

Cultural Impact Assessment for the proposed Graymont Quarry Extension Project – Te Kūiti

Oparure marae & Te Tokanganui-a-noho Whare

C van Schravendijk-Goodman & R. Mahuta

Swampfrog Environmental & Tree Consultants Ltd



IMAGE: One of the tomo onsite at Pit 2. © B. Murray, May 2021, Graymont

The Cultural Impact Assessment for the Proposed Graymont Quarry Extension Project – Te Kūiti was ratified by the beneficiaries of Oparure marae on Sunday 29th September 2024, at Oparure marae.

[illegible]

SUMMARY OF KEY POINTS and TABLE

To the people of Maniapoto, the Waipā River is a ‘taonga’ and their relationship with their Rivers is “*historic, intellectual, physical, and spiritual*”. Furthermore, “*to Maniapoto, their relationship with the Waipā River and their respect for it lies at the heart of their spiritual and physical wellbeing, and their tribal identity and culture*” (Statement of Significance of Waipā River to Maniapoto, Ngā Wai o Maniapoto (Waipā River) Act 2012).

The proposal from Graymont for an extension to the Oparure Quarry to include a new site – Pit 2 – sits within the Mangawhikau catchment, a tributary of the Mangapū and Waipā system and within the rohe of Ngāti Kinohaku, a hapū affiliated with Maniapoto and Oparure marae

Originally drafted for Te Tokanganui-a-noho and Hauāuru ki Uta Regional Management Committees (the ‘RMCs’; TT-RMC and HKU-RMC respectively), this CIA has since evolved to better capture changes to the operational structures within the rohe under Te Nehenehenui Trust (regional committees referred to in this report as ‘Te Whare’); as well as elevating the role of Oparure marae within the progression of matters raised under this CIA. Originally, this CIA was compiled in response to the proposal presented from Graymont to the RMCs, culminating in a process that took almost 2 years to complete (primarily due to COVID interruptions). More recently, the process was enhanced by additional wananga held with members of Oparure marae which included greater clarity around the acute impacts felt by whānau ‘at place’. More information regarding the whakapapa of the process and the structures that now operate at regional and local levels for Maniapoto peoples can be found in 1.2

This CIA adopts an analytical framework based on: (1) key values of the marae and the RMCs (and including the new structure ‘Te Whare’) that are also supported in Part C of Ko Tā Maniapoto Mahere Taiao (the Maniapoto Environmental Plan). And (2) eleven objectives from Te Ture Whaimana (Vision & Strategy) which directly speak to the aspirations of Tāngata whenua – marae, hapū, iwi and traditional landowners - affiliated through whakapapa with the Waipā River system and recognising its downstream connection to Te Awa Waikato.

Following an assessment of the technical reports (the last set being received July 2022), Swamp Frog Environmental & Tree Consultants Ltd (“Swampfrog”, the contracted agent) originally worked with members of the RMCs to pinpoint areas that they supported and/or key matters that they wished to see addressed within the proposed consent. Key values and Te Ture Whaimana objectives have been formulated as a result - refer to table below. Further detail about what these values and the intent of the objectives mean to the whānau can be found in section 3.3.

There is an understanding by all parties that this Cultural Impact Assessment does not constitute agreement to the application, nor does it give unfettered support by tangata whenua to the on-going activity of quarrying in their rohe

RMC (WHARE) Condition number	RMC (WHARE) value and/or kaupapa met if condition supported	Te Ture Whaimana Objective(s) met if condition supported										
		A	C	E	F	G	H	I	J	K	L	M
1	<i>Kaitiakitanga and Rangatiratanga</i>		✓									
2		✓	✓		✓	✓	✓	✓				
3		✓	✓		✓							✓
4		✓	✓		✓							✓
5		✓	✓		✓							✓
6		✓	✓	✓	✓	✓	✓	✓		✓		✓
7		✓	✓	✓	✓	✓	✓	✓		✓		✓
8		✓	✓	✓	✓	✓	✓	✓		✓		✓
9		✓	✓	✓	✓	✓		✓				✓
10		✓	✓									
11		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
12	<i>Cultural Heritage</i>	✓	✓									
13		✓	✓	✓	✓	✓		✓				✓
14		✓	✓	✓	✓	✓		✓	✓			✓
15		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓
16	<i>Customary Activities</i>	✓	✓	✓	✓	✓		✓	✓			✓
17		✓	✓	✓	✓	✓		✓	✓			✓
18		✓	✓	✓	✓	✓		✓				
19	<i>Papakāinga, marae and pā</i>	✓	✓	✓	✓	✓	✓	✓				✓
20		✓	✓	✓	✓	✓	✓	✓				✓
21		✓	✓	✓	✓	✓	✓	✓				✓
22		✓	✓	✓	✓	✓	✓	✓				✓
23			✓	✓	✓	✓		✓				✓
24			✓	✓	✓	✓		✓			✓	
25		✓	✓	✓	✓	✓	✓	✓	✓			✓
26		✓	✓	✓	✓	✓						

