

IN THE ENVIRONMENT COURT  
AT CHRISTCHURCH

I TE KŌTI TAIAO O AOTEAROA  
KI ŌTAUTAHI

Decision No. [2022] NZEnvC 197

IN THE MATTER of the Resource Management Act 1991

AND of appeals under clause 14 of the First  
Schedule of the Act

BETWEEN AURORA ENERGY LIMITED

(ENV-2021-CHC-26)

... (continued on separate page)

Appellants

AND QUEENSTOWN LAKES DISTRICT  
COUNCIL

Respondent

Environment Judge J J M Hassan – sitting alone under s279 of the Act

In Chambers at Christchurch

Date of Consent Order: 6 October 2022

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**CONSENT ORDER**

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A: Under s279(1)(b) of the RMA,<sup>1</sup> by consent, it is ordered that:

- (1) the appeal is allowed subject to the extent that Queenstown Lakes District Council is directed to:

Resource Management Act 1991.



- (a) amend the text of Chapters 2 (Definitions), 25 (Earthworks), 27 (Subdivision and Development) and 39 (Wāhi Tūpuna), the planning maps and schedule of the proposed Queenstown Lakes District Plan as set out in Appendix 1 and 2 attached to and forming part of this order; and
  - (b) make any consequential amendments to the numbering of provisions and relevant planning maps resulting from (a) above.
- (2) the appeals recorded at [6] are resolved in their entirety and are otherwise dismissed;
  - (3) the appeals recorded at [7] are partially resolved by this order and otherwise remain extant.

B: Under s285 of the RMA, there is no order as to costs.

## REASONS

### Introduction

[2] This proceeding concerns several appeals by Aurora Energy Limited<sup>2</sup> and others<sup>3</sup> against parts of a decision of the Queenstown Lakes District Council regarding provisions of the Proposed Queenstown Lakes District Plan (‘PDP’) as they relate to Wāhi Tūpuna. The appeals were allocated to Topic 34 (Wāhi Tūpuna) and addressed as part of Stage 3 of the PDP review.

[3] I have read and considered the consent memorandum of the parties dated 23 May 2022 which sets out the agreement reached by the parties. The agreed

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<sup>2</sup> ENV-2021-CHC-26.

<sup>3</sup> ENV-2021-CHC-028 - Kingston Lifestyle Properties Limited; ENV-2021-CHC-029 - Gibbston Valley Station Limited; ENV-2021-CHC-032 – Cardrona Village Limited; ENV-2021-CHC-052 – Queenstown Park Limited and Remarkables Park Limited; ENV-2021-CHC-053 – Wayfare Group Limited (now RealNZ); ENV-2021-CHC-054 - Minaret Station Limited, West Wanaka Station and Aspiring Helicopters Limited and Cattle Flat Station; ENV-2021-CHC-055 - Kā Rūnaka; ENV-2021-CHC-057 - Glen Dene Limited and Others; and ENV-2021-CHC-062 - Chard Farm Limited.

amendments relate to provisions and planning maps of Chapters 2 (Definitions), 25 (Earthworks), 27 (Subdivision and Development) and 39 (Wāhi Tūpuna).

### **Other relevant matters**

[4] A number of parties gave notice of an intention to become a party under s274 RMA; several of whom expressly withdrew their interest in Topic 34. I am satisfied all relevant parties have signed the memorandum setting out the relief sought, and adequate opportunity has been provided to the parties to engage with the process.

[5] No party seeks costs, all parties agreeing that costs should lie where they fall.

### **Appeals resolved by this order**

[6] The agreed amendments resolve several appeals in their entirety; accordingly, the following appeals are dismissed:

- (a) ENV-2021-CHC-26 – Aurora Energy Limited;
- (b) ENV-2021-CHC-28 – Kingston Lifestyle Properties Limited;<sup>4</sup>
- (c) ENV-2021-CHC-53 – Wayfare Group Limited (now RealNZ);
- (d) ENV-2021-CHC-54 – Minaret Station Limited, West Wanaka Station and Aspiring Helicopters Limited and Cattle Flat Station; and
- (e) ENV-2021-CHC-62 – Chard Farm Limited.

[7] The agreed amendments partially resolve the following appeals, these remain to be dealt with at a later date:

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<sup>4</sup> For completeness, it is recorded that while Kingston Lifestyle Properties Limited's appeal is resolved by this consent documentation, its section 274 interest in the unresolved appeal point from Kā Rūnaka's appeal is retained.

- (a) ENV-2021-CHC-29 – Gibbston Valley Station Limited;
- (b) Appeal points ENV-2021-CHC-32 – Cardrona Village Limited;
- (c) ENV-2021-CHC-52 – Queenstown Park Limited and Remarkables Park Limited;
- (d) ENV-2021-CHC-55 – Kā Rūnaka; and
- (e) ENV-2021-CHC-57 – Glen Dene Limited and Others.

### Outcome

[8] The court makes this order under s279(1), RMA, such order being by consent, rather than representing a decision or determination on the merits pursuant to s297. The court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order;
- (b) all parties are satisfied that all matters proposed for the court's endorsement fall within the court's jurisdiction and conform to the relevant requirements and objectives of the RMA including, in particular, pt 2.



**J J M Hassan**  
Environment Judge



**List of Parties**

ENV-2021-CHC-26	Aurora Energy Limited
ENV-2021-CHC-28	Kingston Lifestyle Properties Limited
ENV-2021-CHC-29	Gibbston Valley Station Limited
ENV-2021-CHC-32	Cardrona Village Limited
ENV-2021-CHC-52	Queenstown Park Limited and Remarkables Park Limited
ENV-2021-CHC-53	Wayfare Group Limited (now RealNZ)
ENV-2021-CHC-54	Minaret Station Limited, West Wanaka Station and Aspiring Helicopters Limited and Cattle Flat Station;
ENV-2021-CHC-55	Kā Rūnaka
ENV-2021-CHC-57	Glen Dene Limited and Others
ENV-2021-CHC-62	Chard Farm Limited.

## Appendix 1

Agreed amendments to Chapters 2 (Definitions), 25 (Earthworks),  
27 (Subdivision and Development) and 39 (Wāhi Tūpuna).

## 39 Wāhi Tūpuna

### 39.1 Purpose

The purpose of this chapter is to assist in implementing the strategic direction set out in Chapter 5 Tangata Whenua in relation to providing for the kaitiakitanga of Kāi Tahu<sup>1</sup> as Manawhenua in the district **to protect Manawhenua values**. This is through the identification of wāhi tūpuna areas, and the management of potential threats to Manawhenua values within those areas. In that manner, Manawhenua values can then be more clearly considered in decision making, so as to ensure activities within **identified** wāhi tūpuna areas are appropriately managed.

This chapter implements the strategic direction of Chapter 5 by:

- a. identifying specific wāhi tūpuna areas with an overlay on the District Plan web mapping application;
- b. setting out objectives and policies relating to subdivision, use and development within this overlay
- c. **identifying Manawhenua values that contribute to the identified wāhi tūpuna in Schedule 39.6 being significant**, and
- d. identifying potential threats that **may be incompatible with require assessment in relation to Manawhenua** values for each specific area in Schedule 39.6 to this Plan.

As acknowledged in Chapter 5, Kāi Tahu regard the whole of the district as its ancestral land. Intrinsic values such as whakapapa, rangkātiratanga, kaitiakitanga, mana, and mauri inform their relationship and association with the landscapes of the district. **At a strategic level**, Chapter 5 provides for consideration of these values and engagement of Manawhenua in the implementation of the District Plan **across the district**. **While identified** wāhi tūpuna, including in some urban areas, are components of this broader relationship and set of values, **they have values that are addressed specifically by this chapter**.

### 39.2 Objectives and Policies

#### Objective

- 39.2.1 - **Manawhenua values, within identified wāhi tūpuna areas, are recognised and provided for.**

#### Policies

- 39.2.1.1 Recognise that the following activities may have effects that are incompatible with Manawhenua values where they occur within identified wāhi tūpuna areas;
- a. Mining and mining activities, including gravel extraction;
  - b. Landfills;

<sup>1</sup> In the south of the South Island, the local Māori dialect uses 'k' interchangeably with 'ng'.

