

Springvale Whenua Combined Hapu Cultural Values, Cultural Impacts Assessment	Whanganui District Council Response
<p><b>6 Definitions and Discrepancies</b></p> <p><b>6.1 Tongi Tawhito Definition</b></p> <p><b>6.1.1 Recommendation</b></p> <p>That the definition of Waahi Tūpuna from the PC46 Report be amended to remove the words ‘Wāhi Tūpuna’ and replace with ‘Archaeological Sites’ where they refer only to physical remains, and Tongi Tawhito be used in conjunction with the District Plan definitions of Waahi Tapu and Waahi Tūpuna. It should be noted that Archaeological sites can be indicators of Waahi Tūpuna and Tongi Tawhito, but Waahi Tūpuna and Tongi Tawhito are not restricted to only having to provide physical or archaeological evidence to be classified as such.</p>	<p>Acknowledged and noted.</p> <p>Options will be explored through the s32 Report for alternative terminology for the current ‘Wahi Tupuna Site’ in terms of Maori archaeological sites. The term ‘Wahi Tupuna Site’ is derived from the PC46 Hearings Panel Decision, as it was deemed necessary for there to be a phrase to differentiate Maori archaeological sites containing evidence of Maori settlement from settler archaeological sites.</p> <p>This may include the change to “Archaeological Sites”, with a further explanation of Maori settlement indicators.</p> <p>This will be confirmed at a later date and provided to mana whenua.</p>
<p><b>7 Ngā Hītori: The Cultural Landscape</b></p> <p><b>7.4 Ngā Rāuru Kītahi Iwi</b></p> <p>Nga Rauuru Kiitahi has a mandated Pūtaiao Management Plan which must be given effect to in any proposed plan change and/or development in the wider Kokohuia Whenua area.</p>	<p>Acknowledged and noted that these documents as a whole inform the Plan Change process.</p>
<p><b>11 Cultural Values Framework</b></p> <p><b>11.2 Te Reo, me ōna Tikanga/Kawa</b></p> <p><b>11.2.1 Recommendations</b></p> <p>The Combined Hapū have indicated that, <b>if</b> the proposed plan change went ahead in spite of their opposition, the Hapū seek access arrangements which ensures the Combined Hapū have formalised opportunities to reconnect with the land which will be essential in retaining the reo regarding the unique relationship that Hapū have with the specific Kokohuia Whenua. This will be made more difficult if land will be alienated further to multiple land owners. Without that access the development of whenua specific reo will be hindered.</p>	<p>The Plan Change process does not alter the legal status of land. The process of vesting land via a subdivision is regulated by the RMA. Land can only be vested in either the Crown or the Council via the subdivision consent process.</p> <p>The Council does not have jurisdiction to breach or allocate property rights.</p> <p>Council’s Road Naming and Numbering Policy 2018 outlines the process of the naming of new roads at the time of subdivision. The developer of the subdivision may submit up to three potential names. One of the considerations that may be taken into account is the opportunity for the use of traditional or appropriate Hapū name, to be determined by the Hapū.</p>

Springvale Whenua Combined Hapu Cultural Values, Cultural Impacts Assessment	Whanganui District Council Response
<p>The Combined Hapū have indicated that, <b>if</b> the proposed plan change went ahead in spite of their opposition, the Combined Hapū seeks formalised agreement from the Council that any naming of streets, reserves, communal areas in the development be reserved solely for the Combined Hapū to provide mandated names. The restoration of traditional names, remembering activities and events in any naming of areas will be essential to the long-term use of the correct usage and pronunciation.</p>	<p>A final recommendation for a street name is confirmed by Council resolution. The Council also has to comply with the rules in the Standard for Rural and Urban Addressing (AS/NZS 4819:2011).</p>
<p><b>11 Cultural Values Framework</b>  <b>11.3 Wairuatanga</b>  <b>11.3.1 Recommendation</b>  The Combined Hapū have indicated that, <b>if</b> the proposed plan change went ahead in spite of their opposition, Wairuatanga will be negatively impacted.</p>	<p>Acknowledged and Noted.</p>
