ngāi Tūāhuriri cultural traditions, history or identity; and
- ngā wai – is water and represents the essence of all life, is integral to tribal identity, and source of mahinga kai.

The objectives, policies, rules, standards and matters of discretion in this chapter seek to protect wāhi tapu/wāhi taonga [sites](#)⁵ from the adverse effects that subdivision, use and development may have on the values of the [sites](#)⁶. They also seek to manage the adverse effects of activities on those [sites](#)⁷ and other [sites](#)⁸ of cultural significance including waterbodies, repo/wetlands, and coastal areas identified as ngā wai, and ngā tūrangā tūpuna landscapes of Ngāi Tūāhuriri cultural significance.

The objectives and policies in this chapter are relevant to the assessment of any resource consent that may affect [sites](#)⁹ and areas of cultural significance to Māori, as set out in this chapter.

¹ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

² Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

³ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

⁴ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

⁵ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

⁶ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

⁷ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

⁸ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

⁹ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions, particularly strategic objective SD-O5 Ngāi Tahu mana whenua/Te Ngāi Tūāhuriri Rūnanga. The provisions also give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

Other potentially relevant District Plan provisions

As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to [Sites¹⁰](#) and Areas of Significance to Māori include:

- Earthworks: this chapter contains provisions for earthworks for different zones and activities.
- Natural Character of Freshwater Bodies: this chapter contains provisions that complement the Ngā wai provisions of the SASM chapter.
- Historic Heritage: this chapter contains policy in regard to archaeological sites.
- Energy and Infrastructure: this chapter contains provisions relevant to protecting wāhi tapu [sites¹¹](#) and the rules in this chapter do not apply to activities in the EI chapter.¹²
- Special Purpose Zone (Kāinga Nohoanga): how the [Sites¹³](#) and Areas of Significance to Māori provisions apply in the Special Purpose Zone (Kāinga Nohoanga) is set out in SPZ(KN)-APP1 to SPZ(KN)-APP5 of that chapter.
- Any other District wide matter that may affect or relate to the [site¹⁴](#).
- Zones: the zone chapters contain provisions about what activities are anticipated to occur in the zones.

Objectives	
SASM-O1	Ngā tūtohu whenua The historic and contemporary cultural significance for Ngāi Tūāhuriri mana whenua, of and their relationship with ancestral lands, water, sites¹⁵ , wāhi tapu, wāhi taonga and coastal environment is recognised and provided for.
Policies	
SASM-P1	Integrated management of land and water Adopt an integrated approach that reflects ki uta ki tai (from the mountains to the sea), by recognising the relationship between land use, ecosystems, natural processes and water.
SASM-P2	Urupā Protect urupā from disturbance, except for activities associated with the cultural use, identification and protection of such sites¹⁶ which are undertaken by Te Ngāi Tūāhuriri Rūnanga or their authorised agent.
SASM-P3	Wāhi tapu and wāhi taonga Protect wāhi tapu and wāhi taonga sites¹⁷ from development, disturbance, damage or destruction that would adversely affect the sites¹⁸ and their values and provide for enhancement of cultural and ecological values.

¹⁰ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

¹¹ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

¹² Transpower New Zealand Limited [195.68]