## PART 5

## WĀHI TŪPUNA 39

- c. Cemeteries and crematoria;
  - d. Forestry;
  - e. Removal of indigenous vegetation from significant natural areas (SNA); and
  - f. Wastewater treatment plants.
- 39.2.1.2 Recognise that the effects of activities ~~may be incompatible with~~ require assessment in relation to Manawhenua values when that activity is listed as a potential threat within an identified wāhi tūpuna area, as set out in Schedule 39.6.
- 39.2.1.3 Within identified wāhi tūpuna areas:
- a. avoid significant adverse effects on Manawhenua values and avoid, remedy or mitigate other adverse effects on Manawhenua values from subdivision, use and development listed as a potential threat in Schedule 39.6; and
  - b. avoid, remedy or mitigate adverse effects on Manawhenua values from subdivision, use and development within those identified wāhi tūpuna areas in the urban environment where potential threats have not been identified in Schedule 39.6.
- 39.2.1.4 Encourage early consultation with Manawhenua ~~when appropriate to understand as the most appropriate way for obtaining understanding of~~ the effects of any activity on Manawhenua values in an identified wāhi tūpuna area.

### 39.3 Other Provisions and Rules

#### District Wide

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation and Biodiversity
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	38 Open Space and Recreation	District Plan web mapping application

#### 39.3.1 Interpreting and Applying the Rules



## PART 5

## WĀHI TŪPUNA 39

39.3.1.1 The identified wāhi tūpuna areas are shown:

- a. On the District Plan web mapping application as an overlay; and
- b. Listed within Schedule 39.6.

39.3.1.2 Statutory Acknowledgement areas are listed in Chapter 5.8.

39.3.1.3 A glossary of te reo terms can be found in Chapter 2 definitions.

39.3.1.4 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules, otherwise a resource consent will be required.

39.3.1.5 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the Non-Compliance Status column shall apply.

39.3.1.6 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.

39.3.1.7 For restricted discretionary activities, the Council shall restrict the exercise of its discretion to the matters listed in the rule.

39.3.1.8 The following abbreviations are used within this Chapter.

P – Permitted	C – Controlled	RD – Restricted Discretionary
D – Discretionary	NC – Non – Complying	PR - Prohibited

### Advice Notes

39.3.2.1 A resource consent application for an activity within an identified wāhi tūpuna area may require a cultural impact assessment as part of an Assessment of Environment Effects so that any adverse effects that the activity may have on Manawhenua values can be better understood.

## 39.4 Rules – Activities

	Table 39.4 – Activity	Activity Status
	Construction or replacement, or an extension to, a farm building where the new or extended building is all located within 30m of an existing farm building within an identified Wāhi Tūpuna area.	P P

	<b>Table 39.4— Activity</b>	<b>Activity Status</b>
	<p>Construction of a farm building within an identified Wāhi Tūpuna area, other than provided for by Rule 39.4.1:</p> <ul style="list-style-type: none"> <li>a. — where located at an elevation exceeding 400 masl, except in Ōrau (Wāhi Tūpuna 11);</li> <li>b. — in Ōrau (Wāhi Tūpuna 11), where located at an elevation exceeding 600 masl.</li> </ul> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. — Effects on Manawhenua values.</li> </ul>	RD
	<p>Construction of a farm building within an identified Wāhi Tūpuna area modifying a skyline or terrace edge when viewed from a public place within 2 km of the farm building.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. — Effects on Manawhenua values.</li> </ul>	
	<p><b>Any buildings:</b></p> <ul style="list-style-type: none"> <li>a. — within an identified Wāhi Tūpuna area;</li> <li>b. — within the following zones: <ul style="list-style-type: none"> <li>i. — Rural;</li> <li>ii. — Rural Residential and Rural Lifestyle; or</li> <li>iii. — Gibbston Character;</li> </ul> </li> <li>and</li> <li>c. — less than 20m from a wetland, river or lake.</li> </ul> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. — Effects on Manawhenua values.</li> </ul> <p>This rule does not apply to minor upgrading of electricity transmission and distribution or telecommunication lines, except where this involves the addition of new support structures.</p>	

	Table 39.4— Activity	Activity Status
	<p><b>Any buildings:</b></p> <ul style="list-style-type: none"> <li>a. within an identified Wāhi Tūpuna;</li> <li>b. within the following zones: <ul style="list-style-type: none"> <li>i. Wakatipu Basin Rural Amenity; or</li> <li>ii. Open Space and Recreation;</li> </ul> </li> <li>and</li> <li>c. less than 30m from a wetland, river or lake.</li> </ul> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Effects on Manawhenua values.</li> </ul> <p>This rule does not apply to minor upgrading of electricity transmission and distribution or telecommunication lines, except where this involves the addition of new support structures.</p>	RD

#### 39.4 Rules – Activities

	Table 39.4	Activity Status
39.4.1	Farm buildings within an identified wāhi tūpuna area	P
39.4.2	Structures within an identified wāhi tūpuna area	P
39.4.3	Buildings within an identified wāhi tūpuna area	P

#### 39.5 Rules - Standards

	Table 39.5	Non-compliance
	Farm Buildings	
39.5.1	<p><u>Construction or replacement, or an extension to a farm building within an identified wāhi tūpuna area where:</u></p> <p><u>The construction, replacement or extension of a farm building within an identified wāhi tūpuna area is a permitted activity subject to the following standards:</u></p> <p><u>39.5.1.1 When viewed from a public place at a lower elevation and within 2km of the location of the proposed building, the farm building does not</u></p>	RD

	<p><u>modify must not protrude onto a skyline or above a terrace edge; and</u></p> <p>39.5.1.2 <u>The farm building is located at an elevation below 400 masl, except in Ōrau (Wāhi Tūpuna 11); or</u></p> <p>39.5.1.3 <u>The farm building is located at an elevation below 600 masl in Ōrau (Wāhi Tūpuna 11); and or</u></p> <p>39.5.1.4 <u>The farm building is a replacement of or situated entirely within 30m of an existing lawfully established farm building; and</u></p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>• <u>Effects on Manawhenua values.</u></li> </ul>	
	<b>Structures</b>	
39.5.2	<p><b><u>Structures associated with energy and utility activities within identified wāhi tūpuna areas.</u></b></p> <p><u>Any structures associated with energy and utility activities within an identified wāhi tūpuna area is a permitted activity subject to the following standards:</u></p> <p>39.5.2.1 <u>The structure is no greater than 2 meters in height and 5m<sup>2</sup> in area; and</u></p> <p>39.5.2.2 <u>The structure is not located within 20m of the boundary of any wetland or bed of any river or lake within the following zones:</u></p> <p><u>a. Rural;</u>  <u>b. Rural Residential and Rural Lifestyle;</u>  <u>c. Gibbston Character; or</u></p> <p>39.5.2.3 <u>The structure is not located within 30m of the boundary of any wetland or bed of any river or lake within the following zones;</u></p> <p><u>a. Wakatipu Basin Rural Amenity;</u></p>	RD

	<p><u>b. Open Space and Recreation.</u></p> <p><u>Except that:</u></p> <p>a. <u>The following are exempt from Rule 39.5.2:</u></p> <p>i. <u>Minor upgrading of electricity transmission and distribution or telecommunication lines.</u></p> <p>ii. <u>The addition of a single supporting structure within formed legal road, where it is required to provide a customer connection to an existing line.</u></p> <p>iii. <u>New mid-span support structures within formed legal road, where these are required on an existing line to meet the safety clearance requirements of the New Zealand Electrical Code of Practice for Electrical Distances (NZECP34).</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> <li>• <u>Effects on Manawhenua values.</u></li> </ul>	
	<b>Buildings</b>	
39.5.3	<p><u>Any building within an identified wāhi tūpuna area:</u></p> <p><u>Any building within an identified wāhi tūpuna area is a permitted activity subject to the following standards:</u></p> <p><u>39.5.3.1 The building is not located within 20m of the boundary of any wetland, or the bed of any river or lake within the following zones:</u></p> <p style="margin-left: 40px;"><u>a. Rural</u></p> <p style="margin-left: 40px;"><u>b. Rural Residential and Rural Lifestyle;</u></p> <p style="margin-left: 40px;"><u>c. Gibbston Character; or</u></p> <p><u>39.5.3.2 The building is not located within 30m of the boundary of any wetland, or the bed of any river or lake within the following zones:</u></p> <p style="margin-left: 40px;"><u>a. Wakatipu Basin Rural Amenity;</u></p> <p style="margin-left: 40px;"><u>b. Open Space and recreation.</u></p>	RD

	<p><u>These rules shall not apply to:</u></p> <p>a. <u>Minor upgrading of electricity transmission and distribution or telecommunication lines, unless this involves the addition of new support structures.</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> <li>• <u>Effects on Manawhenua values.</u></li> </ul>	
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### 39.5 Non-notification of applications

39.5.1- Any application for resource consent for restricted discretionary activities will not be publicly notified and, for the purpose of limited notification, assessment of affected persons shall be limited to effects on Manawhenua.