<p><b>11.4 Mana Whenua</b>  <b>11.4.1 Recommendation</b>  That the mana whenua status of the Combined Hapū be reiterated in regard to any decisions, engagement, notifications and proposed impacts on the wider Kokohuia Whenua made by Council or potential users of the whenua. This does not denote exclusive mana whenua; however, it clearly identifies that the Combined Hapū is one of the mana whenua groups that must be engaged with.</p>	<p>Acknowledged and Noted.</p>
<p><b>11.5 Mana Wai</b>  <b>11.5.1 Recommendations</b>  The Combined Hapū have indicated that, <b>if</b> the proposed plan change went ahead in spite of their opposition, any changes, diversions, quantity and quality decisions that are proposed to be made regarding ground or surface water must be made in <b>partnership</b> with the Combined Hapū.</p> <p>Wastewater stormwater and drinking water infrastructure must be developed with the Combined Hapū. This would take the form of a co-</p>	<p>The design of the three waters infrastructure will be addressed by the Council's Infrastructure Team to ensure it is compliant with the Council's Engineering Document 2016 (Appendix I of the District Plan).</p> <p>PC53 will seek to encourage iwi? input into the landscape design of open space areas around the stormwater swale area and reserves. This is to provide an opportunity to acknowledge and reflect hapu specific and shared identify and history in a mutually appropriate way.</p> <p>Council jurisdiction is limited to land use activities, to ensure that these</p>

Springvale Whenua Combined Hapu Cultural Values, Cultural Impacts Assessment	Whanganui District Council Response
<p>decision-making option by maintaining our Hapū voice through our collective Rūnanga, the Whanganuitanga Declaration of Nationhood (1994) and the development of Hapū/Iwi Management Plans. (Outstanding Natural Landscape Cultural Assessment – Appendix B; 4.3.3), or the use of Sec 33 or Sec 36b of the RMA<sup>8</sup>. This is the preferred approach in order to give effect to the protection and enhancement of the values held around wai.</p> <p>Mauri Measurement must be formally included in all infrastructure design and monitoring and resourced by the Council and the applicant. This will be delivered by the Combined Hapū using Dr Gail Tipa’s Cultural Health Assessments<sup>9</sup>.</p> <p>The Combined Hapū also endorses the ‘Mauri Scale’ as a way to provide clarity over the qualitative measures on a wider scale. The Combined Hapū requires the establishment of mauri and cultural monitoring specially regarding water management at all steps of the proposed plan change and future proposed developments.</p> <p>Te Mana o te Wai demonstrates that the first right to water, both in terms of quality and quantity must be given to the waters themselves. The right for the waters to sustain themselves free of harmful contaminants and paru is a cultural bottom line for the Hapū. We expect any development, where changing water meets at least class B on the Mauri Scale; Mauri Piki.<sup>10</sup></p>	<p>activities do not create adverse effects on water bodies. Each application for land disturbance in the Structure Plan Area will be accessed to ensure it doesn’t have an adverse effect in terms of discharge to the Councils reticulated water systems. Measures will also be put in place to ensure any effects that may arise are managed effectively. While it is recognised that the implementation of the Mauriometer (mauri scale) can be made a condition of a resource consent, Council does not have any intention to include it in its infrastructure design, and cannot instruct an Applicant to adhere to it either.</p> <p>Dr Gail Tipa is known to Council officers. The development of her Cultural Health index is particularly appropriate when co-management occurs in water quality regimes that are undertaken with respect to water bodies.</p> <p>It is important to note that water quality and management (including diversions and changes in quality and quantity) are managed by Horizons. These matters are therefore not within scope.</p>
<p><b>11.6 Kaitiaki Hononga</b>  <b>11.6.1 Recommendations</b></p> <p>The Combined Hapū have indicated that, <b>if</b> the proposed plan change went ahead in spite of their opposition, a holistic assessment of the ecosystem be utilised in which the health and well-being of the mauri of water and land is considered and catered for. Before any kind of urban expansion is to be approved all environmental effects should be <b>independently</b> assessed</p>	<p>Noted. The various reports that are being prepared for PC53 will be provided to the combined Hapū for information.</p> <p>An Assessment of Environment Effects is required to support resource consent applications.</p>

