



# Cultural Impact Statement

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For Queenstown Lakes District Council for the design, construction and operation of the Queenstown Town Centre Arterial project.

Prepared by Te Ao Marama Inc

Mihi/Acknowledgements

*Toitu te marae o Tane*

*Toitu te marae o Tangaroa*

*Toitu te Iwi*

*When the land and waters are strong, so are the people.*

The compilation of the report was greatly assisted and contributed to by the mātauranga of whānau members, including within existing statements of Ngāi Tahu ki Murihiku policy.

This report has been peer reviewed.

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**DISCLAIMER**

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## Introduction

Queenstown Lakes District Council (QLDC) are undertaking a consenting project to enable designation and design, construction and operation of the Queenstown Town Centre Arterial (including associated infrastructure, structures, walkways, shared paths and landscaping).

As part of this project Te Ao Marama Inc. has undertaken a Cultural Impact Statement (CIS) to assess ngā Rūnanga values within the landscape and potential effects of the activities. The Statement will also provide recommendations.

This assessment will document the impacts of the activities on those values that are held by mana whenua. This document will improve the understanding of those activities on mana whenua values and assist consultation through the consenting process.

## Report Scope

This statement is not a Cultural Values Statement or complete Cultural Impact Assessment. It does not include explanation of values or associations. This statement will inform QLDC of the impacts of the proposed arterial project and recommendations to mitigate those effects.

This report provides some context and information that aids the Kaitiaki Papatipu Rūnanga (via Te Ao Marama Inc.) on these issues. It may assist further discussions on the wider QLDC project. However, this report simply provides background information and cannot be considered to represent any decisions by the Kaitiaki Rūnanga Papatipu (via Te Ao Marama Inc.).

## Methodology

Information within this document is based on current available literature and conversations held with Ngā Rūnanga ki Murihiku, Te Ao Marama Inc staff, and local experts.

The reviewed literature included the Te Tangi a Taura 2008 Iwi Management Plan and information provided by the applicant.

## Mana Whenua

Te Rūnanga o Ngāi Tahu is the tribal representative body of Ngāi Tahu whānui, established under the Te Rūnanga o Ngāi Tahu Act 1996. There are 18 Papatipu Rūnanga that constitute the membership of Te Rūnanga o Ngāi Tahu. The Te Rūnanga o Ngāi Tahu Act 1996 and the Ngāi Tahu Claims Settlement Act 1998 give recognition of the status of Papatipu Rūnanga as the repositories of the kaitiaki and mana whenua status of Ngāi Tahu Whānui over the natural resources within their takiwā boundaries.

In Murihiku there are four Papatipu Rūnanga whose members hold mana whenua status within the region, collectively referred to as Ngāi Tahu ki Murihiku. Te Rūnanga o Ngāi Tahu (Declaration of Membership) Order 2001 describes the takiwā of these four as follows:

- Waihōpai Rūnaka - centres on Waihopai and extends northwards to Te Mata-au sharing an interest in the lakes and mountains to the western coast with other Murihiku Rūnanga and those located from Waihemo southwards.
- Te Rūnanga o Awarua - centres on Awarua and extends to the coasts and estuaries adjoining Waihopai sharing an interest in the lakes and mountains between Whakatipu-Waitai and Tawhititarere with other Murihiku Rūnanga and those located from Waihemo southwards.
- Te Rūnanga o Ōraka Aparima - centres on Ōraka and extends from Waimatuku to Tawhititarere sharing an interest in the lakes and mountains from Whakatipu-Waitai to Tawhititarere with other Murihiku Rūnanga and those located from Waihemo southwards.
- Te Rūnanga o Hokonui - centres on the Hokonui region and includes a shared interest in the lakes and mountains between Whakatipu-Waitai and Tawhititarere with other Murihiku Rūnanga and those located from Waihemo southwards.

Te Ao Marama Inc. represents the interests of three of these Rūnanga on matters in particular those matters pertaining to the management of natural resources under the Resource Management Act 1991 and the Local Government Act 2002 – Waihopai Rūnaka, Te Rūnanga o Awarua and Te Rūnanga o Ōraka Aparima.

