

3.2. MANAWHENUA

3.2.1. OVERVIEW

While the Resource Management Act imposes statutory duties on Council to recognise the principles of the Treaty of Waitangi (Section 8), it also imposes duties in respect of other Maori issues. The following outlines the most significant references to Maori concerns in terms of the District Plan and Council's responsibility under the Resource Management Act:

SECTION 6(E)

Requirement to recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga as a matter of national importance.

SECTION 7(A)

Requirements to have particular regard to Kaitiakitanga.

SECTION 33(1) (2)

Council may transfer functions to an iwi authority.

SECTION 74(2)(B)(II)(III)

Council is to have regard to any planning document recognised by an Iwi authority and any regulations in relation to the conservation or management of taiapure fisheries when preparing District Plans.

SECTION 93(1)(F)

Iwi authorities are to be notified by Council of Resource Consent applications.

FIRST SCHEDULE CLAUSE 3(1)(D)

Council are required to consult with Iwi authorities or tribal runanga when preparing the District Plan.

This section of the Plan has been developed in consultation with the relevant runanga in Clutha District and addresses the issues raised in Section 6(e) and Section 7 (a) of the Act. The consultation process has identified the relevant Iwi authorities in the Clutha District as being Kai Tahu.

Runanga takiwa (area) and point of contact for Clutha District are as follows:

Te Runanga Otakou
PO Box 40
Portobello, Dunedin
(contact Moana Wesley)

Te Runanga Otakou centres on Otakou and extends from Heyward Point to the Clutha River and inland, sharing an interest in the lakes and mountains to the western coast with Runanga to the north and to the south. Moturata Taieri Whanau operate within this sphere from Bruces Rocks south to Tokomairiro, while the South Otago Runanga operate from Tokomairiro south.

Te Runaka Hukanui
School Road
Waihapi
(Contact Rena Fowler)

Te Runaka Hukanui centres on the Hokonui region and extends from Matau (Clutha River) to the south of Waikawa (Mataura River). Te Runaka Hukanui also has a shared interest in the lakes and mountains between Lake McKerrow and offshore from Martins Bay south with other Murihiku (Southland) Runanga and those located from the Shag River southwards. The South Otago Runanga operate within this sphere from the Matau (Clutha River) to the Southland boundary.

Note: See also Schedule 6.10 for issues regarding the Ngai Tahu Claims Settlement Act 1998.

3.2.2. KAITIAKITANGA (GUARDIANSHIP)

Kaitiakitanga refers to the concept of people being the guardians and protectors of places, objects and ideas of value to them. It is the traditional method used by Kai Tahu to protect, sustain and preserve resources. Specialised knowledge was retained by certain individuals in relation to a particular resource, this being known as kaitiaki. Kaitiaki were the medium through which the use, protection and management of natural and physical resources was achieved.

Kaitiakitanga is part of Maori culture and spiritual belief, rooted in the values of society. In terms of "managing the use, development and protection of natural and physical resources" under the Act an important concept of Kaitiakitanga is the exercise of guardianship, which includes the ethic of stewardship in managing resources.

Section 7 of the Act requires that particular regard is given to Kaitiakitanga. Kai Tahu seek to have the concept and spirit of Kaitiakitanga incorporated into the management of Clutha District's resources.

ISSUE:

- **The concept and spirit of kaitiakitanga is required to be incorporated into the management of Clutha District's resources.**

OBJECTIVE MAO.1 KAITIAKITANGA

To have particular regard to the concept of Kaitiakitanga in relation to managing the use, development, and protection of natural and physical resources.

POLICY MAO.1

To actively consult with the appropriate runanga on policy development relating to natural and physical resources of Clutha District.

Explanation

Early consultation with the appropriate runanga will ensure that the concept of Kaitiakitanga is given full consideration during the policy development phase of resource management. Furthermore, it will assist in the development of culturally appropriate techniques to implement those policies.