Key matters of significance in this process for Oparure marae and Te Tokanga-nui-a-noho -Whare (TT-Whare) include the following:

- The recognition and application of Te Ture Whaimana (Vision & Strategy) as the key policy document for the Waikato & Waipā River systems
- The recognition and evaluation of key sections of Ko Tā Maniapoto Mahere Taiao within the technical reports and application
- The uplifting, recognition, and provision for key values of importance to, Oparure marae and Ngāti Kinohaku peoples and including TT-Whare
- Land loss and how land is transferred can be a significant cultural impact to Rangatiratanga
- The recognition and understanding by all parties that this CIA does not constitute agreement to the application, nor does it give unfettered support by the marae or TT-Whare, to the on-going activity of quarrying in their rohe.
- **However, in relation to the point above:** It was clearly stated by a number of representatives from the marae, the original RMCs and the current membership of TT-Whare that philosophically, they do not endorse quarrying or mining. But their obligation and commitment to their taonga and mokopuna means that whanau from Oparure marae (with the support of TT-Whare) are committed to continue working with Graymont into the future to explore the ways and means to reduce impacts of the activity where resources and technology allow.

Contents

1.0	INTRODUCTION	5
1.2	Background to the application.....	6
1.2.1	<i>What we understand about the consent</i>	<i>6</i>
1.2.2	<i>Key points regarding this CIA</i>	<i>7</i>
1.2.3	<i>The process leading up to this CIA</i>	<i>7</i>
1.3	Summary of Key Points	9
2.0	ASSESSMENT of the PROPOSAL AGAINST CULTURAL VALUES	12
2.1	Methodology for the approach.....	12
2.1.1	<i>Te Ture Whaimana – The Vision & Strategy for the Waikato and Waipā Rivers</i>	<i>12</i>
2.1.3	<i>Themes raised from the Wānanga with RMC (WHARE) members.....</i>	<i>16</i>
3.0	Cultural Impact Assessment – Discussion.....	18
3.1	Assessment frameworks and results	18
3.1.1	<i>Primary assessment using RMC (WHARE) values and themes.....</i>	<i>18</i>
3.2	Assessment Tables – RMC (WHARE) values.....	19
3.2.1	<i>Kaitiakitanga.....</i>	<i>19</i>
3.2.2	<i>Rangatiratanga.....</i>	<i>22</i>
3.2.3	<i>Cultural heritage.....</i>	<i>23</i>
3.2.4	<i>Customary Activities</i>	<i>24</i>
3.2.5	<i>Conservation</i>	<i>24</i>
3.2.6	<i>Papakāinga, marae and pā.....</i>	<i>25</i>
3.3	Assessment Table – Objectives under Te Ture Whaimana directly relevant to Maniapoto and the RMC (WHARE)	27
4.0	CONCLUSION.....	33
5.0	KEY REFERENCES	34

1.0

1.1 INTRODUCTION

This report forms a CIA (Cultural Impact Assessment) written by a contracted independent group known as Swamp Frog Environmental & Tree Consultants Limited ("Swampfrog") who were initially engaged on behalf of two Regional Management Committees (RMCs) that existed at the time under the Maniapoto Māori Trust Board (MMTB) structure: Te Tokanganui-a-noho Regional Management Committee (TT-RMC) in concert with Te Hauauru Ki Uta Regional Management Committee (HKU-RMC). The first version of the CIA (2022) was developed in response to a proposed resource consent for an extension of limestone quarrying activities on land currently owned by Graymont Ltd. In 2024, Swampfrog were reengaged at the request of Oparure marae, to draft a second iteration of the CIA, with an emphasis on Oparure marae as the directly affected party to the activity. This was supported by the new RMC-type entity, now referred to under the structure of the new Maniapoto Iwi authority - Te Nehenehenui (TNN) - as 'Te Whare' (see further description around this later).