¹³ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

¹⁴ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

¹⁵ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

¹⁶ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

¹⁷ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

¹⁸ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

SASM-P4	<p>Ngā tūrangā tūpuna</p> <p>Recognise the historic and contemporary relationship of Ngāi Tūāhuriri with the areas and landscapes identified as ngā tūrangā tūpuna and:</p> <ol style="list-style-type: none"> 1. facilitate opportunities to provide information about the historic occupation or use of these areas and their associated values by Ngāi Tūāhuriri; 2. provide opportunities for representation of Ngāi Tūāhuriri's association and relationship with these areas through the design of public buildings and/or community facilities; 3. manage earthworks involving disturbance of soils through the implementation of a Te Ngāi Tūāhuriri Rūnanga/Heritage New Zealand Pouhere Taonga authorised accidental discovery protocol and opportunity for cultural monitoring; 4. facilitate opportunities to enhance mahinga kai and other customary use of taonga species through planting and landscaping; 5. enhance the natural character and cultural values of waterbodies, repo/wetlands and coastal waters; 6. ensure that natural processes are maintained and original water courses reinstated where practicable, when undertaking earthworks or when structures and infrastructure are located adjacent to or over waterbodies or within the coastal environment; 7. maintain, restore or enhance natural features with cultural values within these areas, such as ngā reporepo (wetlands); and 8. provide opportunities for the recognition of culture values within the design, location and installation of infrastructure, while enabling their safe, secure and efficient installation.
SASM-P5	<p>Ngā Wai</p> <p>Recognise the cultural significance of the waterbodies, repo/wetlands and those parts of the coastal environment identified as Ngā Wai, and manage the effects of land uses, and activities on the surface of water, to:</p> <ol style="list-style-type: none"> 1. protect the health of these waterbodies and associated coastal waters, including by maintaining their natural character where it is high and enabling enhancement where it is degraded, including through the reinstatement of original water courses where practicable; 2. recognise historic and contemporary Ngāi Tūāhuriri customary uses and values associated with these waterbodies and coastal waters and enhance opportunities for customary use and access; 3. ensure any land uses adjoining these sites¹⁹, or structures and activities on the surface of water do not adversely affect taonga species or Ngāi Tūāhuriri customary uses in these areas; 4. ensure new land uses do not create an additional demand for the discharge of sewage or stormwater directly into Ngā Wai, and where the opportunity arises, reduce the need for existing land uses to discharge untreated wastewater or stormwater into these areas; 5. protect the health, natural functions and processes of riparian margins and the coastal environment from the adverse effects of adjoining land use activities; and 6. provide for opportunities for the recognition of cultural values within the design, location and installation of infrastructure, while enabling their safe, secure and efficient installation.
SASM-P6	Archaeological sites

¹⁹ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

	Through the identification of sites²⁰ and areas of cultural significance to Ngāi Tūāhuriri, assist Te Ngāi Tūāhuriri Rūnanga and HNZPT to protect identified and any unmarked or unrecorded archaeological sites from modification, disturbance, damage and destruction.
SASM-P7	Access for customary activities Support access of Ngāi Tūāhuriri to sites²¹ of cultural significance in order to undertake customary activities.
SASM-P8	Engagement with rūnanga Te Ngāi Tūāhuriri Rūnanga and the District Council to encourage engagement with the Rūnanga prior to persons undertaking activities and/or applying for resource consent where the activity has the potential to adversely affect identified sites²² or areas of Ngāi Tūāhuriri cultural significance. Where prior engagement with Te Ngāi Tūāhuriri Rūnanga has not been undertaken by an applicant for an activity that has the potential to adversely affect an identified site²³ , the District Council will consult with the Rūnanga.

Activity Rules

How to interpret and apply the rules

1. Rules SASM-R1 to SASM-R4 **do not** apply to Māori Land within the Special Purpose Zone (Kāinga Nohoanga).
2. The following rules **do not** apply to SASM 011, areas shown as 'Ngā reporepo' (wetlands). If there is a resource consent required for an activity within or that would adversely affect reporepo, then the objectives and policies of this chapter would also need to be considered.

SASM-R1	Maintenance of an existing fence	
	<i>This rule applies to Wāhi Tapu/Wāhi Taonga, Ngā Tūranga Tūpuna and Ngā Wai in SASM-SCHED1.</i>	
Wāhi Tapu Overlay Wāhi Taonga Overlay Ngā Tūranga Tūpuna Overlay Ngā Wai Overlay	Activity status: PER Where: 1. for the maintenance of an existing fence, the extent and/or volume of land disturbance is limited to that necessary to replace existing fence posts in the existing post hole along its existing alignment.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SASM-MD1 - Wāhi tapu and wāhi taonga SASM-MD2 - Ngā Tūranga Tūpuna SASM-MD3 - Ngā Wai Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Te Ngāi Tūāhuriri Rūnanga and HNZPT, in respect of sites²⁴ on the New Zealand Heritage List Rārangi Kōrero, where the consent authority considers this is required, absent their written approval.
SASM-R2	Structures that are ancillary to mahinga kai activity or other customary harvesting	