(Refer Methods MAO. 1 and MAO. 2)

POLICY MAO.2

To recognise the Kai Tahu Ki Otago Iwi Natural Resource Management Plan as a Kai Tahu resource management reference planning document for the District.

Explanation

At the time of preparing this Plan, Kai Tahu of Otago were in the process of preparing a Resource Management reference document that expresses Kai Tahu beliefs and values in relation to the District's resources. This document will be acknowledged by Council when developing and implementing resource management policies, and will give clear guidance on consultation requirements between Council and Manawhenua. There may be other Kai Tahu resource management documents prepared in the future that have relevance to the Clutha District.

(Refer Method MAO. 1)

3.2.3. WHENUA PAKAIIKA (ANCESTRAL LAND)

Whenua Papakaika is land inherited from ancestors that has the significance of being a place(s) of traditional settlement. Today this land comprises remnants of land reserved from the land sales in the 1840's, and other land and reserves subsequently allocated. Such land was, and is still intended to be available to Kai Tahu to provide for their economic, social and cultural security. However, legislation over the years has reduced the extent of this land resource and has created a situation where such lands are often fragmented, in multiple ownership, and unproductive.

It is Kai Tahu's view that whenua papakaika should be available to achieve the original purpose of the reserve and therefore restrictions should not be imposed that prevent or limit the use of such land and its resources for their economic, social, and cultural purposes.

It should also be noted that the Environment Court has not confined the definition of "ancestral lands" to lands in Maori ownership but considers it may relate to lands in places important to Iwi in general.

ISSUE:

- **The need for Kai Tahu to utilise whenua papakaika to achieve their economic, social, and cultural security should be recognised.**

OBJECTIVE MAO.2 WHENUA PANAKAIIKA (ANCESTRAL LANDS)

To recognise the relationship of Kai Tahu with their ancestral lands and provide for the use of these lands for economic, social, and cultural purposes.

POLICY MAO.3

To enable the development of papakaika housing on appropriate Maori ancestral land provided adverse environmental effects are avoided, remedied, or mitigated.

Explanation

While Maori ancestral land is often fragmented and in multiple ownership it still represents turangawaewae (place of belonging through ancestral rights linked to /and) for many Kai Tahu. Papakaika housing (which comprises more than one residential unit on the site) and the ability to live on ancestral land is important to Kai Tahu in providing Turangawaewae. The multiple ownership and eventual fragmentation of land holdings has, in the past, made it difficult for productive uses of such lands. This Plan contains provisions for the utilisation of these lands by the relevant owners provided there are no adverse environmental effects. Papakaika housing on such land enables productive use of the land, reinforces the land's traditional significance, and has positive wider social and community effects. Such development must be undertaken in accordance with a management plan which addresses issues such as waste disposal, servicing, native bush preservation, etc. Table 6 identifies those Maori Reserves and land allocated to Kai Tahu for landless Maori that exists within the Clutha District.

(Refer Rule MAO. 4)

POLICY MAO.4

To consider the effects of development proposals for Maori ancestral land in terms of the status of the land concerned.

Explanation

Not only do these lands provide Turangawaewae, the original purpose (as already mentioned) was also to provide for the economic security of Kai Tahu. Much of this land today may be suitable for a wide range of commercial activities such as tourism, forestry, land-based aquaculture, horticulture and the like. In determining any consent, it is considered appropriate that each particular area of land be considered in light of its history and significance to Iwi (including its spiritual association), and its potential to provide for Kai Tahu's economic security.

(Refer Rule MAO.5)

POLICY MAO.5

To reassess, as appropriate, the provisions of the Plan in relation to ancestral land and its resources returned to Kai Tahu as part of any Treaty of Waitangi settlement.

Explanation

Kai Tahu, as a result of settlement of the Kai Tahu claim to the Waitangi tribunal in 1987, may be returned lands for the purpose of re-establishing their economic base. It may be necessary that the provisions of the Plan be revisited in respect of such lands. This, of course, would depend on the status of the land returned and its intended purpose. Any such reassessments would have to follow normal Plan change procedures.