The land in relation to the proposal is located closest to Oparure marae which was a member Marae of TT-RMC. The land was originally part of the Pakeho Block and has significance to local Tāngata whenua. The main parties therefore affected by this proposed activity include the marae, members from Ngāti Kinohaku Hapū associated to the land block known as Pakeho (Pit 2) and its surrounding communities.

The proposed site also has a Wharekura (School servicing new entrants to year 13 students) and Kōhanga Reo (Māori early education setting), in its local vicinity. The land (where the activity is proposed) was taken by the Crown and transferred from its original Māori owners to General Title through a new "Land Settlement Board," formed by The Department of Lands and Surveys. This was done to help resettle returned soldiers after the Second World War. The existing Graymont quarry used to belong to MacDonalds Lime and was purchased by Graymont approximately 7 years ago.

The following statement comes from Anne Summerville who writes about the Pakeho District, providing a snapshot of where the land in question has come from:

'The end of the Second World War saw a surge in the numbers of settlers in Pakeho. By the early 1950s nine families had been aided onto farms created from three large ones, as part of the government's far-reaching servicemen's resettlement programme. 'Rehab' families were welcomed into the district with typical country warmth, joining older settlers like the Nicols, Boddies, Cleavers and Lembergs¹.'

Land loss is one of the most significant cultural impacts to hapū. Without land there is less connection to the history and significance of the area. We place this at the front of this CIA because some of the most important issues in front of regional Māori development is land acquisition, land-based activities and education. Operational plans and exit plans of this quarrying land and others like it are extremely important to local Tāngata Whenua/Mana Whenua. We are Kaitiaki and want Kaitiakitanga to be given effect to.

1.2 The community

Te Tuhi O Te Ao Marama me Pukehokio ngā puke tapu
Ko Pakeho me Ototoika ngā maunga kōhatu
Ko Mangawhitikau, Makahinga, Māpauriki, me Nukungaere ngā manga e rere ana ki te awa o Mangapū
Ko Ngāti Kinohaku te hapū
Ko Ngāti Maniapoto te iwi
Ko Oparure te marae

Oparure is a small rural village on the outskirts of Te Kūiti. The population is small, however those who live away from the village remain connected. Descendants of the original Māori land owners still live in the village, occupying and developing the land of their tupuna (ancestors). The whenua (land), puke (hills) awa (river) and tomo pakeho

¹ [Pakeho School, King Country – Country schooling – Te Ara Encyclopedia of New Zealand](#)

(caves) are so significant to mana whenua, that they are represented in the carvings and materials of the marae wharenui (meeting house), captured in pūrākau (stories), and used in the names of buildings.

Most of the Oparure community is centralised along the stretch of Oparure road between Fullerton road and Troopers road. The homes, Wharekura, Kohanga Reo and Marae are all built within close proximity to the main road.

Information received from Oparure marae members highlights that Waahi Tapū are present onsite and inside proposed extension activity areas. This is the key issue that reinvigorated the CIA process as it can only be remedied by those members identifying and sharing substantiated information to protect any known sites. Discovery protocols are in place for any unknown sites. The processes of the RMA accommodate for such information gaps and Waahi Tapū but only if that information is shared at the right time.