### 39.6 Schedule of Wāhi Tūpuna

Number	Name	Description	Manawhenua Values	Potential threats
1	Orokotewhatu (The Neck)	Manuhaea on the eastern side of "The Neck" was a traditional kāika mahika kai and kāika nohoaka. It was renowned for a small lagoon where tuna (eels) were gathered. Weka, kākāpō, kiwi, kea, kākā, kererū and tūi were once gathered in the area and the ancestors of mana whenua grew crop kāuru māra (gardens) of potato and turnip. Te Pī-o-te-kokomaunga (mountain) and Te Uhakati (Sentinel Peak) were also kāika mahika kai where weka, kea, kererū, kākā, kākāpō, where kāuru (cabbage tree root), āruhe (fernroot) and tuna were gathered. Other sites in the area: Orokotewhatu.	Nohoaka, mahika kai, kāika, tūāhu archaeological values, mauka, wāhi tapu.	<ul style="list-style-type: none"> <li>a. Activities affecting water quality</li> <li>b. Earthworks</li> <li>c. Subdivision and development</li> <li>d. Buildings and structures</li> <li>e. Energy and Utility activities</li> </ul>



2	Paetarariki & Timaru  (Slopes and lake margins around southern Lake Hāwea)	Several sites within this area such as Kokotane and Pakituhi were known as rich kāika mahika kai. Kokotane is an old hāpua (lagoon) where pūtakitaki (paradise duck), pārerā (duck sp.) and turnips were gathered. Te Whakapapa is also considered a pā site.  Other sites in the area:  Aupawha, part of Paetarariki (Hāwea River), Paetarariki (island in Lake Hāwea), Te Tawaha o Hāwea, Te Whakapapa, Turakipotiki; Kokotane, Pakituhi, Te Haumatiketike, Timaru  <i>Note: While the mapped wāhi tūpuna does not include the urbanised area of Hāwea due to extensive modification, the area remains highly significant.</i>	Mahika kai, kāika, nohoaka, archaeological values, ara tawhito.	<ul style="list-style-type: none"> <li>a. Activities affecting water quality</li> <li>b. Subdivision and development</li> <li>c. Exotic <b>wilding trees and pest plant</b> species <b>including wilding pines</b></li> <li>d. Earthworks</li> <li>e. New roads or additions/alterations to existing roads, vehicle tracks and driveways</li> <li>f. Buildings and structures,</li> <li>g. Energy and Utility activities</li> <li>h. Activities affecting the ridgeline and upper slopes</li> </ul>
3	Hāwea River (including Camp Hill)	The mapped area was once part of a traditional mahika kai network with Camp Hill often used as a nohoaka (seasonal camping site).	Awa, nohoaka, ara tawhito.	<ul style="list-style-type: none"> <li>a. Commercial and commercial recreational activities</li> <li>b. Activities affecting water quality</li> <li>c. Subdivision and development</li> <li>d. Earthworks</li> <li>e. New roads or additions/alterations to existing roads, vehicle tracks and driveways</li> <li>f. Buildings and structures</li> <li>g. Energy and Utility activities</li> </ul>
4	Turihuka  (Dingle Burn delta and peninsula)	A kāika mahika kai where tuna (eels), koukoupāra (giant kokopu), raupō (bulrush), and weka were gathered.	Mahika kai, kāika.	<ul style="list-style-type: none"> <li>a. Activities affecting water quality</li> <li>b. New roads or additions/alterations to existing roads, vehicle tracks and driveways</li> </ul>

		<p>Turihuka is a Waitaha ancestor and a direct descendant of the Waitaha explorer Rākaihautū who dug the freshwater lakes of Te Waipounamu, including Hāwea, Wānaka and Whakatipu-wai-maori.</p> <p>Other sites in the area: Te Wairere, Turihuka (Dingleburn Lagoon), Turihuka (Silver Island), part of the Whakakea where it flows into the lake</p>		<ul style="list-style-type: none"> <li>c. Buildings and structures</li> <li>d. Energy and Utility activities</li> <li>e. Activities affecting the ridgeline and upper slopes</li> <li>f. Subdivision and development</li> </ul>
5	Te Rua Tūpāpaku (Clutha River near Luggate)	<p>A kāika mahika kai located on the Mata-au (Clutha River) where weka, tuna (eels) and kauru (cabbage tree root) were gathered. It is also recorded as a fortified permanent pā.</p>	<p>Urupā, nohoaka, mahika kai, pā site, wāhi tapu.</p>	<ul style="list-style-type: none"> <li>a. Earthworks</li> <li>b. New roads or additions/alterations to existing roads, vehicle tracks and driveways</li> <li>c. Subdivision and development</li> <li>d. Buildings and structures</li> <li>e. Energy and Utility activities</li> <li>f. Activities affecting the ridgeline and upper slopes</li> <li>g. Commercial and commercial recreational activities</li> </ul>
6	Makarore & Tiore Pātea (Makarora River and northern surrounds of Lake Wānaka)	<p>An area rich with kāika mahika kai where pora ("Māori turnip"), kāuru (cabbage tree root), aruhe (bracken fernroot), weka, kiwi, kākāpō, kea, kererū, kākā, and tuna (eel) were gathered.</p> <p>Other sites in the area: Ōtanenui where it flows into the lake, Ōtūraki, part of Purapatea, Tau Taraiti, part of Te Awa Kāwhio, Te Paekāi, Te Pari Kōau, Te Poutu te Raki.</p>	<p>Pounamu, kāika, ara tawhito, mahika kai, archaeological values.</p>	<ul style="list-style-type: none"> <li>a. Gravel extraction</li> <li>b. Earthworks</li> <li>c. Commercial and commercial recreational activities</li> <li>d. Activities affecting water quality</li> <li>e. Subdivision and development</li> <li>f. Buildings and structures</li> <li>g. Energy and Utility activities</li> <li>h. Activities affecting the ridgeline and upper slopes</li> <li>i. Exotic <b>wilding trees and pest plant species including wilding pines</b></li> </ul>



7	Area surrounding Te Poutu Te Raki  (Matukituki River delta, Glendhu Bay and surrounds)	A kaika mahika kai where tuna (eels), kāuru (cabbage tree root), weka, kākāpō and aruhe (bracken fernroot) were gathered.  Other sites in the area:  Kotorepi, the Matakītaki where it flows into the lake, Motatapu where it flows into the lake, O Te Kooti Kako, Tākiri Puke, Taneauroa, Te Kahika, Toka Hapuku, Whakai-taki-a-o-ho.	Urupā, kāika, mahika kai, nohoaka, archaeological values.	<ul style="list-style-type: none"> <li>a. Activities affecting water quality</li> <li>b. Earthworks</li> <li>c. Buildings and structures</li> <li>d. Energy and Utility activities</li> <li>e. Activities affecting the ridgeline and upper slopes</li> <li>f. Subdivision and development</li> </ul>
8	Mou Waho	Mou Waho was once part of traditional mahika kai trails.	Wāhi taoka, mahika kai.	<ul style="list-style-type: none"> <li>a. Earthworks</li> <li>b. Exotic <b>wilding trees and pest plant</b> species <b>including wilding pines</b></li> <li>c. Commercial and commercial recreational activities</li> </ul>
9	Mou Tapu	The Island of Mou Tapu was traditionally considered tapu and was avoided for that reason. Kāi Tahu today continue to respect these restrictions.	Wāhi tapu.	<ul style="list-style-type: none"> <li>a. Earthworks</li> <li>b. Exotic <b>wilding trees and pest plant</b> species <b>including wilding pines</b></li> <li>c. Commercial and commercial recreational activities</li> </ul>
10	Waiariki/Stevensons Island	Waiariki is the traditional name for Stevensons Arm whilst Pōkainamu and Te Pekakārara are traditional names for Stevensons Island, portraying the long history and association of Kāi Tahu with Otago.  Other sites in the area:  Pokainamu/Te Peka Karara.	Wāhi taoka.	<ul style="list-style-type: none"> <li>a. Earthworks</li> <li>b. Exotic <b>wilding trees and pest plant</b> species <b>including wilding pines</b></li> <li>c. Commercial and commercial recreational activities</li> </ul>
10a	Take Kārara - central Wānaka area	Take Kārara is a kāika nohoaka (seasonal settlement) at the southern end of Lake Wānaka. It is also a pā and a kāika mahika kai	Kāika, mahika kai, ara tawhito, nohoaka.	Due to its extensive level of modification, there are no potential threats listed for this wāhi tūpuna and the rules specific to wāhi tūpuna do not apply. However, this