3.2.4. WAAHI TAPU (SACRED PLACES)

The Act does not define waahi tapu, the reason being that there are subtle differences in its meaning between the various Iwi. To Kai Tahu waahi tapu are places held in reverence according to tribal

custom and tradition. Some waahi tapu are important to Iwi, while others are important to individual hapu or whanau. Protection of waahi tapu is an obligation of kaitiaki - it reflects respect for the place of one's ancestors, such sites being indicators of past traditions and a source of cultural identity. For this reason, knowledge of the location of waahi tapu may be limited to a small number of individuals for example, a family caring for a waahi tapu site. These individuals are not always willing to divulge locations of waahi tapu for fear of desecration.

The most significant waahi tapu is Urupa (burial sites). Urupa can be either communal or individual. The location of many Urupa are being discovered because of higher population and settlement densities, and the effects of erosion. This has led to a need for reinterment.

Kai Tahu's main concern in relation to Waahi Tapu is that such sites are recognised and protected in a culturally sensitive way.

ISSUE:

- **The need to recognise waahi tapu and protect them from desecration in a manner that is culturally sensitive to Kai Tahu.**

OBJECTIVE MAO.3 WAAHI TAPU (SACRED PLACES)

To recognise the spiritual and customary importance of waahi tapu and ensure that all waahi tapu are protected in a culturally appropriate manner.

POLICY MAO.6

To ensure that the adverse effects development may have on waahi tapu are avoided, remedied or mitigated.

Explanation

The major threats to waahi tapu generally occur from land disturbance activities. In many instances the location of waahi tapu is not known and consequently they can be disturbed unwittingly. The New Zealand Archaeological Association filekeeper will have records of some waahi tapu sites, while the Iwi Resource Management Plan may also identify the general location of some sites. This Plan identifies some areas where there are high concentrations of archaeological sites. Where a site is known to exist, developers will be required to consult with Kaitiaki runanga on the appropriate methods to protect waahi tapu. Where sites previously not known are disturbed in the course of work or development, work will be required to cease until the appropriate protection can be put in place.

(Refer Rule MAO.2 and MAO.3)

POLICY MAO.7

To adopt appropriate procedures for the management of Koiwi Tangata (Maori skeletal remains) finds, and for notifying Kai Tahu of Koiwi Tangata finds.

Explanation

Kai Tahu Koiwi Tangata policy states a clear preference that wherever possible, Koiwi tangata in situ should not be disturbed and that the integrity of the burial remain intact (The Foundation Principle

of Koiwi Tangata Policy'). Kai Tahu request that they be the first point of contact when any Koiwi tangata remains are unearthed. It is inappropriate for Kai Tahu to be involved after such remains have been removed from their burial site and/or have been subject to scientific investigation or storage for a period of time. The District Plan recognises the prior right of Kai Tahu whanau, runanga, or kaitiaki to manage the removal (if required or deemed appropriate), reburial, or storage of unearthed Koiwi tangata.

(Refer Rule MAO.3)

3.2.5. WAAHI TAOKA (TREASURED RESOURCES)

Waahi Taoka are a range of resources and places that are important to Iwi and runanga. Taoka signifies the whakapapa (genealogical tree) of the Maori world, and Waahi Taoka are the various branches of that tree. Waahi Taoka therefore sustain life and are culturally and historically important to Kai Tahu. Waahi Taoka include -

Wai	- water
Noho kaika	- village sites
Tauraka waka	- landing sites (for canoes)
Tuhituhi nehera	- rock drawings
Mahika kai	- places where food was gathered procured or produced
Mauka	- mountains
Awa	- rivers
Wahi rakau	- areas of important trees
Mahika mataitai	- fishing areas
Wahi kohatu	- rock areas
Kohaka	- nesting areas (that is, shellfish seeding)
Kawa Hua Taiao	- cultural materials
Tauraka ika	- historic tribal fishing grounds
Pa whawhai	- Pa site

While having a different status to Waahi Tapu, consultation with appropriate Kai Tahu runanga is also required before any action is taken involving such sites.