The rohe (area) that the application is within is in the collective takiwā of the four Murihiku Papatipu Rūnanga, sharing an interest with three Otago Papatipu Rūnanga – Te Rūnaka o Ōtākou, Kāti Huirapa ki Puketeraki Rūnaka and Moeraki Rūnaka. The seven Papatipu Rūnanga collectively hold mana whenua over these lands.

## Te Ao Marama Inc.

Ngāi Tahu ki Murihiku formed an entity known as Te Ao Marama Incorporated, which is made up of representatives from Waihōpai Rūnaka, Te Rūnanga o Awarua and Te Rūnanga o Ōraka Aparima. Te Ao Marama Incorporated is authorized to represent the three Southland Papatipu Rūnanga in resource management and local government matters.

It provides a direct link to local Papatipu Rūnanga, consent applicants, the local authorities and Te Rūnanga o Ngāi Tahu. Resource consent applicants who want to liaise with iwi can contact Te Ao Marama Incorporated, who can then arrange for consultation with the appropriate Papatipu Rūnanga.



Figure 1: Murihiku (light Grey) and location of Papatipu Rūnanga  
(Retrieved from: Ngāi Tahu ki Murihiku 2008)

## Te Tangi a Tauira 2008

In 2008, Te Tangi a Tauira: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan was published. This Iwi Management Plan consolidates Ngāi Tahu ki Murihiku values, knowledge and perspectives on natural resource and environmental management issues.

Its prime purpose is to assist Ngāi Tahu ki Murihiku in carrying out kaitiaki roles and responsibilities. It is also designed to assist local authorities and government agencies in understanding tangata whenua values and policy. It helps applicants and consultants understand issues that need to be addressed in applications to achieve whānau ora.

It provides a framework for Nga Tahu ki Murihiku to effectively participate in environmental policy and planning, in order to achieve good environmental outcomes and healthy environments for iwi and the wider community.

It is important to understand the specific sections and policies that are relevant to the current proposal. (The policies of relevance to the application can be found in Appendix 1.)

The Ngāi Tahu Freshwater Policy Statement has not been replicated here however the policies in Te Tangi a Tauira give effect to this policy statement particularly around mauri, protecting the integrity of freshwater and avoiding discharges directly to water.

## QLDC Town Centre Arterial Project

There is a full description in the application. The project involves the creation of a new arterial road that delivers an alternative urban route around Queenstown's commercial area. The new route commences at Frankton Road/Suburb Street intersection then circuits the town centre along Melbourne Street, Henry Street, Gorge Road, Memorial Street, Man Street, Thompson Street and down to a new One Mile roundabout at the Fernhill/Lake Esplanade/Glenorchy Road intersection, please see project map below. There are three stages being:

- Stage 1: Melbourne Street to Henry Street
- Stage 2: Gorge Road to Hay Street; and
- Stage 3: Hay Street to One Mile Roundabout

The road has arisen from a need to address traffic and congestion in the town centre which has been identified since the early 2000's. The application states the upgrade will improve access to the town centre while also enabling other planned integrated interventions including public and passenger transport services, active travel, parking management, public realm upgrades, travel demand management initiatives and further urban renewal and development to improve liveability and visitor experience within the Town Centre.



Figure 1: Map of arterial project and stages.

## Partnership Approach

Papatipu Rūnanga have been represented at the governance level through partnership arrangements with Queenstown Lakes District Council as this project has developed. As a result of visibility since its inception, Te Ao Marama are able to indicate overall support for this project.

Specific recommendations are made to improve alignment between the objectives of the Council and the objectives of mana whenua.

Te Ao Marama staff have provided feedback on the suite of proposed conditions for permits required to undertake the activities. Recommendations have been incorporated into the conditions sets as provided by the applicant on 3 December 2020 to the extent possible in the time available, including amendments proposed on 8 December 2020. Further opportunities to input to the project, including in the establishment of management plans, final design details and monitoring of the project by mana whenua, are provided for within the conditions sets and as a result of the on-going partnership between Papatipu Rūnanga and the Council.