		<p>(food-gathering site), where pora (“Māori turnip”), mahetau, tuna (eels), and weka were once gathered.</p> <p>Other sites in the area:</p> <p>Take Kārara, Toka Karoro, Tewaiatakaia, Karuroro.</p>		wāhi tūpuna remains significant to Manawhenua and cultural values may be considered relevant to assessment of discretionary and non-complying activities.
11	Ōrau (Cardrona River)	<p>A traditional ara tawhito linking Whakatipu Waimāori (Lake Wakatipu) with lakes Wānaka and Hāwea. It also provided access to the natural bridge on the Kawarau River. Ōrau is also recorded as a kāika mahika kai where tuna (eels), pora (‘Māori turnip’), āruhe (fernroot) and weka were gathered.</p>	Mahika kai, ara tawhito, nohoaka.	<ul style="list-style-type: none"> <li>a. Earthworks</li> <li>b. Subdivision and development</li> <li>c. Activities affecting water quality</li> <li>d. Commercial and commercial recreational activities</li> </ul>
12	Te Koroka (Cosmos Peaks to Mount Earnslaw)	<p>Te Koroka is a renowned area for gathering pounamu. Numerous pounamu artefacts and remains of several kāika nohoaka (seasonal settlements) have also been discovered in the area at the head of Whakatipu Waimāori.</p> <p>Other sites in the area:</p> <p>Part of Te Awa Whakatipu, Te Koroka.</p>	Pounamu, wāhi tapu.	<ul style="list-style-type: none"> <li>a. Exotic <b>wilding trees and pest plant species including wilding pines</b></li> </ul>
13	Ōturu (Diamond Lake, Mount Alfred and surrounds)	<p>Ōturu tells the story of Waitaha tupuna (ancestor) Turu who is immortalised as the Lake, now known as Diamond Lake. Turu’s pōua (grandfather), Ari, was also immortalised in the nearby mountain, commonly known as Mount Alfred. Thus, the Lake is considered</p>	Nohoaka, mahika kai, pounamu, kāika, archaeological values, wāhi taoka.	<ul style="list-style-type: none"> <li>a. Activities affecting water quality</li> <li>b. Subdivision and development</li> <li>c. Earthworks</li> <li>d. Energy and Utility activities</li> <li>e. Buildings and structures</li> <li>f. Commercial and commercial recreational activities</li> </ul>

		<p>wāhi taoka, a place which reflects the rich and long history of Kāi Tahu association with Otago.</p> <p>Other sites in the area:</p> <p>Part of Puahiri/Puahere, part of Te Awa Whakatipu, Te Komarama, Te Puia.</p>		
14	Tāhuna (Glenorchy and surrounds)	<p>Several sites in the area possess traditional place names such as Puahiri (Rees River) and Tāhuna (the area around the wharf at Glenorchy). Te Awa Whakatipu (Dart River) was part of the well-known travel route connecting Whakatipu Waimāori with Whakatipu Waitai (Martins Bay) which was one of the largest Kāi Tahu kāika in South Westland. Numerous pounamu artefacts and the remains of several kāika nohoaka have also been discovered in the area.</p> <p>Other sites in the area:</p> <p>Part of Te Awa Whakatipu, Tōtara-ka-wa-wa.</p>	Nohoaka, mahika kai, pounamu, kāika, ara tawhito, wāhi taoka.	<ul style="list-style-type: none"> <li>a. Activities affecting water quality</li> <li>b. Subdivision and development</li> <li>c. Earthworks</li> <li>d. Buildings and structures</li> <li>e. Energy and Utility activities</li> <li>f. Activities affecting the ridgeline and upper slopes</li> <li>g. Quarrying</li> <li>h. Exotic <b>wilding trees and pest plant</b> species <b>including wilding pines</b></li> <li>i. Commercial and commercial recreational activities</li> </ul>
15	Wāwāhi Waka (Pigeon and Pig Islands)	<p>A wāhi taoka, Wāwāhi Waka refers to Ngāti Māmoe splitting large tōtara trees on the island for making waka. These pūrakau demonstrate the long and rich association of Kāi Tahu in the area.</p> <p>Other sites in the area:</p> <p>Mātau</p>	Nohoaka, tauraka waka, mahika kai, wāhi taoka.	<ul style="list-style-type: none"> <li>a. Activities affecting water quality</li> <li>b. Earthworks</li> <li>c. Exotic <b>wilding trees and pest plant</b> species <b>including wilding pines</b></li> <li>d. Commercial and commercial recreational activities</li> </ul>

15a	Tāhuna (Central Queenstown)	This is the traditional name for the flat at Queenstown. It is also the area where a kāika (permanent settlement) once stood.	Nohoaka, tauraka waka, mahika kai, kāika, ara tawhito, archaeological values.	Due to its extensive level of modification, there are no potential threats listed for this wāhi tūpuna and the rules specific to wāhi tūpuna do not apply. However, this wāhi tūpuna remains significant to manawhenua and cultural values may be considered relevant to assessment of discretionary and non-complying activities.
15b	Te Kirikiri (Urban Frankton)	Te Kirikiri is the traditional name for the flat land at Frankton on the banks of Whakatipu-wai-Māori and is also where a kāika (permanent settlement) of the same name once stood.	Nohoaka, tauraka waka, mahika kai, kāika, ara tawhito, archaeological values.	Due to its extensive level of modification, there are no potential threats listed for this wāhi tūpuna and the rules specific to wāhi tūpuna do not apply. However, this wāhi tūpuna remains significant to manawhenua and cultural values may be considered relevant to assessment of discretionary and non-complying activities.
16	Punatapu (Bobs Cove and surrounds)	Punatapu was used as a nohoaka or staging post for mana whenua ancestors who travelled up and down Whakatipu Waimāori (Lake Wakatipu).	Tauraka waka, nohoaka, archaeological values, wāhi tapu.	<ul style="list-style-type: none"> <li>a. Earthworks</li> <li>b. Subdivision and development</li> <li>c. Buildings and structures</li> <li>d. Energy and Utility activities</li> </ul>
17	Kimiākau (Māori Point on the Shotover River)	This mapped area covers Māori Point which is the exact location where gold miner Rāniera Tāheke Ellison of Te Āti Awa descent discovered 300 ounces of gold on Kimiākau (Shotover River) during the 1860s Otago gold rush. Kimiākau was also part of the extensive network of kāika mahika kai (food-gathering places) and traditional ara tawhito (travel routes) throughout Central Otago. Thus, the area has both traditional	Ara tawhito, mahika kai, nohoaka.	<ul style="list-style-type: none"> <li>a. Earthworks</li> <li>b. Activities affecting natural character</li> <li>c. Activities affecting the ridgeline and upper slopes</li> <li>d. Buildings and structures</li> <li>e. Subdivision and development</li> <li>f. Energy and Utility activities</li> <li>g. Exotic <b>wilding trees and pest plant</b> species including <b>wilding pines</b></li> </ul>