²⁰ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

²¹ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

²² Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

²³ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

²⁴ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

	<i>This rule applies to Wāhi Tapu/Wāhi Taonga, Ngā Tūranga Tūpuna and Ngā Wai in SASM-SCHED1.</i>	
Wāhi Tapu Overlay Wāhi Taonga Overlay Ngā Tūranga Tūpuna Overlay Ngā Wai Overlay	Activity status: PER	Activity status when compliance not achieved: N/A
SASM-R3	Earthworks associated with and structures ancillary to interments in an urupā, burial ground or cemetery	
	<i>This rule applies to Wāhi Tapu/Wāhi Taonga, Ngā Tūranga Tūpuna and Ngā Wai in SASM-SCHED1.</i>	
Wāhi Tapu Overlay Wāhi Taonga Overlay Ngā Tūranga Tūpuna Overlay Ngā Wai Overlay	Activity status: PER	Activity status when compliance not achieved: N/A
SASM-R4	Earthworks and land disturbance associated with other activities	
	<i>This rule applies to Wāhi Tapu/Wāhi Taonga, Ngā Tūranga Tūpuna and Ngā Wai in SASM-SCHED1 except where SASM-R1 to SASM-R3 apply.</i>	
Wāhi Tapu Overlay Wāhi Taonga Overlay Ngā Tūranga Tūpuna Overlay Ngā Wai Overlay	Activity status: PER Where: <ol style="list-style-type: none"> the earthworks and land disturbance is limited to: <ol style="list-style-type: none"> planting of trees; gardening; building foundations, septic tank and swimming pool installations where the combined volume of earthworks is 350m³ or less; freestanding sign foundations to a 	Activity status when compliance not achieved or provided for: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> SASM-MD1 - Wāhi tapu and wāhi taonga SASM-MD2 - Ngā tūranga tūpuna SASM-MD3 - Ngā wai Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Te Ngāi Tūāhuriri Rūnanga and HNZPT, in respect of sites²⁷ on the New Zealand Heritage List Rārangī Kōrero, where the consent authority considers this is required, absent their written approval.

²⁷ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

	<p>maximum depth of 200mm or to the depth already disturbed (whichever is the greater);</p> <p>e. drain and track maintenance;</p> <p>f. cultivation, stopbanks, roadworks and <u>any</u>²⁵ other activities within land previously disturbed by previous earthworks to the depth already disturbed;</p> <p>g. cultivation to a maximum depth of 200mm;</p> <p>h. a customer connection between a building, other structure, site, and infrastructure as per EI-R4;²⁶ and</p> <p>i. the drilling of a well or bore.</p>	
SASM-R5²⁸	Construction of new community scale natural hazard mitigation works²⁹	
	This rule applies to Wāhi Tapu/Wāhi Taonga, Ngā Tūranga Tūpuna and Ngā Wai in SASM-SCHED1. ³⁰	
Wāhi Tapu Overlay Wāhi Taonga Overlay Ngā Tūranga Tūpuna Overlay Ngā Wai Overlay³¹	<p>Activity status: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>SASM-MD1—Wāhi tapu and wāhi taonga</p> <p>SASM-MD2—Ngā tūranga tūpuna</p> <p>SASM-MD3—Ngā wai</p> <p>Notification</p> <p>An application for a restricted discretionary activity under this rule is precluded from being</p>	<p>Activity status when compliance not achieved or provided for: N/A³⁴</p>

²⁵ Chorus New Zealand Limited, Spark New Zealand Limited and Vodafone New Zealand Limited [62.45] and Z Energy Limited [286.18]

²⁶ Chorus New Zealand Limited, Spark New Zealand Limited and Vodafone New Zealand Limited [62.45] and Z Energy Limited [286.18]

²⁸ Environment Canterbury [316.81]

²⁹ Environment Canterbury [316.81]

³⁰ Environment Canterbury [316.81]

³¹ Environment Canterbury [316.81]

³⁴ Environment Canterbury [316.81]

	publicly notified, but may be limited notified only to Te Ngāi Tūāhuriri Rūnanga and HNZPT, in respect of sites ³² on the New Zealand Heritage List Rāangi Kōrero, where the consent authority considers this is required, absent their written approval. ³³	
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Matters of Discretion

