

Summary of Evidence – Sites and Areas of Significance to Māori – proposed Te Tai o Poutini Plan

Rachael Elizabeth Pull (planner) on behalf of Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu (Poutini Ngāi Tahu)

30 April 2024

Tēnā koutou, ko Rachael Pull tōku ingoa and I am providing an oral summary of my planning evidence on behalf of Poutini Ngāi Tahu for the Sites and Areas of Significance to Māori (SASM) hearing for the proposed Te Tai o Poutini Plan.

The provisions for the SASM chapter have been identified on a site-specific basis in partnership with Poutini Ngāi Tahu as opposed to general rules applying wider than necessary and for more sites than required. I consider this site-by-site approach, which doesn't create unnecessary consents, is a strength of these provisions. This approach will provide for the relationship of Poutini Ngāi Tahu with each site, while enabling appropriate subdivision, use and development as a permitted activity wherever possible. Ultimately this will reduce the number of consent applications that need to be prepared and considered by the three councils.

While section 6(f) is particularly relevant given SASM sits within the definition of historic heritage in the RMA, my evidence has detailed how identifying and protecting SASM is a method for achieving Part 2 of the RMA, including its sustainable management purpose.

I want to acknowledge in this forum the work of the Committee and the s42A report writers in developing and refining these rules. There is a significant number of manuscripts, published books, maps, historical land surveys and reports from the Commissioners of Native Reserves, evidence prepared for the Ngāi Tahu Settlement Claim, oral histories and recorded archaeological sites. The number of submissions has shown the importance of this topic, as SASM is an irreplaceable taonga.

Due to the scale of the work within the evidence timeframes, I note that there are two sections of my evidence where I have offered to undertake additional work to assist the panel should you wish to proceed in a certain direction with your decisions.

First, I offered to meet with Heritage New Zealand in relation to working on an accidental discovery protocol for Appendix 4 of the Plan as we both submitted alternative versions. I have sent Heritage New Zealand a copy of the combined version I drafted as part of my evidence and they have indicated support with minor changes, which Poutini Ngāi Tahu support. This is attached to this summary for you to consider.

Second, I've offered to meet with Councils and Poutini Ngāi Tahu to develop a criterion for cultural certification as a permitted activity standard in relation to a number of activities on SASM. As detailed in my evidence, I consider that the written approval approach proposed in the notified version of the plan is more preferable from an implementation perspective. However should the panel prefer the use of certification within these provisions, I am available to help draw criteria for Poutini Ngāi Tahu to use to achieve proposed method 3, as I am aware of frameworks like Healthy Streets which are used to analyse qualitative as well as quantitative matters.

Regardless, myself and Poutini Ngāi Tahu representatives and experts are available for Plan users, including Councils, to work with to improve their understanding of SASM and Poutini Ngāi Tahu values.

Thank you for your time and I am happy to take any questions.

Appendix Four: Accidental Discovery Protocol

Te Āpitianga Tuawhā: Ngā Tikana o te Kite Pokerehū

PRIOR TO COMMENCEMENT OF ANY WORKS, A COPY OF THIS ADP SHOULD BE MADE AVAILABLE TO ALL CONTRACTORS WORKING ON SITE.

Purpose:

In the event that an unidentified archaeological site is located during works, the Accidental Discovery Protocol (ADP) sets out the procedures that must be followed in the event that taonga (Māori artefacts), burial sites/kōiwi (human remains), or archaeological sites are accidentally discovered.

Background:

Land use activities involving earthworks have the potential to disturb archaeological sites. Where archaeological material is of cultural significance to tāngata whenua such material will be a taonga, and in some cases such material will also be tapu. Accidental discoveries may be indicators of additional sites in the area. They require appropriate care and protection, including being retrieved and handled with the correct Māori tikanga (protocol) and archaeological practice.

Under the Heritage New Zealand Pouhere Taonga Act 2014, an archaeological site is defined as any place associated with pre-1900 human activity, where there is material evidence relating to the history of New Zealand. It is an offence under s87 to modify or destroy the whole or any part of an archaeological site (known or unknown) without an authority from Heritage New Zealand irrespective of whether the works are permitted, or a consent has been issued under the Resource Management Act. Finds that do not meet the HNZPTA definition of an archaeological site may still be of cultural significance to tāngata whenua.

Protocol:

Immediately following the discovery of material suspected to be a taonga, kōiwi, or archaeological site, the following steps shall be taken:

1. All work on the site will cease immediately at that place and within 20m around the site.
2. Immediate steps will be taken to secure the site to ensure the archaeological material is not further disturbed.
3. The contractor/works supervisor/owner will notify the Rūnanga, Council and the Area Archaeologist of Heritage New Zealand. In the case of kōiwi (human remains), the New Zealand Police must be notified.

4. Further assessment by a qualified archaeologist may be required to confirm the nature of the accidentally discovered material.

5. The contractor/works supervisor/owner will also consult the Rūnanga on any matters of tikanga (protocol) that are required in relation to the discovery and prior to the commencement of any investigation.

6. If kōiwi (human remains) are uncovered, in addition to the steps above, the area must be treated with utmost discretion and respect, and the kōiwi dealt with according to both law and tikanga, as guided by the Rūnanga. Remains are not to be moved until such time as Rūnanga, NZ Police and Heritage New Zealand have responded.

7. Works in the site area shall not recommence until authorised by the Rūnanga, Heritage New Zealand (and the NZ Police in the case of kōiwi) and any other authority with statutory responsibility, to ensure that all statutory and cultural requirements have been met.

8. Prior to works recommencing, appropriate management of the site may include recording or removal of exposed archaeological material. An archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 may also be required for works to continue.

9. Although bound to uphold the requirements of the Protected Objects Act 1975, the contractor/works supervisor/owner recognises the relationship between Ngāi Tahu whānui, including its Rūnanga, and any taonga (Māori artefacts) that may be discovered. Where Rūnanga so request, any information recorded as the result of the find such as a description of location and content, is to be provided for their records.

IF IN DOUBT, STOP AND ASK; TAKE A PHOTO AND SEND IT TO THE HERITAGE NEW ZEALAND ARCHAEOLOGIST

Contact Details:

Rūnanga Contact: Poutini Environmental

NZ Police xxxx

Heritage New Zealand Archaeologists contact details:

ArchaeologistCW@heritage.org.nz AsstArchaeologistCW@heritage.org.nz