## PART 5

## WĀHI TŪPUNA 39

		and contemporary significance to mana whenua.		
18	Te Kararo (Queenstown Gardens)	The site of a kāika (permanent settlement) is in the vicinity of this area.	Tauraka waka, kāika, archaeological values.	<ul style="list-style-type: none"> <li>a. Subdivision and development</li> <li>b. Earthworks</li> <li>c. Activities affecting natural character</li> <li>d. Energy and Utility activities</li> </ul>
19	Te Nuku-o-Hakitekura (Kelvin Heights Golf Course)	This area is related to the feats of Hakitekura, the famous Kāti Māmoe woman who was the first person to swim across Whakatipu Waimāori. Several other nearby geographical features are named after Hakitekura and this historic event.	Wāhi taoka.	<ul style="list-style-type: none"> <li>a. Earthworks</li> <li>b. Exotic <b>wilding trees and pest plant</b> species <b>including wilding pines</b></li> <li>c. Buildings and structures</li> <li>d. Energy and Utility activities</li> <li>e. subdivision and development</li> </ul>
20	Te Tapunui (Queenstown Hill)	Inherent in its name, Te Tapunui is a place considered sacred to Kāi Tahu both traditionally and in the present.	Wāhi taoka, wāhi tapu.	<ul style="list-style-type: none"> <li>a. Earthworks</li> <li>b. Exotic <b>wilding trees and pest plant</b> species <b>including wilding pines</b></li> <li>c. Buildings and structures</li> <li>d. Energy and Utility activities</li> <li>e. Subdivision and development</li> <li>f. Activities affecting the ridgeline and upper slopes</li> </ul>
21	Tititea (South of Kawarau River near Kawarau Falls)	Tititea was a pā located on the south side of the Kawarau River near Whakatipu-wai-Māori. Kāi Tahu tradition tells of an incident where a 280 strong war party was repelled from this area and chased to the top of the Crown Range, which is now named Tititea in memory of this incident (Beattie, 1945).	Kāika, tauraka waka.	<ul style="list-style-type: none"> <li>a. Earthworks</li> <li>b. Subdivision and development</li> <li>c. Buildings and structures</li> <li>d. Energy and Utility activities</li> <li>e. New roads or additions/alterations to existing roads, vehicle tracks and driveways</li> </ul>
22	Kā Kamu a Hakitekura	Kā Kamu-a-Hakitekura, meaning “The Twinkling Seen by Hakitekura”, are the	Mauka, wāhi tapu.	<ul style="list-style-type: none"> <li>a. Earthworks</li> <li>b. Subdivision and development</li> <li>c. Buildings and structures</li> </ul>

	(Walter Peak and Cecil Peak)	<p>two mountain peaks on the southern shore of Whakatipu Waimāori known today as Walter Peak and Cecil Peak. The name is derived from Hakitekura, the famous Kāti Māmoe woman who was the first person to swim across the Lake. When she swam across the Lake with her bundle of kauati (kindling stick) and harakeke (flax), she was guided by the two mountain peaks whose tops were twinkling like two eyes in the dawning light.</p> <p>Other sites in the area:</p> <p>Te Ahi o Hakitekura</p>		<p>d. Energy and Utility activities</p> <p>e. Exotic <b>wilding trees and pest plant</b> species <b>including wilding pines</b></p> <p>f. Activities affecting the ridgeline and upper slopes</p> <p>g. Activities affecting natural character</p>
23	Takerehaka (Kingston)	<p>Takerehaka, now the site of the Kingston settlement was also the location of a former kāika (permanent settlement/occupation site).</p>	Kāika, mahika kai, archaeological values.	<p>a. Activities affecting water quality</p> <p>b. Subdivision and development</p> <p>c. Buildings and structures</p> <p>d. Energy and Utility activities</p> <p>e. Exotic <b>wilding trees and pest plant</b> species <b>including wilding pines</b></p>
24	Kawarau River	<p>The Kawarau River was a traditional travel route that provided direct access between Whakatipu Waimāori (Lake Whakatipu) and Mata-au (the Clutha River). It is also recorded as a kāika mahika kai where weka, kākāpō, kea and tuna (eel) were gathered.</p> <p>Potiki-whata-rumaki-nao is the name for the former natural bridge over the Kawarau, which was a major crossing point.</p>	Ara tawhito, mahika kai, nohoaka, archaeological values.	<p>a. New roads or additions/alterations to existing roads, vehicle tracks and driveways</p> <p>b. Buildings and structures</p> <p>c. Earthworks</p> <p>d. Subdivision and development</p> <p>e. Damming, activities affecting water quality</p> <p>f. Exotic <b>wilding trees and pest plant</b> species <b>including wilding pines</b></p> <p>g. Commercial and commercial recreational activities <b>excluding those associated with viticulture related tourism.</b></p>



		Other sites in the area:  Te Wai o Koroiko, Ōterotu - Ōterotu is the traditional Māori name for the Kawarau Falls. Ōterotu is located at the outlet of Whakatipu-wai-māori.		
25	Tarahaka Whakatipu (Harris Saddle)	Tarahaka-Whakatipu (Harris Saddle) was part of the traditional travel route linking Whakatipu Waimāori (Lake Wakatipu) with Whakatipu Waitai (Martins Bay).	Ara Tawhito, pounamu, nohoaka.	<ul style="list-style-type: none"> <li>a. Activities affecting the ridgeline and upper slopes</li> <li>b. Exotic <b>wilding trees and pest plant</b> species <b>including wilding pines</b></li> <li>c. Activities affecting natural character</li> <li>d. Buildings and structures</li> <li>e. Energy and Utility activities</li> </ul>
26	Wye Creek	There is a nohoaka (seasonal settlement) in the area that bears both traditional and contemporary significance to Kāi Tahu.	Mahika kai, nohoaka, wāhi taoka, archaeological values.	<ul style="list-style-type: none"> <li>a. Subdivision and development</li> <li>b. Energy and Utility activities</li> <li>c. Buildings and structures</li> <li>d. Earthworks</li> <li>e. Exotic <b>wilding trees and pest plant</b> species <b>including wilding pines</b></li> <li>f. Commercial and commercial recreational activities</li> </ul>
27	Te Taumata o Hakitekura (Ben Lomond)	Te Taumata-o-Hakitekura is the Māori name for Ben Lomond and Fernhill, located at Whakatipu Waimāori (Lake Wakatipu). This is also an area related to Hakitekura, the Kāti Māmoe woman who was the first person to swim across Whakatipu Waimāori. The mountains that she would look across the lake to were named Te Taumata-aHakitekura meaning 'The Resting Place of Hakitekura'.	Wāhi taoka, wāhi tapu.	<ul style="list-style-type: none"> <li>a. Exotic <b>wilding trees and pest plant</b> species <b>including wilding pines</b></li> <li>b. Buildings and structures, utilities</li> <li>c. New roads or additions/alterations to existing roads, vehicle tracks and driveways</li> <li>d. Activities affecting the ridgeline and upper slopes</li> </ul>
28	Haehaenui (Arrow River)	Haehaenui (Arrow River) was part of the mahika kai network in the area. Mana	Ara tawhito, mahika kai, nohoaka.	<ul style="list-style-type: none"> <li>a. Damming, activities affecting water quality</li> <li>b. Buildings and structures</li> </ul>

		whenua travelled through these catchments to gather kai.		<ul style="list-style-type: none"> <li>c. Energy and Utility activities</li> <li>d. Subdivision and development</li> <li>e. Earthworks</li> <li>f. Commercial and commercial recreational activities</li> </ul>
29	Kimiākau (Shotover River)	<p>Kimiākau (Shotover River) was part of the extensive network of kāika mahika kai (food-gathering places) and traditional travel routes throughout Central Otago.</p> <p>Other sites in the area: Puahuru</p>	Ara tawhito, mahika kai, nohoaka.	<ul style="list-style-type: none"> <li>a. Damming, activities affecting water quality</li> <li>b. Buildings and structures</li> <li>c. Energy and Utility activities</li> <li>d. Subdivision and development</li> <li>e. Earthworks</li> <li>f. Exotic <b>wilding trees and pest plant</b> species <b>including wilding pines</b></li> <li>g. Commercial and commercial recreational activities</li> </ul>
30	Makarore (Makarora River)	<p>This area is rich with mahika kai sites where kai such as weka, kākāpō, kauru, āruhe and tuna (eel) were gathered.</p> <p>Other sites in the area: Te Poutu Te Raki, Te Pari Kōau, Pōkeka Weka, Te Whare Manu, Waitoto, Te Whiti o Te Wahine</p>	Ara tawhito, mahika kai, nohoaka.	<ul style="list-style-type: none"> <li>a. Damming, activities affecting water quality</li> <li>b. Buildings and structures</li> <li>c. Energy and Utility activities</li> <li>d. Subdivision and development</li> <li>e. Earthworks</li> <li>f. Commercial and commercial recreational activities</li> </ul>
31	Mātakitaki (Matukituki River)	Mātakitaki is recorded as a kāika mahika kai where tuna (eels), kāuru and āruhe were gathered.	Ara tawhito, mahika kai, nohoaka.	<ul style="list-style-type: none"> <li>a. Damming, activities affecting water quality</li> <li>b. Buildings and structures, utilities</li> <li>c. Subdivision and development</li> <li>d. Earthworks</li> <li>e. Commercial and commercial recreational activities</li> </ul>
32	Mata-Au (Clutha River)	The Mata-au river takes its name from a Kāi Tahu whakapapa that traces the genealogy of water. On that basis, the Mata-au is seen as a descendant of the creation traditions. The Mata-au was also part of a	Ara tawhito, mahika kai, nohoaka, <b>wāhi taoka.</b>	<ul style="list-style-type: none"> <li>a. Damming, activities affecting water quality</li> <li>b. Buildings and structures, utilities</li> <li>c. Subdivision and development</li> <li>d. Earthworks</li> <li>e. Commercial and commercial recreational activities</li> </ul>