SASM-MD1	Wāhi tapu and wāhi taonga <ol style="list-style-type: none"> 1. The potential adverse effects, including on sensitive tangible and/or intangible Ngāi Tūāhuriri values as determined by Te Ngāi Tūāhuriri Rūnanga through consultation, and how the development or activity responds to, or incorporates the outcome of that consultation. 2. Effects on sites³⁵ of archaeological value, including consideration of the need to impose an accidental discovery protocol or have a cultural or archaeological monitor present (including the resourcing). 3. The extent to which sites³⁶ of cultural significance are protected. 4. Any cultural impact assessment that has been undertaken by a Te Ngāi Tūāhuriri Rūnanga mandated writer and the proposal's consistency with values and recommendations identified. 5. In respect of sites³⁷ on the New Zealand Heritage List Rāangi Kōrero, whether HNZPT has been consulted and the outcome of that consultation. 6. In respect of infrastructure, the extent to which the proposed infrastructure has a functional need or operational need for its location, and whether alternative locations, layout or methodology would be suitablepracticable³⁸.
SASM-MD2	Ngā tūrangā tūpuna <ol style="list-style-type: none"> 1. Where Te Ngāi Tūāhuriri Rūnanga has been consulted, the outcome of that consultation, and how the development or activity responds to, or incorporates the outcome of that consultation, including the incorporation of mana whenua associations with areas/sites³⁹ within Ngā tūrangā tūpuna areas. 2. Whether and the extent to which the proposal will result in the disturbance of any culturally significant sites⁴⁰ and proposed mitigation measures. 3. Effects of the proposal on Ngāi Tahu values and proposed mitigation measures. 4. Whether, and the extent to which, the proposed activity will result in the removal of indigenous vegetation and the proposed mitigation measures. 5. Adverse effects on mahinga kai and other customary uses, and access for these purposes. 6. Whether, and the extent to which, the proposal maintains or restores natural features and processes within these areas.

³² Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

³³ Environment Canterbury [316.81]

³⁵ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

³⁶ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

³⁷ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

³⁸ Waimakariri Irrigation Limited [210-15-210-17] and Transpower [FS92]

³⁹ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

⁴⁰ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

	<p>7. Effects on sites⁴¹ of archaeological value, including consideration of the need to impose an accidental discovery protocol or have a cultural or archaeological monitor present (including the resourcing).</p> <p>8. The extent to which the proposed activity will affect the natural character and processes of Te Tai o Mahaanui (the coastal environment).</p> <p>9. In respect of infrastructure, the extent to which the proposed infrastructure has a functional need or operational need for its location, and whether alternative locations or layout/methodology would be suitablepracticable⁴².</p>
SASM-MD3	<p>Ngā wai</p> <p>1. Where Te Ngāi Tūāhuriri Rūnanga has been consulted, the outcome of that consultation, and how the development or activity responds to, or incorporates the outcome of that consultation.</p> <p>2. Effects on sites⁴³ of archaeological value, including consideration of the need to impose an accidental discovery protocol or have a cultural or archaeological monitor present (including the resourcing).</p> <p>3. Effects of the proposal on Ngāi Tahu values and proposed mitigation measures, including new planting and improved access for customary use.</p> <p>4. Whether, and the extent to which, the proposed activity will result in the removal of indigenous vegetation and the proposed mitigation measures.</p> <p>5. Adverse effects on mahinga kai and other customary uses, and access for these purposes.</p> <p>6. The extent to which the proposed activity will affect the natural character values and natural processes of the water body and its margins, including those within the coastal environment.</p> <p>7. The manner in which any wastewater system and stormwater infrastructure recognise the cultural significance of ngā wai and do not create additional demand to discharge directly to any water body.</p> <p>8. In respect of infrastructure, the extent to which the proposed infrastructure has a functional need or operational need for its location, and whether alternative locations or layout/methodology would be suitablepracticable⁴⁴.</p>

Schedules

SASM-SCHED1 - Sites and areas of significance to Māori

SASM ID	Classification	Sub-class	Location/Name	Description
SASM001	Wāhi Tapu	Silent File	Silent File 017	Silent File
SASM002	Wāhi Tapu	Silent File	Silent File 018	Silent File
SASM003	Wāhi Tapu	Silent File	Silent File 019	Silent File
SASM004	Wāhi Tapu	Silent File	Silent File 020	Silent File
SASM005	Wāhi Tapu	Silent File	Silent File 021	Silent File
SASM006	Wāhi Tapu	Silent File	Silent File 022	Silent File

⁴¹ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

⁴² Waimakariri Irrigation Limited [210-15-210-17] and Transpower [FS92]

⁴³ Remove hyperlink - Heritage New Zealand Pouhere Taonga [178.44]

⁴⁴ Waimakariri Irrigation Limited [210-15-210-17] and Transpower [FS92]