Springvale Whenua Combined Hapu Cultural Values, Cultural Impacts Assessment	Whanganui District Council Response
<p>and those reports made available to the Combined Hapū. The Combined Hapū seeks a detailed understanding of how any environmental impacts will be avoided. In particular, copies of the technical reports currently being developed by Council should be shared with the Combined Hapū.</p>	
<p><b>12 Wetlands</b></p> <p><b>12.2.1 Recommendation</b></p> <p>The Combined Hapū oppose the proposed plan change because of the adverse cultural and environmental effects it will create on the repo and any further re-establishment of repo that has been drained. These repo are of great cultural significance and must be retained and protected. It is the view of the Combined Hapū that these areas are not to be developed and the waterways connecting the original, much wider repo be re-established and conserved. The planned development would preclude the extension of the repo to occur at all and an urban development with proposed stormwater, other infrastructure would more than likely negatively impact the remaining repo.</p>	<p>The majority of land in the study area is in private ownership. Any reestablishment of the wetland outside of the Council owned land is beyond the Council's Jurisdiction. Case law has established that development cannot be precluded because of a future possible land use change that could take place, such as wetland re-establishment. Council cannot veto or prohibit the legitimate use of land by its owners.</p> <p>In respect to the Council owned land around the Titoki Wetland, it is anticipated that this will be enhanced as part of the PC53 process. There will be opportunities for the combined Hapū to provide input into this process in a mutually appropriate way.</p>
<p><b>13 Tongi Tawhito Areas</b></p> <p><b>The Combined Hapū assert that this is a culturally sensitive area. As is clear from the tone of this report, the Plan Change and its proposed development is opposed.</b></p> <p>If the recommendations of this report are not given effect by the decision makers, the Hapū have identified clear no zones for development and these are highlighted in (figure 6 of the CIA).</p> <p>Acknowledging the Structure Plan Archaeological Reports and the 'Tongi Tawhito' or tupuna kōrero listed earlier in the report, there are three key areas which special consideration and specific tangata whenua conditions will be required to protect the relationship that tangata whenua have with the following tāonga sites.</p>	<p>Acknowledged and Noted.</p> <p>PC53 will take into account advice provided by hapu regarding the value of the area to mana whenua.</p>

Springvale Whenua Combined Hapu Cultural Values, Cultural Impacts Assessment	Whanganui District Council Response
<p><b>13.4 Karaka Trees</b>  <b>13.4.1 Recommendation</b>  <b>The Combined Hapū oppose the proposed plan change because of the adverse cultural and environmental effects it will create on the current stand of Tī and Karaka.</b> These tāonga species are of great cultural significance and must be retained and protected. It is the view of the Combined Hapū that these areas are not to be developed and the re-establishment of the original area be a priority. The planned development would preclude the extension a regenerated ngāhere and could impact on the current stand. Any impacts on the current trees or an encroachment of urban development as a result of the proposed plan change would preclude the establishment of an ‘Ara’ or a biodiversity corridor to ensure tāonga species are supported and are flourishing giving effect to Hapū kaitiakitanga.</p>	<p>Acknowledged and noted.</p> <p>To address this issue the Structure Plan is proposed to be revised in a manner that protects the Karaka trees.</p> <p>Council would appreciate any evidence of the significance about the Karaka Grove. This is in order to substantiate information for the area to be designated as a Reserve.</p>