		<p>mahika kai trail that led inland and was used by Ōtākou hapū including Ngāti Kurī, Ngāti Ruahikihiki, Ngāti Huirapa and Ngāi Tuahuriri. It was also a key transportation route for pounamu from inland areas to settlements on the coast. The Mata-au continues to hold the same traditional values of ara tawhito, tauraka waka, wāhi mahika kai and tikaka. It also has Statutory Acknowledgement status under the Ngāi Tahu Claims Settlement Act 1998.</p> <p>Other sites in the area:</p> <p>Kahuika, Okai Tū, Te Rua Tūpāpaku</p>		
33	Whakātipu-wai-Māori (Lake Wakātipu)	<p>The name Whakātipu-waimāori originates from the earliest expedition of discovery made many generations ago by the tupuna Rākaihautū and his party from the Uruao waka. In tradition, Rākaihoutū dug the lakes with his kō known Tūwhakarōria. The Lake is key in numerous Kāi Tahu pūrakau (stories) and has a deep spiritual significance for mana whenua. For generations, the Lake also supported nohoaka, kāika, mahika kai as well as transportation routes for pounamu. The knowledge of these associations hold the same value for Kāi Tahu to this day. It also</p>	Wāhi taoka, mahika kai, ara tawhito.	<ol style="list-style-type: none"> <li>Damming, activities affecting water quality</li> <li>Buildings and structures, utilities</li> <li>Earthworks</li> <li>Subdivision and development</li> <li>New roads or additions/alterations to existing roads, vehicle tracks and driveways</li> <li>Commercial and commercial recreational activities</li> </ol>

		has Statutory Acknowledgement status under the Ngāi Tahu Claims Settlement Act 1998.		
34	Wānaka (Lake Wānaka)	<p>Wānaka is one of the lakes referred to in the tradition of “Ngā Puna Wai Karikari o Rākaihautū which tells how the principal lakes of Te Wai Pounamu were dug by the rangatira (chief) Rākaihautū. Through these pūrakau (stories), Wānaka holds a deep spiritual significance both traditionally and for Kāi Tahu at present. It was also a wāhi mahika kai rich with tuna (eel) which were caught, preserved, and transported back to the kāika nohoaka of coastal Otago. The knowledge of whakapapa, traditional trails, tauraka waka, mahika kai and other taoka associated with Lake Wānaka remain important to Kāi Tahu today. Lake Wānaka also has Statutory Acknowledgement status under the Ngāi Tahu Claims Settlement Act 1998.</p> <p>Other sites in the area:</p> <p>Waiariki (Stephensons Arm), Te Waikākāhi</p>	Wāhi taoka, mahika kai, ara tawhito.	<ul style="list-style-type: none"> <li>a. Damming, activities affecting water quality</li> <li>b. Buildings and structures</li> <li>c. Energy and Utility activities</li> <li>d. Earthworks</li> <li>e. Subdivision and development</li> <li>f. New roads or additions/alterations to existing roads, vehicle tracks and driveways</li> <li>g. Commercial and commercial recreational activities</li> </ul>
35	Hāwea (Lake Hāwea)	<p>Hāwea is one of the lakes referred to in the tradition of “Ngā Puna Wai Karikari o Rākaihautū which tells how the principal lakes of Te Wai Pounamu were dug by the rangatira (chief)</p>	Wāhi taoka, mahika kai, ara tawhito.	<ul style="list-style-type: none"> <li>a. Damming, activities affecting water quality</li> <li>b. Buildings and structures</li> <li>c. Energy and Utility activities</li> <li>d. Earthworks</li> <li>e. Subdivision and development</li> </ul>

		Rākaihautū. The pūrakau (stories) associated with Lake Hāwea continue to hold spiritual significance for Kāi Tahu today. The Lake was traditionally considered rich with tuna (eel) that were caught, preserved, and transported to kāika nohoaka of coastal Otago. The knowledge of whakapapa, traditional trails, tauraka waka, mahika kai and other taoka associated with Lake Hāwea remain important to Kāi Tahu today. It also has Statutory Acknowledgement status under the Ngāi Tahu Claims Settlement Act 1998.		<ul style="list-style-type: none"> <li>f. New roads or additions/alterations to existing roads, vehicle tracks and driveways</li> <li>g. Commercial and commercial recreational activities</li> </ul>
36	Kawarau (The Remarkables)	Kawarau is the traditional name for the Remarkables. As one of the highest and most prominent ranges overlooking Whakatipu-wai-Māori, closeness to the Ātua gives significance to Kawarau.	Wāhi taoka, mauka.	<ul style="list-style-type: none"> <li>a. Exotic <b>wilding trees and pest plant</b> species <b>including wilding pines</b></li> <li>b. Buildings and structures</li> <li>c. Energy and Utility activities</li> <li>d. New roads or additions/alterations to existing roads, vehicle tracks and driveways</li> <li>e. Activities affecting the ridgeline and upper slopes</li> <li>f. Earthworks</li> <li>g. Subdivision and development</li> <li>h. Activities affecting natural character</li> </ul>
37	Lake Wānaka (Ruby Island Road) (Nohoaka)	This is a contemporary nohoaka provided as redress under the Ngāi Tahu Claims Settlements Act 1998. Contemporary nohoaka sites were selected because they were Crown land adjacent or near lake shores or river beds.	Nohoaka.	<ul style="list-style-type: none"> <li>a. Access to site, lake and creeks</li> <li>b. Adjacent activities that are incompatible with Kāi Tahu use and enjoyment of the site</li> </ul>

		Nohoaka provide camping sites to support traditional mahika kai activities.		
38	Wye Creek (Lake Wakatipu) (Nohoaka)	This is a contemporary nohoaka provided as redress under the Ngāi Tahu Claims Settlements Act 1998. Contemporary nohoaka sites were selected because they were Crown land adjacent or near lake shores or river beds. Nohoaka provide camping sites to support traditional mahika kai activities.	Nohoaka.	<ul style="list-style-type: none"> <li>a. Access to site, lake and creeks</li> <li>b. Adjacent activities that are incompatible with Kāi Tahu use and enjoyment of the site</li> </ul>
39	Tucker Beach (Nohoaka)	This is a contemporary nohoaka provided as redress under the Ngāi Tahu Claims Settlements Act 1998. Contemporary nohoaka sites were selected because they were Crown land adjacent or near lake shores or river beds. Nohoaka provide camping sites to support traditional mahika kai activities.	Nohoaka.	<ul style="list-style-type: none"> <li>a. Access to site, lake and creeks</li> <li>b. Adjacent activities that are incompatible with Kāi Tahu use and enjoyment of the site</li> </ul>
40	Māori Point (Nohoaka)	This is a contemporary nohoaka provided as redress under the Ngāi Tahu Claims Settlements Act 1998. Contemporary nohoaka sites were selected because they were Crown land adjacent or near lake shores or river beds. Nohoaka provide camping sites to support traditional mahika kai activities.	Nohoaka.	<ul style="list-style-type: none"> <li>a. Access to site, lake and creeks</li> <li>b. Adjacent activities that are incompatible with Kāi Tahu use and enjoyment of the site</li> </ul>
41	Lake Wānaka (Dublin Bay) (Nohoaka)	This is a contemporary nohoaka provided as redress under the Ngāi Tahu Claims	Nohoaka.	<ul style="list-style-type: none"> <li>a. Access to site, lake and creeks</li> <li>b. Adjacent activities that are incompatible with</li> </ul>