Te Ao Marama conferred with Aukaha, the entity representing Papatipu Rūnanga collectively known as Kāi Tahu ki Otago, in relation to these recommendations and no additional matters were raised or concerns expressed with the proposed approach. However, it should be noted that Te Ao Marama is only able to formally represent the interests of Ngāi Tahu ki Murihiku in this matter.

## Summary and Recommendations

*Many of our waterways need to be improved, and human use (e.g. abstractions, discharge) should be conditional on improving the current state of waterways where needed. We need to be requiring improvements and enhancements to river health and water quality. An activity should do more than ensure it will not degrade a river any further.*

*Te Tangi a Tauri, 2008.*

Application by QLDC to undertake construction of a new arterial road provides an opportunity to address impacts on cultural values associated with waterbodies affected by the activity and by stormwater discharges.

Papatipu Rūnanga wish to see actions that support the hauora of waterbodies and improve mahinga kai and taonga species populations. Recently Ngāi Tahu ki Murihiku have set draft objectives for the management of land and freshwater, including aspirations for the district, which include:

- Returning all degraded waterbodies to a state of hauora within a generation.
- Progressively phasing out of direct discharges of wastewater and stormwater to waterbodies through targeted planning and implementation, including working with local authorities and businesses undertaking commercial activities to achieve this by 2035.
- Prioritising the habitat needs of mahinga kai and taonga species known to be present in waterbodies or associated with them.

- Preventing the straightening and channelisation of waterbodies and reintroducing bends, pools and riparian vegetation in straightened or channelised waterbodies to assist efforts to achieve a state of hauora within waterbodies.
- Preventing the introduction of pest species within waterbodies where they are free from these species.
- Preventing old landfills or contaminated sites, which may be at risk from increased flooding and erosion, from contaminating culturally significant waterbodies in the area through targeted planning and implementation.
- Ngāi Tahu histories and cultural associations are visible providing cultural connection.
- Wāhi tupuna and taonga are identified, protected and restored.
- Cultural practices are supported and mahinga kai access increased.
- Mātauranga and Ngāi Tahu policy guide development.
- Active Treaty partnership leads planning and implementation with funding support.
- Endemic vegetation is widespread in public spaces supporting biodiversity corridors and restoring riparian habitat.

In assessing the potential effects of the proposed activities, Papatipu Rūnanga have identified several issues of concern with respect to adverse effects on mana whenua rights, interests and values, and opportunities for improvement, including:

- Effects of new impermeable surfaces on the ability of the whenua to absorb stormwater and assist in avoiding direct discharges of stormwater to waterbodies
- Effects on, and the relationship of proposed activities with, Horne Creek, the waterbody that sustained tūpuna within the ancient Tāhuna settlement area of Queenstown, relevant to restoring this waterbody to a state of hauora within a generation
- Effects on, and the relationship of proposed activities with, One Mile Creek, relevant to restoring this waterbody to a state of hauora within a generation
- Relationship of proposed activities with, Whakatipu Waitai (Lake Wakatipu), relevant to protecting the purity of lake waters, with particular reference to stormwater management and potential for discharges of contaminants to the lake as a result of activities
- Effects on taonga and mahinga species and their habitats, including potential for protection and habitat restoration in relation to fish passage, channels, bed, banks and riparian margins
- Risks associated with disturbance of contaminated soils
- Potential for accidental discovery of archaeological material of cultural significance
- Connecting the proposed activities with urban design that supports Ngāi Tahu cultural heritage and makes this heritage visible



*Recommendation 1:*

Increasing allowance for permeable surfaces, overland flow paths and endemic plantings that assist with stormwater management within the project design, working with mana whenua to finalise design details in each stage of the project to prioritise avoidance of direct discharges of stormwater to water and seek to minimise the impacts of stormwater discharge through the use of land based solutions wherever possible within the project area.