ISSUE:

- **The need to recognise and protect significant Waahi Taoka is important to the culture and traditions of Kai Tahu.**

OBJECTIVE MAO.4 WAAHI TAOKA (TREASURED RESOURCES)

To recognise and provide for the special significance that all Taoka have in the culture of Kai Tahu.

POLICY MAO.8

In consultation with Kai Tahu runanga, to ensure that the adverse effects of activities on Waahi Taoka are avoided, remedied or mitigated.

Explanation

Waahi Taoka of significance to Kai Tahu will need to be identified in consultation with appropriate runanga. Any information passed on through the consultation process will be treated with the appropriate level of cultural sensitivity pursuant to section 42 of the Act. The main threats to Waahi Taoka generally occur from land disturbance activities. Where a proposed development may have an effect on waahi taoka, developers will need to consult with the appropriate runanga. Protection of significant Waahi Taoka can be applied through either conditions attached to resource consent or via heritage order procedure instigated by the appropriate heritage protection authority. Sites on public land can also be noted on Planning Maps and given protection via rules in the Plan.

(Refer Rule MAO.1)

3.2.6. WAI (WATER)

Of all natural resources, water is possibly the most important to Kai Tahu. Water is seen as the provider and sustainer of life and therefore water flow, water quality, the integrity of various traditional categories of water, and the Mauri (life force) of waterbodies is extremely important to Kai Tahu. Mahika kai, for example, is extremely dependent on the maintenance of water quality and quantity. The loss and degradation of this resource through drainage, pollution and damming is a major resource management issue to Kai Tahu and is considered to have resulted in material and cultural deprivation of Kai Tahu.

Water also plays a significant part in Kai Tahu's spiritual beliefs and cultural traditions. Kai Tahu believes that all life began with the mating of Maku and Mahoranuiatua which are both forms of water. Spiritual beliefs and practices are included in Kai Tahu's traditional values and controls relating to water recognise and reinforce the importance of water quality in all aspects of life. The condition of water is seen as a reflection of the health of Papatuanuku (the Earth Mother).

ISSUE:

- **Threats to the flow and quality of the water resource has resulted in material and cultural deprivation of Kai Tahu.**

OBJECTIVE MAO.5 WAI (WATER)

To recognise the significance of water to Kai Tahu's spiritual beliefs, cultural traditions and practices, and to provide for these where practicable and appropriate.

POLICY MAO.9

To take into consideration the importance of water to Kai Tahu culture by ensuring land management practices avoid, remedy or mitigate adverse effects on water bodies important to Kai Tahu.

Explanation

If inappropriately managed, land use practices such as vegetation clearance in riparian margins and catchment heads and poor control of fertiliser application can contribute to significant increases in sediment and nutrient loads in the district's waterbodies. Such contamination greatly undermines the sustainability of the District's water resource, and hence the integrity of Kai Tahu's spiritual beliefs, cultural traditions and practices.

(Refer Rule WAT.1, Rule WAT.3, Rule FIN.8 and Rule RRA.8)

POLICY MAO.10

To consult with Kai Tahu and work with the Otago Regional Council on water quality issues that affect Kai Tahu.

Explanation

Regional Council has primary responsibility for water quality and consequently Council must act in co-ordination with them to achieve the desired outcomes in relation to water quality. An issue of major concern to Kai Tahu is the discharge of human sewage into waterbodies.