<p><b>14 Kāpata Kai: Tuna</b>  <b>14.1.1 Recommendation</b>  <b>The Combined Hapū oppose the proposed plan change because of the adverse cultural and environmental effects it will create on the repo and any further re-establishment of repo that has been drained. This will in turn impact the life cycle of the tuna and any further restoration programmes focused on tuna if the repo are impacted.</b> The planned development would preclude the opportunity to create pātaka tuna, reduce the already declining number of practicing mātauranga Māori and kaitiaki and contribute to the further negative impacts between the taiao and its Hapū.</p> <p>The Combined Hapū have indicated that, <b>if</b> the proposed plan change went ahead, despite Hapū opposition, the structure plan design must ensure connectivity of water ways and passage for tuna is provided.</p>	<p>Acknowledged and noted.</p> <p>PC53 will take into account advice provided by hapu regarding the value of the area to mana whenua.</p> <p>In respect to the Council owned land around the Titoki Wetland, it is anticipated that this will be enhanced as part of the PC53 process.</p> <p>Council stormwater infrastructure will be designed to take account of fish passage connectivity.</p>

Springvale Whenua Combined Hapu Cultural Values, Cultural Impacts Assessment	Whanganui District Council Response
<p><b>14.2 Rangatiratanga</b>  <b>14.2.1 Recommendations</b></p> <p>As a result of the late entry of our Combined Hapū into the process, we require a review of the Council's engagement with tangata whenua to ensure a more meaningful relationship and process be developed where Hapū input into the decision making can be made at the start of the process.</p> <p>The Combined Hapū require that the recommendations of this CVA be represented in the Springvale Structure Plan Change irrespective of whether they are supported or not by the Council. The Hapū require that all recommendations and how they are to be addressed be provided in a separate report back to the Hapū.</p> <p>The Combined Hapū have indicated that, <b>if</b> the proposed plan change went ahead in spite of their opposition, it is recommended that the Combined Hapū maintain its Hapū voice through their collective Rūnanga, the Whanganuitanga Declaration of Nationhood (1994) and the development of Hapū/Iwi Management Plans. (Outstanding Natural Landscape Cultural Assessment – Appendix B; 4.3.3)</p> <p>, or a Section 33 be utilised to establish a co-design governing group, made up of both Council and the Hapū (in the first two examples) to create any proposed plan changes, to oversee the notified and non-notified consent applications if development goes ahead, to make decisions on notified decisions and to ensure this CVA is given effect to by Council in their drafting of policy and plans.</p> <p>This group would be aligned with all statutory acknowledgements and Treaty settlement provisions currently in place and would ensure the relationship between the Hapū and the Council are operating at both a co-governance level and on operational technical matters.</p>	<p>Acknowledged and noted.</p> <p>Acknowledged and noted. The Springvale Whenua Combined Hapu Cultural Values, Cultural Impacts Assessment will be cited in the s32 evaluation report.</p> <p>Acknowledged and noted. While under Section 33 of the Resource Management Act the Council can Transfer its functions to a public authority (such as an iwi authority), there is no intention at this time to do so. Council will ensure that the combined hapū are engaged with at the earliest point in terms of the plan change process. Developers will be actively encouraged to engage with iwi throughout the resource consent process.</p>

Springvale Whenua Combined Hapu Cultural Values, Cultural Impacts Assessment	Whanganui District Council Response
<p>This group would be able to commission further cultural monitoring, cultural assessment and the implementation of this CVA to ensure the values were operationalised through the full process. This work would be co-delivered by Council and the Combined Hapū.</p>	
<p><b>14.3 Mātauranga</b>  <b>14.3.1 Recommendations</b>  The Combined Hapū have indicated that, <b>if</b> the proposed plan change went ahead in spite of their opposition, it is recommended that the mauri measure be applied across all waterways and whenua. This would then inform key restoration programmes, wāhi tapu and wāhi tūpuna management, as well as access and naming rights.</p> <p>The mauri of the waters, the whenua, the people would be holistically understood through Mātauranga Māori. This should be operationalised through the co-design group across all decisions and monitoring of any development.</p>	<p>Water quality and management is a regional resource management matter. It is not within scope.</p>