*Recommendation 2:*

Ensure that all proposed activities interacting with Horne Creek and One Mile Creek protect and restore the mauri of these waterbodies through design and implementation, including protecting them from sedimentation and contamination, restoring their channels, bed, banks and riparian margins in accordance with their natural form, providing habitat for indigenous species, utilising endemic plantings and managing species interactions to support indigenous biodiversity.

*Recommendation 3:*

Work with mana whenua to increase the visibility of Ngāi Tahu heritage through the project design and support improved access to mahinga kai within the project area.

*Recommendation 4:*

Provide for monitoring by mana whenua during works to enable Ngāi Tahu oversight of the implementation of planning and design elements that have been developed in partnership.

*Recommendation 5:*

Ensure the suite of proposed management plans have input from mana whenua, including the Erosion and Sediment Control Plan, Contaminated Soils Management Plan, Fish Management Plan, Restoration Management Plan and Urban Design and Management Plan, as well as aspects of the project proposal that are subject to final design details.

## Conclusions

Ngāi Tahu ki Murihiku have expressed confidence in the partnership with Queenstown Lakes District Council as this project has developed and look forward to a continuing partnership approach to planning, design and implementation.

Recommendations included in this statement have been discussed with the project team and matters incorporated into the draft condition sets, particularly through the Kaitiaki Liaison Group conditions.

## Appendix 1: Te Tangi a Taurira, 2008.

### Section 3.5.8 Earthworks

1. Consent applicants who are undertaking earthworks may be required to enter into Accidental Discovery Protocol and monitoring agreements with Ngāi Tahu ki Murihiku, stating that any earthworks, fencing, landscaping or other such activity has the potential to uncover archaeological sites. Procedures and processes associated with such an occurrence should also be outlined.
2. Any activity involving earthworks that has the potential to modify, damage or destroy a wāhi tapu or archaeological site will require one or more of the following, pre resource consent (at the cost of the applicant):
  - a. site visit;
  - b. archaeological assessment (walk over/test pitting), or a full archaeological description, by an archaeologist approved by Ngāi Tahu ki Murihiku;
  - c. cultural impact assessment;
  - d. cultural monitoring;
  - e. an authority from Historic Places Trust;
  - f. recommended consent notices/conditions.
3. In areas considered high risk, Ngāi Tahu ki Murihiku may require that a Rūnanga cultural monitor or archaeologist is present, at the cost of the applicant, to monitor all surface clearing or sub-surface excavation, and to record sites or information that may be revealed.
4. Consider the use of archaeological wānanga, as a forum to provide education and training for companies and contractors about protecting sites of significance during earthworks activities.
5. Any understandings or agreements between companies/applicants and Ngāi Tahu ki Murihiku must also be reflected in the contractors who are working on the ground.
7. Where practical, indigenous vegetation that is removed or damaged as a result of earthworks activity should be recovered and returned or replaced.
8. Recommend the planting of indigenous species as an appropriate mitigation measure for any adverse impacts as a result of earthworks activity.
9. Any earthworks or roadworks near rivers must have appropriate measures in place to avoid contaminants (including dust, sediment run-off from stockpiles or any hazardous substance) from entering waterways that may cause contamination, discolouration, or siltation in such waterways.

### Section 2.5.10 General Water Policy

1. The role of Ngāi Tahu ki Murihiku as kaitiaki of freshwater must be given effect to in freshwater policy, planning and management.
3. Protect and enhance the mauri, or life supporting capacity, of freshwater resources throughout Murihiku.
4. Manage our freshwater resources wisely, *mō tātou, ā, mō ngā uri ā muri ake nei*, for all of us and the generations that follow.
5. Promote the management of freshwater according to the principle of *ki uta ki tai*, and thus the flow of water from source to sea.