(Refer Method MAO.2)

3.2.7. MAHIKA KAI (PLACES WHERE FOOD IS PRODUCED OR PROCURED)

Mahika Kai is the custom of procuring or producing food resources, and is therefore a cornerstone of Kai Tahu existence and culture. Highly organised seasonal timetables were defined to best utilise the resources available, and this has developed into a sustainable resource management ethic. It should be noted that it was through Kaitiakitanga that the balance between resource use and resource protection was achieved.

The loss to Kai Tahu of much of their mahika kai was subject to a Waitangi Tribunal hearing. The Tribunal has reported on its findings and produced the Kai Tahu Report 1991 in which it includes recommendations to the settlement of the claim and avoidance of further grievances. Kai Tahu request that their rights and expectations in respect of what little customary mahika kai remains in Clutha District be recognised and understood by Local Authorities. Kai Tahu believe that maintenance and enhancement of access to mahika kai resources is of extreme importance, as is protecting the resource from threats such as wetland drainage and pollution.

ISSUE:

- **The importance of mahika kai to Kai Tahu needs to be acknowledged and understood in terms of managing the District's resources.**

OBJECTIVE MAO.6 MAHIKA KAI (PLACES WHERE FOOD IS PROCURED)

To recognise the importance of mahika kai to Kai Tahu by, where possible, maintaining and enhancing mahika kai, as well as access to this resource.

POLICY MAO.11

In consultation with Kai Tahu, to identify significant mahika kai resources.

Explanation

Identification of mahika kai is an important first step in the management of this resource. Consultation with Kai Tahu is essential to achieve this step.

(Refer Method MAO.2)

POLICY MAO.12

To maintain and enhance access to mahika kai where practicable and appropriate.

Explanation

Mahika Kai resources are primarily water-based. Access to mahika kai is an important consideration when assessing the need for access to any waterbody or reserve. Council has the ability to establish access to water- bodies and reserves through the use of esplanade reserve, esplanade strip, and access strip provisions of the Resource Management Act. Where access to traditional sources of mahika kai has gradually been eroded over freehold land, this process may once again open the access that was guaranteed under the Treaty of Waitangi.

(Refer Rule FIN.8. Cross reference to New Zealand Coastal Policy Statement)

POLICY MAO.13

To avoid or mitigate the adverse effects of land-based activities carried out adjacent to mahika kai.

Explanation

As already mentioned, mahika kai are threatened by wetland drainage, pollution etc, which are primarily human-induced. To achieve the purpose of the Act and Council's functions under that Act, performance standards for land use activities will be developed in order to sustain the water and soil resource, thereby protecting mahika kai.

(Refer Rule WAT.1, Rule WAT.3, Rule FIN.8 and Rule RRA.8)

3.2.8. RULES

RULE MAO.1 PROTECTION OF WAAHI TAOKA AND MAHIKA KAI

Where any development or disturbance of land that may destroy, damage, or modify or otherwise adversely affect or disturb any site that from time to time is listed (after appropriate plan change procedures) in Table 13.7, the following shall apply.

- (i) The resource user shall immediately cease the activity or work that is having the effect, and

- (ii) Where the site is also an archaeological site as defined by the Historic Places Act 1993, the provisions of Sections 9 to 21 of that Act shall apply.
- (iii) Where the site is not an archaeological site, the resource user must first consult with Kaitiaki runanga (being either Te Runanga Otakou or Te Runaka Hukonui as set out in the Section 3.2.1 Overview) who will make their recommendation to the applicant within 20 working days of being consulted, unless special circumstances exist.
- (iv) Where no settlement under (ii) above can be reached, the proposal shall be dealt with as a discretionary activity, and shall be assessed in accordance with the following:
 - the significance of the resource to the relevant runanga
 - the alternatives available to the applicant

REASON

Archaeological sites are protected under the Historic Places Act 1993, and the procedure relating to any activity that may have the effect of destroying, damaging or modifying such sites is set out in Section 9 to 21 of that Act.

Part (iii) of this rule requires consultation with the relevant runanga to avoid or minimise the occurrence of lengthy delays and the need for appeals.