<p><b>15 Urban Design</b>  <b>15.1.1 Recommendations</b>  The Combined Hapū have indicated that, <b>if</b> the proposed plan change went ahead in spite of their opposition, the Combined Hapū supports and advocates for a Mātauranga/tikanga based urban design which is detailed in principles of “Te Matapihi” design guide<sup>17</sup>. This is a set of principles that assist in Tangata whenua housing design.</p>	<p>Acknowledged and noted.</p> <p>PC53 is not inconsistent with the design outcomes sought.</p>
<p><b>15.2 Cultural Monitors and Protocols</b>  <b>15.2.1 Recommendations</b>  The Combined Hapū have indicated that, <b>if</b> the proposed plan change went ahead in spite of their opposition, the Combined Hapū requires that Combined Hapū cultural monitors be resourced to be present during all earth works and high impact activity taking place within the wider Kokohuia Whenua area.</p>	<p>Disturbance or discovery of archaeological items or physical wāhi tūpuna or wāhi taapu are regulated by the Heritage New Zealand Pouhere Taonga Act 2014. This legislation is administered and enforced by Heritage New Zealand. Council has a role in providing a communication process, and to appoint an archaeologist. All persons undertaking land disturbance must abide by such legislation.</p>

Springvale Whenua Combined Hapu Cultural Values, Cultural Impacts Assessment	Whanganui District Council Response
	In the event that archaeological items are discovered, then an Authority would be required from Heritage New Zealand.
<p><b>16 Other Recommendations</b></p> <p><b>16.1 Further consents within the Springvale Study Area</b></p> <p>The Combined Hapū have indicated that, <b>if</b> the proposed plan change went ahead in spite of their opposition, any consent application to develop the whenua requires a site-specific cultural impact assessment process.</p> <p>Options for the creation of papakāinga areas should be considered by the Council and developers within the wider Kokohuia Whenua area.</p>	The District Plan actively encourages the development of Papakainga, within the provisions of Chapter 15.
<p><b>16.2 Discovery Protocols</b></p> <p>The Combined Hapū have indicated that, <b>if</b> the proposed plan change went ahead in spite of their opposition, the following accidental protocol must be used.</p> <p><b>16.2.1 Discovery of Koiwi Tangata (Human Remains)</b></p> <p>If bone material that may be human bone is identified the following protocol will be adopted:</p> <ol style="list-style-type: none"> <li>1. Earthworks should cease in the immediate vicinity while an archaeologist and a cultural monitor approved by the Hapū is consulted to establish whether the bone is human.</li> <li>2. If it is still not clear whether the bone is human, work shall cease in the immediate vicinity until a reference collection and/or a specialist can be consulted, and a definite identification made.</li> <li>3. If the bone is identified by the archaeologist and cultural monitor as human, earthworks will not be resumed in the immediate area (defined by the cultural monitor and archaeologist) until Hapū contacts, NZHPT, the New Zealand Police and the local District Council, have been contacted.</li> <li>4. The area of the site containing the koiwi will be secured in a way that protects the koiwi as far as possible from further damage.</li> </ol>	<p>Heritage New Zealand manages protection of archaeological sites via the Archaeological Authority and Archaeological Discovery Protocol mechanisms. These are incorporated into the District Plan and are a condition of resource consents that include land disturbance.</p> <p>All works within the Structure Plan area will be required to proceed cautiously and where items are uncovered all work would stop. This would trigger a restricted discretionary consent process with the Council, an Authority process with Heritage NZ, and the Archaeological Discovery Protocol would apply.</p>



Springvale Whenua Combined Hapu Cultural Values, Cultural Impacts Assessment	Whanganui District Council Response