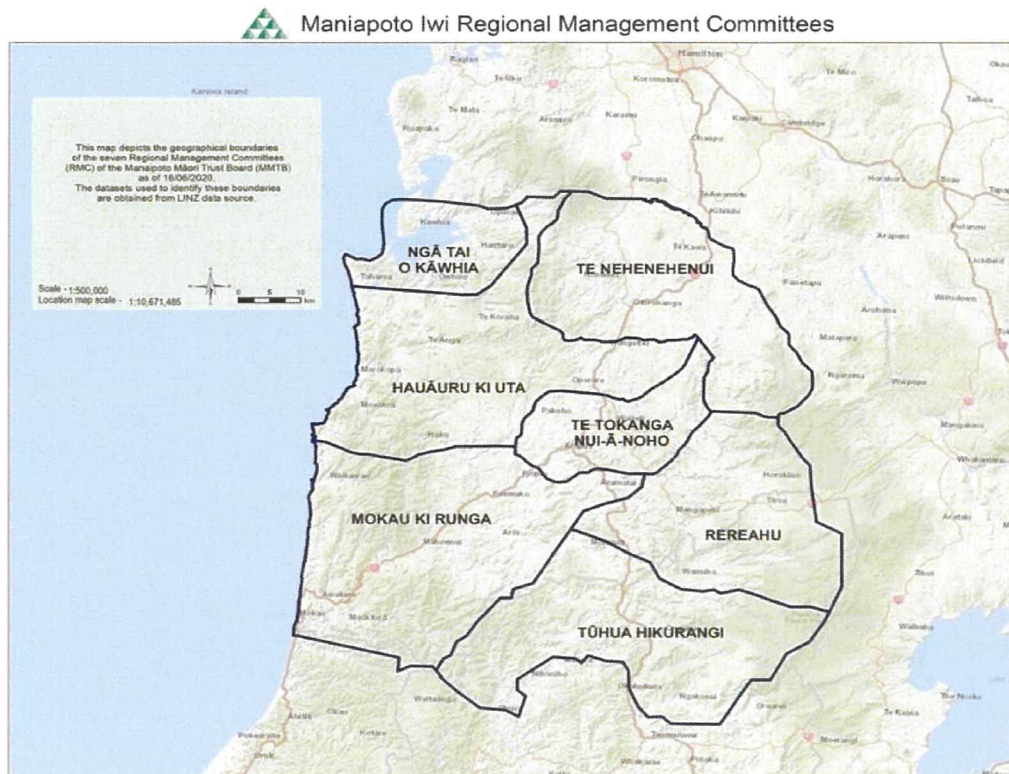


Fig. 1: Map of the RMC boundaries under the MMTB in 2020 at the start of this consent engagement process. [SOURCE: MMTB].

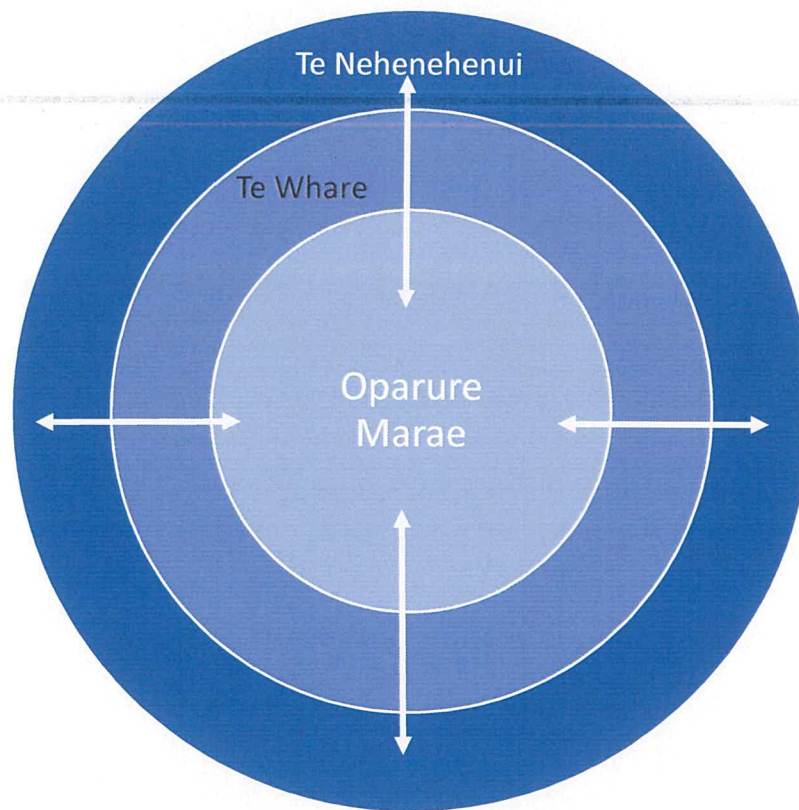


Fig 2: A schematic indicating the positioning of Oparure marae, Te Whare, and Te Nehenehenui Trust within the new structure as interpreted by Oparure marae members (May 2024). For Oparure marae, this schematic highlights the importance of working with people ‘at place’ (in the center). But also recognising and acknowledging the strength in working with Te Whare and Te Nehenehenui Trust. The two-way arrows indicate the flow of information and support between the three.