		Settlements Act 1998. Contemporary nohoaka sites were selected because they were Crown land adjacent or near lake shores or river beds. Nohoaka provide camping sites to support traditional mahika kai activities.		Kāi Tahu use and enjoyment of the site
42	Albert Town (Nohoaka)	This is a contemporary nohoaka provided as redress under the Ngāi Tahu Claims Settlements Act 1998. Contemporary nohoaka sites were selected because they were Crown land adjacent or near lake shores or river beds. Nohoaka provide camping sites to support traditional mahika kai activities.	Nohoaka.	<ul style="list-style-type: none"> <li>a. Access to site, lake and creeks</li> <li>b. Adjacent activities that are incompatible with Kāi Tahu use and enjoyment of the site</li> </ul>
43	Lake Hāwea Camp Ground (Nohoaka)	This is a contemporary nohoaka provided as redress under the Ngāi Tahu Claims Settlements Act 1998. Contemporary nohoaka sites were selected because they were Crown land adjacent or near lake shores or river beds. Nohoaka provide camping sites to support traditional mahika kai activities.	Nohoaka.	<ul style="list-style-type: none"> <li>a. Access to site, lake and creeks</li> <li>b. Adjacent activities that are incompatible with Kāi Tahu use and enjoyment of the site</li> </ul>
44	Lake Hāwea – Timaru Creek (Nohoaka)	This is a contemporary nohoaka provided as redress under the Ngāi Tahu Claims Settlements Act 1998. Contemporary nohoaka sites were selected because they were Crown land adjacent or near lake shores or river beds. Nohoaka provide camping sites to	Nohoaka.	<ul style="list-style-type: none"> <li>a. Access to site, lake and creeks</li> <li>b. Adjacent activities that are incompatible with Kāi Tahu use and enjoyment of the site</li> </ul>

**PART 5**

**WĀHI TŪPUNA 39**

		support traditional mahika kai activities.		
45	Lake Hāwea (Bushy Point) (Nohoaka)	This is a contemporary nohoaka provided as redress under the Ngāi Tahu Claims Settlements Act 1998. Contemporary nohoaka sites were selected because they were Crown land adjacent or near lake shores or river beds. Nohoaka provide camping sites to support traditional mahika kai activities.	Nohoaka.	<ul style="list-style-type: none"> <li>a. Access to site, lake and creeks</li> <li>b. Adjacent activities that are incompatible with Kāi Tahu use and enjoyment of the site</li> </ul>

## 25.5 Rules – Standards

	Table 25.2 - Maximum Volume	Maximum Total Volume
	...	
<b>25.5.7</b>	<p>25.5.7.1 Roads</p> <p>25.5.7.2 Roads located within an Outstanding Natural Feature identified on the District Plan web mapping application; and</p> <p>25.5.7.3 Roads located within <b>identified</b> Wāhi Tūpuna areas outside the urban environment where roads have been identified as a potential threat to Manawhenua values (see Schedule 39.6)</p> <p>25.5.7.4 Rule 25.5.7.3 does not apply to earthworks for the operation, repair and maintenance of the existing formed roading network.</p>	<p>a. No limit</p> <p>b. 10m<sup>3</sup></p> <p>c. 10m<sup>3</sup></p>
	...	
<b>25.5.10A</b>	<p>25.5.10A.1 The following Wāhi Tūpuna areas as identified in Schedule 39.6: Te Rua Tūpāpaku (Wāhi Tūpuna 5), Mou Tapu (Wāhi Tūpuna 9), Te Koroka (Wāhi Tūpuna 12), Punatapu (Wāhi Tūpuna 16), Te Tapunui (Wāhi Tūpuna 20), Kā Kamu a Hakitekura (Wāhi Tūpuna 22), and Te Taumata o Hakitekura (Wāhi Tūpuna 27).</p> <p>25.5.10A.2 Wāhi Tūpuna areas as identified in Schedule 39.6 but not listed in 25.5.10A.1, where earthworks:</p> <ol style="list-style-type: none"> <li>are located within 20m of the <b>boundary of any wetland, bed of any river or lake;</b></li> <li>are located at an elevation exceeding 400 masl, except within Ōrau (Wāhi Tūpuna 11);</li> <li>within Ōrau (Wāhi Tūpuna 11), are located at an elevation exceeding 600 masl; or</li> <li>modify <b>the profile of</b> a skyline or terrace edge when viewed from <b>lower elevations of</b> a public place within 2 kilometres.</li> </ol>	10m <sup>3</sup>

	Table 25.2 - Maximum Volume	Maximum Total Volume
	<p>Except that:</p> <ul style="list-style-type: none"> <li>a. The following are exempt from Rule 25.5.10A.1 and Rule 25.5.10A.2: <ul style="list-style-type: none"> <li>i. Earthworks located in the urban environment.</li> <li>ii. Earthworks for the minor upgrading of underground electricity cables or overhead lines, except where this involves the addition of new support structures.</li> <li>iii. Earthworks required for the planting of indigenous species.</li> <li>iv. Earthworks for trails below 750 masl where the maximum depth of cut or maximum height of fill does not exceed 1.5m, and the earthworks over a contiguous area of land do not exceed 2,500m<sup>2</sup> at any one time.</li> </ul> </li> <li>b. The following are exempt from Rule 25.5.10A.2.b and 25.5.10A.2.c: <ul style="list-style-type: none"> <li>i. Earthworks as part of farming activity for the digging of silage pits, composting of vegetative matter or the clearance of drains.</li> <li>ii. More than one earthworks activity not exceeding the maximum volume of 10m<sup>3</sup> may be undertaken on the same site within any consecutive 12 month period, provided that each earthworks activity is located at least 400m from any other earthworks activity subject to 25.5.10A.2.b and 25.5.10A.2.c: (as otherwise applicable).</li> </ul> </li> </ul>	

## 25.6 Non-Notification of Applications

- 25.6.1 All applications for resource consent under Rule 25.5.11 for restricted discretionary activities that exceed the area (m<sup>2</sup>) standard shall not require the written consent of other persons and shall not be notified or limited notified.
- 25.6.2 All applications for resource consent for restricted discretionary activities under Rule 25.4 within the Queenstown Town Centre Zone shall not be publically notified but notice will be served on those persons considered to be adversely affected if those persons have not given their written approval.
- 25.6.3 Any application for resource consent under Rule 25.5.7.3 or 25.5.10A for restricted discretionary activities will not be publicly notified and for the purpose of limited notification, assessment of affected persons shall be limited to effects on Manawhenua.



## 25.7 Matters of Discretion

25.7.1 For all restricted discretionary activities except in relation to Rule 25.5.7.3 and 25.5.10A discretion shall be restricted to the following matters. These matters may also be applicable to any discretionary or non-complying activity.

- 25.7.1.1 Soil erosion, generation and run-off of sediment.
- 25.7.1.2 Landscape and visual amenity values.
- 25.7.1.3 Effects on infrastructure, adjacent sites and public roads.
- 25.7.1.4 Land stability.
- 25.7.1.5 Effects on water bodies, ecosystem services and biodiversity.
- 25.7.1.6 Cultural, heritage and archaeological sites.
- 25.7.1.7 Nuisance effects.
- 25.7.1.8 Natural Hazards.
- 25.7.1.9 Functional aspects and positive effects.

25.7.2 For any restricted discretionary activities resource consent for non-compliance with in relation to Rule 25.5.7.3 and 25.5.10A discretion shall be restricted to:

25.7.10 Functional aspects and positive effects; and

25.7.11 Manawhenua values within identified wāhi tūpuna areas.

## 25.8 Assessment Matters

...