SASM007	Wāhi Tapu	Silent File	Silent File WD1	Silent File
SASM008	Wāhi Tapu	Silent File	Silent File WD2	Silent File
SASM009	Wāhi Tapu	Maunga	Tawera	Tupuna Maunga - features in central tribal traditions
SASM010	Wāhi Tapu	Maunga	Puketeraki	Tupuna Maunga - features in central tribal traditions
SASM011	Wāhi Taonga	Ngā Reporepo		Wetlands. The rules in this chapter do not apply to areas shown as 'Ngā reporepo' (wetlands). If there is a resource consent required for an activity within or that would adversely affect ngā reporepo, then the objectives and policies of this chapter would also need to be considered
SASM012	Ngā Tūranga Tūpuna	Cultural Landscape	Tawera Maunga	Tawera, the Mt Oxford massif including its forests
SASM013	Ngā Tūranga Tūpuna	Cultural Landscape	Waimakariri ki Rakahuri	Cultural Landscape encompassing an area of high coastal settlement (in both contemporary and ancestral senses). It comprises significant clusters of recorded archaeology of Māori origin and silent files
SASM014	Ngā Tūranga Tūpuna	Cultural Landscape	Ngahere Manuka	The vast former manuka bush that occurred adjacent to the former course of the Waimakariri River
SASM015	Ngā Tūranga Tūpuna	Cultural Landscape	Ngahere a Hohoka	The former podocarp forest extent which centred on present day Ohoka
SASM016	Ngā Tūranga Tūpuna	Cultural Landscape	Ngahere a Rangiora	The former podocarp forest extent which

				centred on present day Rangiora
SASM017	Ngā Tūranga Tūpuna	Cultural Landscape	Ngahere a Okohana	The former podocarp forest extent which occurred half-way along the south-west portion of the Tuahiwi Reserve MR 873
SASM018	Ngā Tūranga Tūpuna	Cultural Landscape	Ngahere a Tuahiwi	The former podocarp forest extent which dominated the bottom half of the Tuahiwi Reserve MR 873
SASM019	Ngā Tūranga Tūpuna	Cultural Landscape	Ngahere a Opiha	A small, former podocarp forest extent which occurred adjacent to the western portion of the Tuahiwi Reserve MR 873
SASM020	Ngā Tūranga Tūpuna	Cultural Landscape	Pukenui	A named promontory in the upper District, likely to have been a navigational marker referenced during usage of the Ara Tawhito trail network
SASM021	Ngā Tūranga Tūpuna	Cultural Landscape	Pukeriki	A named promontory in the upper District, likely to have been a navigational marker referenced during usage of the Ara Tawhito trail network
SASM022	Ngā Wai	Awa/ngā manga	Waimakariri River (incl. tributaries)	River and tributaries (ngā awa me ngā manga) with Mahinga Kai environs, habitats and taonga species
SASM023	Ngā Wai	Awa/ngā manga	Waiarariki/Eyre River (incl. tributaries)	River and tributaries (ngā awa me ngā manga) with Mahinga Kai environs, habitats and taonga species
SASM024	Ngā Wai	Awa/ngā manga	Cam/Ruataniwha (incl. tributaries)	River and tributaries (ngā awa me ngā manga) with Mahinga

				Kai environs, habitats and taonga species
SASM025	Ngā Wai	Awa/ngā manga	Rakahuri (incl. tributaries)	River and tributaries (ngā awa me ngā manga) with Mahinga Kai environs, habitats and taonga species
SASM026	Ngā Wai	Awa/ngā manga	Te Akeake/Saltwater Creek (incl. tributaries)	River and tributaries (ngā awa me ngā manga) with Mahinga Kai environs, habitats and taonga species
SASM027	Ngā Wai	Awa/ngā manga	Makirikiri/Makerikeri River (incl. Tributaries)	River and tributaries (ngā awa me ngā manga) with Mahinga Kai environs, habitats and taonga species
SASM028	Ngā Wai	Awa/ngā manga	Ōkuku River (incl. tributaries)	River and tributaries (ngā awa me ngā manga) with Mahinga Kai environs, habitats and taonga species
SASM029	Ngā Wai	Awa/ngā manga	Te Tai o Mahaanui	Coastal dune systems, coastal waters (ngā waitai). This feature extends into the CMA. Rules in this chapter only apply to the landward extent of SASM 029
SASM030	Ngā Tutohu Whenua	Cultural Landscape/Catchment	Rakahuri	Mahaanui IMP 2013 section 6.3 Waimakariri (Pg.202-210)
SASM031	Ngā Tutohu Whenua	Cultural Landscape/Catchment	Waimakariri	Mahaanui IMP 2013 section 6.4 Waimakariri (Pg.213-225)