### Section 3.5.11 Rivers

2. Promote river management that adopts the priorities established in the Te Rūnanga o Ngāi Tahu Freshwater Policy 1997. The priorities are:
  - Priority 1: Sustain the mauri of the waterbodies within the catchment.
  - Priority 2: Meet the basic health and safety needs of humans (drinking water).
  - Priority 3: Protect cultural values and uses.
  - Priority 4: Protect other instream values (indigenous flora and fauna).
  - Priority 5: Meet the health and safety needs of humans (sanitation).
  - Priority 6: Provide water for stock.
  - Priority 7: Provide for economic activities including abstractive uses.
  - Priority 8: Provide for other uses.
4. Management of our rivers must take into account that each waterway has its own mauri, guarded by separate spiritual guardians, its own mana, and its own set of associated values and uses.
7. The cultural importance of particular rivers (e.g. Statutory Acknowledgements, rivers associated with whakapapa and identity) must be reflected in the weighting of Ngāi Tahu responses and submissions on consents associated with these rivers.
10. Ensure that all native fish species have uninhibited passage from the river to the sea at all times, through ensuring continuity of flow *ki uta ki tai*.
14. Use riparian enhancement, buffer zones, fencing, and related streamside management tools as conditions of consent to ensure that human use of rivers and their water does not compromise river health.
15. Avoid the use of rivers as a receiving environment for the discharge of contaminants (e.g. industrial, residential, recreational or agricultural sources).
16. Prioritise the restoration of those waterbodies of high cultural value, both in terms of ecological restoration and in terms of restoring cultural landscapes.
17. Ensure that activities in upper catchments have no adverse effect on mahinga kai, water quality and water quantity in lower catchments.

### 3.5.12 Discharge to Water

1. Avoid the use of water as a receiving environment for the direct, or point source, discharge of contaminants. Even if the discharge is treated and therefore considered “clean”, it may still be culturally unacceptable. Generally, all discharge must first be to land. This general policy is a baseline or starting point. From this point, the Rūnanga can assess applications on a case by case basis.
2. Assess discharge to water proposals on a case by case basis, with a focus on local circumstances and finding local solutions.
3. Consider any proposed discharge activity in terms of the nature of the discharge, and the sensitivity of the receiving environment.

5. When assessing the alternatives to discharge to water, a range of values, including environmental, cultural and social, must be considered in addition to economic values.
6. Encourage the establishment of wetland areas, where practical, as an alternative to the direct discharge to water. Discharge to a wetland area allows Papatūānuku the opportunity to filter and clean any impurities.
7. Any discharge activity must include a robust monitoring programme that includes regular monitoring of the discharge and the potential effects on the receiving environment.
8. Require robust monitoring of discharge permits, to detect non-compliance with consent conditions. Non-compliance must result in appropriate enforcement action to discourage further non-compliance.

#### **Section 3.5.15 Activities in the Beds and Margins of Rivers**

11. Require that placement of culverts and other flood works activities in the beds or margins of waterways is such that the passage of native fish and other stream life is not impeded.
12. Recommend that culvert pipes are buried in the streambed, so that gravel can lie in the bottom third of the pipe, thus providing natural habitat in the culvert so that fish can migrate through them.
13. Require that the placement of culverts and other flood works activities in the beds or margins of waterways occurs in a manner that minimises disturbance to the streambed.
14. Recommend that tracks leading to culverts are designed (e.g. contoured) so that stormwater runoff and any effluent on the track is directed away from the stream. Such discharges should be to land and not directly to water.
15. Require that that placement of culverts and other flood works activities in the beds or margins of waterways occur at times of low or no flow.
16. Require that short term effects on water quality and appearance are mitigated during culvert or flood works construction, and for a settling period following. For example, straw bales may be used to minimise turbidity, and contain discolouration and sedimentation.

#### **Section 3.5.16 Mahinga Kai**

2. Work towards the restoration of key mahinga kai areas and species, and the tikanga associated with managing those places and species.
6. Support mechanisms that enable tangata whenua to access mahinga kai species and resources, such as esplanade provisions and marginal strips adjacent to waterways.

#### **Section 3.5.17 Ngā Pononga a Tāne a Tangaroa**

2. Work towards the restoration of key mahinga kai areas and species, and the tikanga associated with managing those places and species.
4. Support mechanisms that enable tangata whenua to access mahinga kai species and resources, such as esplanade provisions and marginal strips adjacent to waterways.