25.8.11 Manawhenua values within identified wāhi tūpuna areas:

25.8.11.1 The extent earthworks avoid, remedy or mitigate adverse effects on the Manawhenua values identified in schedule 39.6, including but not limited to the below matters where they are relevant to an identified manawhenua value:

- a. Whether the design of earthworks is sympathetic to natural topography;
- b. Whether any rehabilitation is proposed and to what extent rehabilitation, revegetation or future buildings would mitigate adverse effects, including any re-vegetation or landscaping;
- c. The effectiveness of sediment control techniques to ensure sediment run-off does not leave the development site or enter water bodies;

- d. The extent to which the activity affects Ngāi Tahu's cultural, spiritual, historic and traditional association with a Statutory Acknowledgment Area having regard to the relevant provisions of the iwi management plans identified in Advice Note 25.3.4.3.
- e. The potential for cumulative effects on the natural form of the landscape
- f. Whether and to what extent earthworks avoid, remedy or mitigate adverse effects or improve landscape quality and character, taking into account:
  - i. physical attributes including geological, topographical features, waterbodies and formative processes of the landscape;
  - ii. visual attributes including legibility, existing land management patterns, vegetation patterns, ridgelines or visually prominent areas; and
  - iii. cultural attributes including manawhenua values, historic and heritage associations.
- g. The extent earthworks will affect visual amenity values including public or private views and whether the earthworks will be remediated, and the final form of the area affected is consistent with natural topography and land use patterns.
- h. The effects of earthworks on the natural character, ecosystem services and biodiversity values of wetlands, lakes and rivers and their margins.
- i. Whether the proposal is supported with erosion and sediment management design that corresponds to the scale, area, duration of the works and the sensitivity of receiving environment.
- j. The extent to which the activity modifies or damages wāhi tapu or wāhi taoka and the extent to which the mauri is protected.
- k. The extent to which a protocol for the accidental discovery of kōiwi, archaeology and artefacts of Māori origin or other archaeological items is provided to manage the impact on Mana Whenua cultural heritage if a discovery is made. Using the Accidental Discovery Protocol in Schedule 25.10 as a guide.

## PART 5

## SUBDIVISION &amp; DEVELOPMENT 27

	Subdivision Activities - District Wide	Activity Status
	...	
27.5.11	<p>The subdivision of land <u>that results in creation of an additional lot within an identified</u> wāhi tūpuna area outside of the urban environment, where subdivision is a potential threat as set out in Schedule 39.6.</p> <p>For the purposes of this rule, the urban environment relates to those zones set out in Part 3: Urban Environment and the Open Space and Recreation Zones within the Urban Growth Boundary.</p> <p><u>Except that:</u></p> <p>a. <u>Subdivision in accordance with rule 27.5.5 is exempt from rule 27.5.11.</u></p> <p>Discretion is restricted to:</p> <p>a. Effects on Manawhenua values.</p> <p><u>Any application for resource consent under Rule 27.5.11 for restricted discretionary activities will not be publicly notified and for the purpose of limited notification, assessment of affected persons shall be limited to effects on Manawhenua.</u></p>	RD
27.5.12	All subdivision activities in the Rural Visitor Zone (excluding the Maungawera Rural Visitor Zone), Rural and Gibbston Character Zones and Airport Zone - Wānaka, unless otherwise provided for.	D

## GLOSSARY

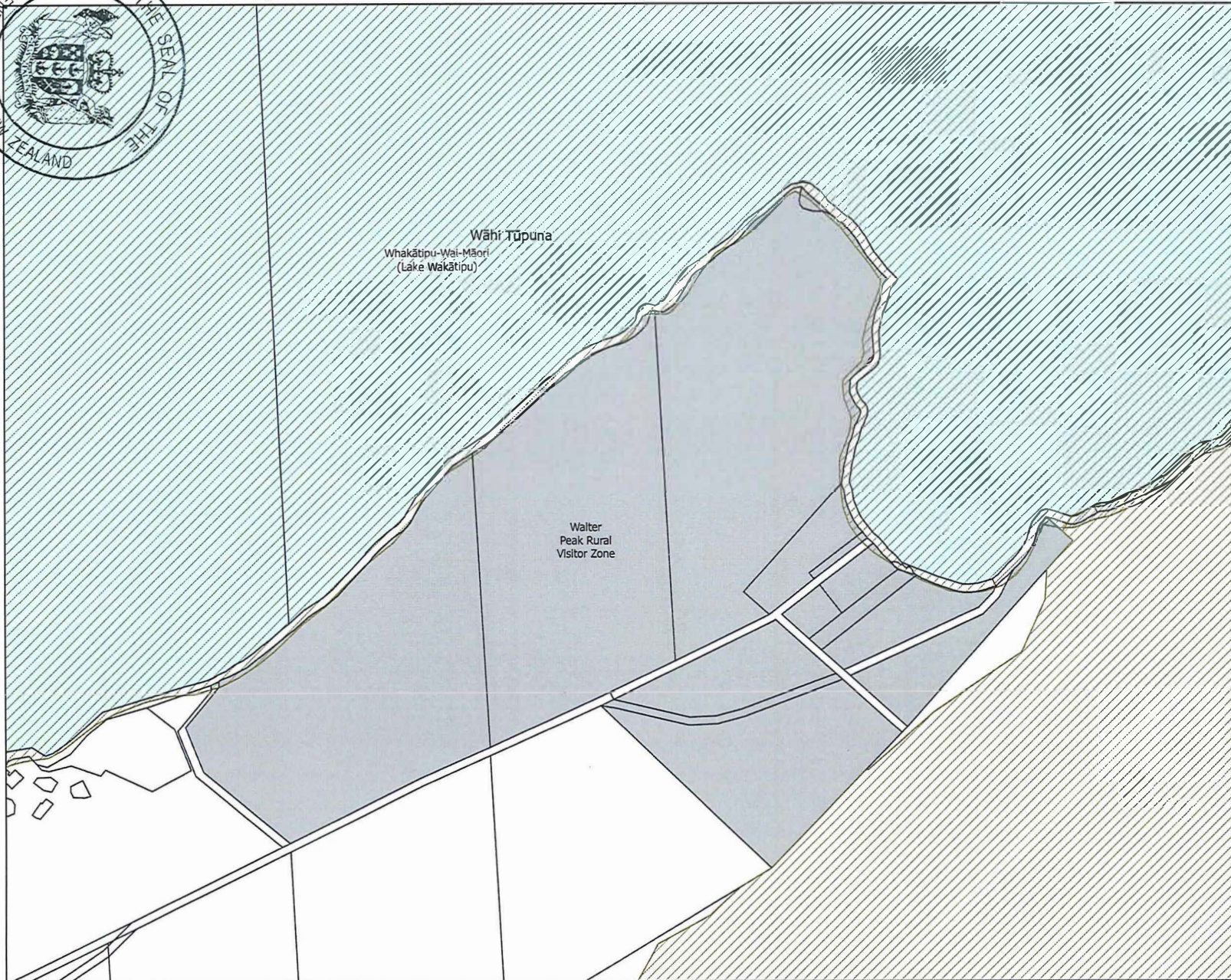
<b>Mana</b>	Authority, <del>control, influence,</del> prestige, <del>influence and power</del>
....	
<b>Wāhi Tūpuna</b>	Landscapes and places that embody the relationship of Manawhenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga

## Appendix 2

Agreed amendments to the planning maps.



# Wayfare Group Ltd. Appeal ENV-2021-CHC-053 Wāhi Tūpuna



- Legend**
- Topic 34 Wāhi Tūpuna
  - Parcels and Property
- Overlay Polygons**
- Landscape Classification
  - Landscape Classification Label
  - Wāhi Tūpuna
  - Urban Growth Boundary
  - Archaeological Sites
  - Arrowtown Character Tree
  - Closed Landfill
  - Flood Zone
  - Heritage Overlay Area
  - Queenstown Airport
  - Wānaka Airport
  - Protected Avenue of Trees
  - Significant Natural Area
  - Unformed Road
  - Glenorchy Airport
  - Rural Character Landscape Priority Area
  - Outstanding Natural Feature and Landscape Priority Area
- Zones**
- Active Sports and Recreation
  - Gibbston Resort
  - High Density Residential
  - Informal Recreation
  - Jacks Point Resort
  - Large Lot Residential A
  - Large Lot Residential B
  - Local Shopping Centre
  - Lower Density Suburban Residential
  - Medium Density Residential
  - Millbrook Resort
  - Airport
  - Nature Conservation
  - Queenstown Town Centre
  - Road
  - Rural
  - Rural Lifestyle
  - Rural Residential
  - Wakatipu Basin Lifestyle Precinct
  - Wakatipu Basin Rural Amenity Zone
  - Wanaka Town Centre
  - Water (zone Rural unless otherwise shown)
  - Arrowtown Residential Historic Management
  - Waterfall Park Resort
  - Arrowtown Town Centre
  - Business Mixed Use
  - Civic Spaces
  - Community Purposes
  - Coneburn Industrial
  - Gibbston Character
  - General Industrial and Service
  - Three Parks Commercial
  - Settlements
  - Rural Visitor
  - Three Parks Business
  - Hogans Gully Resort
  - The Hills Resort

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Map Date:  
14/04/2022