Where no agreement can be reached between the parties, discretionary activity status allows all the effects of the proposal to be considered by Council. Any subsequent decision also allows both parties the right to appeal to the Planning Tribunal.

RULE MAO.2 PROTECTION OF WAAHI TAPU

A. SITES LISTED IN TABLE 13.6 (PAGE 119)

Any activity that modifies, disturbs or otherwise adversely affects waahi tapu listed in Table 13.6 is a non-complying activity.

REASON

Waahi tapu are of extreme importance to Iwi. Urupa (burial sites) are the most important of all waahi tapu. While Urupa are given protection under the Historic Places Act 1993, the Maori Affairs Act 1953 and the Resource Management Act, these Acts can often be overridden by other legislation (e.g. Petroleum Act 1981) and consequently do not have the absolute protection that Kai Tahu require.

Table 13.6 lists known waahi tapu sites in the District that Iwi are prepared to publicly notify. Kai Tahu propose to update this site location register through the development of the Iwi Resource Management Plan. These sites, if considered appropriate, will be added to Table 13.6 through appropriate plan change procedures.

B. WAAHI TAPU NOT LISTED IN TABLE 13.6

Where any development or disturbance of land disturbs waahi tapu not listed in the Plan the following shall apply:

- (i) The resource user shall immediately cease the activity or work that is having the effect, and

- (ii) The resource user shall then contact the New Zealand Archaeological Association filekeeper for the Otago area and Kaitiaki runanga being either Te Runanga Otakou or Te Runaka Hukanui as set out in Section 3.2.1 Overview.
- (iii) Where waahi tapu is an archaeological site as defined by the Historic Places Act 1993, the provisions of Sections 9 to 21 of that Act shall apply.
- (iv) Where waahi tapu is not an archaeological site the following applies:
 - (a) The Kaitiaki runanga shall respond within 20 working days with their recommendation unless special circumstances exist.
 - (b) Where a favourable recommendation is made by the Kaitiaki runanga, the activity shall be considered as a restricted discretionary activity, with Council restricting the exercise of its discretion to avoiding, remedying or mitigating adverse effects of the waahi tapu site. Applications under this rule will not be publicly notified and consent will generally be granted subject to any condition(s) recommended by the runanga and imposed by Council.
 - (c) Where a favourable recommendation from the relevant runanga is not received, or agreement cannot be reached between both parties, the activity shall be considered as a non-complying activity.

REASON

Not all Waahi tapu sites are known or their specific locations divulged by iwi. This rule establishes the procedure where a site is found during the course of development or it becomes apparent that development may adversely affect a site known to iwi that is identified only through the “silent file” system. The “silent file” system is utilised so as to protect certain sites from desecration.

As Waahi Tapu are of extreme importance to Iwi, their wishes should be paramount. It should be noted that a non-complying activity would generally only receive consent subject to the conditions recommended by the relevant runanga. However, the resource user does have right of appeal to the Environment Court.

RULE MAO.3 KOIWI TANGATA

In the instance of Koiwi Tangata (unidentified Maori remains) being found, disturbed or unearthed, Kai Tahu shall be notified immediately, and the subsequent procedure for the management of such finds shall be in accordance with Kai Tahu spoken protocol the details of which can be provided by the local runanga or the District Council.

REASON

Kai Tahu have a strict protocol for dealing with the remains of their ancestors and this should clearly prevail.

RULE MAO.4 PAPAKAIKA HOUSING

Residential occupancy by Maori landowners (Papakaika) of land in multiple ownership in excess of one dwelling unit is a controlled activity, subject to the standards specified for residential activities set out in the Resource Areas within which the activity is located.

Council shall exercise its control in respect of the following matters:

- density of development
- mitigation of adverse landscape and visual effects

- effluent and stormwater management
- road access and any effect on the roading network
- provision of other services
- preservation of significant vegetation and heritage features.