<p>5. Hapū will be given the opportunity to conduct karakia and such other cultural ceremonies and activities as are appropriate Hapū tikanga, and to remove the bones for reburial.</p> <p>6. If the Hapū so request, the bones may be further analysed by the archaeologist prior to reburial.</p> <p>7. Activity in the immediate vicinity can recommence as soon as the bones have been removed by the Hapū or a representative authorised by them.</p> <p>8. For the avoidance of doubt subject to any laws of New Zealand any koiwi found on the land shall be the property of the Hapū who shall hold koiwi (including the return of them to whanau, should that be possible) as they in their sole discretion see fit.</p> <p><b>16.2.2 Discovery of Cultural Features</b></p> <p>If remains are exposed that are potentially cultural features, the following procedure should be adopted:</p> <ol style="list-style-type: none"> <li>1. Earthworks should cease in the immediate vicinity while the Hapū cultural monitor and Hapū cultural experts are consulted to establish whether the remains are part of a cultural site as defined by the Hapū.</li> <li>2. If they are defined as a cultural site, a hui will be immediately held with the applicant and representatives of the Hapū to determine how the site can be managed. This is to occur within 24 hours of confirmation of the site being determined as a cultural site.</li> <li>3. A management plan will be confirmed and agreed to within 48 hours and implemented.</li> </ol> <p><b>16.2.3 Discovery of Taonga</b></p> <p>Māori artefacts such as carvings, stone adzes, and greenstone objects are considered to be taonga (treasures). These are taonga tūturu within the meaning of the Protected Objects Act 1975. Taonga may be discovered in isolated contexts, but are generally found within archaeological sites, modification of which is subject to the provisions of the Historic Places Act.</p>	

Springvale Whenua Combined Hapu Cultural Values, Cultural Impacts Assessment	Whanganui District Council Response
<ol style="list-style-type: none"> <li>1. The area of the site containing the taonga will be secured in a way that protects the taonga as far as possible from further damage.</li> <li>2. The archaeologist will then inform the NZHPT and the Hapū through their cultural monitor so that the appropriate actions (from cultural and archaeological perspectives) can be determined.</li> <li>3. Work may resume when advised by the Hapū.</li> <li>4. The archaeologist will notify the Ministry for Culture and Heritage of the find within 28 days as required under the Protected Objects Act 1975. This can be done through the Auckland War Memorial Museum.</li> <li>5. If the taonga requires conservation treatment (stabilisation), this can be carried out by the Department of Anthropology, University of Auckland (09-373-7999) and would be paid for by the Ministry. It would then be returned to the custodian or museum.</li> <li>6. For the avoidance of doubt subject to any laws of New Zealand any taonga found on the land shall be the property of Hapū who shall hold and use those articles (including the return of them to whanau, should that be possible) as they in their sole discretion see fit.</li> </ol>	
<p><b>17 Recommendations</b> (That have not already been referenced above)</p> <p><b>e) The Combined Hapū have indicated that, if the proposed plan change went ahead in spite of their opposition, the channel, identified as being used for stormwater/swale, should be retained in an area reserved for biodiversity restoration.</b> Connecting the wetland, the dune and the karaka areas which will support the Hapū tāonga ecosystems, protect any water channelling used for stormwater and encourage better filtration. It is expected that this would be a jointly governed and managed area by the Combined Hapū and the Council as a reserve.</p>	<p>Acknowledged and noted.</p> <p>The stormwater design for PC53 has not been finalised. If the swale option is chosen it is intended that the corridor will be enhanced with appropriate native planting.</p> <p>The swale design will not connect to the wetland. It will instead lead to an attenuation area at the southern end of the Structure Plan Area. This is to avoid any cross contamination between the storm water and the wetland. It is also a requirement of the One Plan due to the Titoki Wetland being classified as a threatened habitat.</p>