REASON

As established by Rule MAO.5 below, the rules of the appropriate Resource Areas will apply to the erection of dwellings on Maori land unless otherwise provided by this section. In the Coastal Resource Area, dwellings are discretionary while multiple unit development in the Rural Resource Area is also discretionary. This rule provides for papakaikā housing without those restrictions. Providing for papakaikā housing on Maori ancestral land strengthens turangawaewae, and enables productive use of land that has often been difficult in the past because of its multiple ownership and fragmented nature. The controlled activity status (where consent cannot be refused) allows Council to address the adverse effects of multiple unit development.

Policy 3.2.6 of the New Zealand Coastal Policy Statement requires that provision be made for papakaikā housing in appropriate coastal areas.

RULE MAO.5 LAND USE

Unless otherwise provided by this section, the rules and performance standards of Section 3 General Provisions, and the rules and performance standards of the Resource Areas apply in all respects to Maori land, PROVIDED THAT the status of the land and the reason for the lands reservation will be a relevant consideration when determining any application for resource consent for any ancestral Maori land.

REASON

In terms of effects, the use of Maori land is no different to any other land. However, the status of any Maori land will be a relevant consideration in any resource consent application.

Table 10: Maori Reserves and Lands Within the Clutha District

Description	Location and Planning Map No.
Taieri Native Reserve Block C and Section 30 Block A	North side of the Taieri River, Map U49 and I45A
Clarendon Half Caste lands	Near Taieri Mouth township, Map No. I45A
Te Karoro Maori Reserve Land	Kaka Point, Map. U28, U66 and H46C
Glenomaru Landless Natives Block	South of Kaka Point. Map U28, U66 and H46C
Tautuku and Waikawa Landless Natives Block	Tautuku, Map No. G47A to D.

3.2.9. OTHER METHODS

METHOD MAO.1 KAI TAHU RESOURCE MANAGEMENT DOCUMENT

The Kai Tahu Otago Natural Resource Management Plan shall be recognised as a Kai Tahu Resource Management reference planning document for the District, and shall provide the basis and procedures for consultation with Kai Tahu.

REASON

The Kai Tahu Ki Otago Natural Resource Management Plan is a document prepared by the Kai Tahu of Otago, and expresses their views and beliefs in relation to the use, development and protection of Otago's natural and physical resources. This document will greatly assist in the consultation process and in identifying the resource values both held and sought by Kai Tahu in Clutha District.

METHOD MAO.2 CONSULTATION

To develop an active process of consultation with relevant Kai Tahu Runanga on policy development relating to natural and physical resources within Clutha District.

REASON

Consultation with Iwi is required by the Act. Ongoing consultation with Iwi is essential for future policy development to ensure Iwi values are identified and represented and that Council fulfils its duty under the Act.

METHOD MAO.3 LISTING OF IMPORTANT SITES AND RESOURCES

Where it is deemed appropriate by the relevant runanga, Council shall include archaeological sites, waahi tapu (including those sites registered by the Historic Places Trust), waahi taoka, and mahika kai of significance to Kai Tahu on the Register of Heritage Items through the plan change procedures.

Where the relevant runanga do not wish public registration of sites, consultation will be sought with the affected landowners in order to achieve appropriate protection.

REASON

While the Historic Places Act 1993 (Section 22) requires the Historic Places Trust to establish and maintain a register of historic places, historic areas, Waahi tapu, and Waahi tapu areas, that Act gives no formal protection unless they are archaeological sites. Identifying sites in the Plan not only raises people's awareness of their existence but can also afford protection via appropriate rules. The Kai Tahu Ki Natural Resource Management Plan will also provide guidelines in relation to this issue.

3.2.10. ANTICIPATED ENVIRONMENTAL RESULTS

1. The avoidance, remedying or mitigation of adverse effects on waahi tapu.

2. Recognition and provision for the role Maori have in the management of the District's resources.
3. Recognition and provision for customary Maori use and protection of resources.