1.3 Background to the application

1.3.1 What we understand about the consent

- A. An extension to the current quarry is proposed for the site to be known as the Pit 2 site in Te Kuiti, Waikato.
- B. The current (operational) quarry at the adjacent site – Oparure - is 80 ha and has been operational since 1977; although Graymont only took ownership of the site in 2015.
- C. This Pit 2 extension will see a further 94 ha of quarrying on current farmland (purchased by Graymont), over a proposed period of 80 years.
- D. The purpose of the quarry extension is for the extraction of limestone (Calcium carbonate, CaCO_3), which is valued as a soil conditioner and also as a key ingredient in specific foodstuffs; amongst other uses such as for landscaping.
- E. The activity will primarily see the removal of the top ridges on Pit 2 at least, but with little impact (as proposed at this stage) to material below those main extraction areas.
- F. The activity will see to the destruction/loss of 10 tomo features on the site, and removal of native vegetation. The Camelot Stream and associated karst system is also located near to the area of proposed quarrying. Exact extent is an unknown.
- G. Access to and from the site will remain contained within the current roading footprint of the existing quarry. The quarry will work with the Waitomo District Council to mitigate community concerns.

1.3.2 Key points regarding this CIA

- H. The process for creating this CIA has taken a little over 4 years. During this time, and to the best of their ability, the RMC/TT-Whare and finally, Oparure marae through their respective representatives have been generally well engaged by Graymont in the activities of the current quarry and the proposal for the Pit 2 extension.
- I. There have been some important learnings through this consent process for both Graymont and Tāngata Whenua. Specifically in relation to the level of involvement of the Local Māori Community required in the compilation of information for each of the respective technical reports. Particularly where early inclusion of scoping for Waahi Tapū or Sites and Areas of Significance to Māori is desirable. Participation within processes to capture information for input of key cultural landscape elements can be fraught and contentious. Some people are reluctant to share with others “their” information or even to engage. Weighing risk and introducing processes to keep IP information secure is desirable.
- J. Finally, we note that this CIA is a positive progression and expression of Graymont’s solid local community relationships and has been evoked as part of a proactive and best practice process suggested initially by the RMCs (HKU-RMC & TT-RMC) and then further explored and endorsed by TT-Whare. Graymont have indicated support through their attempt to capture the feedback of tāngata whenua before submitting the extension resource consent application to council.

1.3.3 The process leading up to this CIA

A: Years 2020 - 2022

Swampfrog were engaged by Graymont at the recommendation of the TT-RMC to begin discussions with tangata whenua regarding the proposed extension in **2020**. Initial exploratory hui were held including representation from two RMCs (TT, and HKU) via their members at the offices of the Ngāti Maniapoto Marae Pact Trust, in Te Kuiti, starting in **early 2020**. The Marae representatives included Oparure, Te Kuiti Pā, Te Kumi, Ahoroa, Mangarama, Tane Hopu Wai, Pīruru, Tomotuki and Mōtiti.

The hui sought to confirm the expectations of the community for the process and to discuss the key documents that they felt should be referred to by Graymont and their consultants; primarily the **Maniapoto Environmental Management Plan – Ko Tā Maniapoto Mahere Taiao**, and **Te Ture Whaimana o te Awa Waikato** (the Vision & Strategy for the Waikato & Waipā Rivers). Hui were also an opportunity to explore some of the matters important to the RMC in relation to the activity, and to share their significant knowledge about the site and wider catchment both pre and post Graymont occupation (2015).

A hui was then held between Swampfrog, Graymont and the lead planning consultancy – Enspire – to provide some guidance around referencing Ko Tā Maniapoto Mahere Taiao and Te Ture Whaimana o te Awa Waikato. These were promoted by Swampfrog as the key starting documents for best appreciating the broader impacts of the activity on the environment and especially the Waipā, within whose catchment the activity is primarily located.

Unfortunately, Government-led directives for the country to shut down due to the presence of COVID-19 in the community forced the project to slow down considerably in 2020, including significant delays in data collection and compilation of key environmental and social reports due from Graymont. This unfortunately dragged into 2021, at which time the team decided to wānanga (workshop) with the RMC members on strategic kaupapa rather than specific detail of the activity due to the absence of key reports.

At the time of the **2021 hui**, four of thirteen proposed reports had been received for review by Swampfrog on behalf of RMC: the Hail (contamination report); archaeological investigation; economic report and landscape assessment. The following reports at the time were still outstanding:

- i. Traffic
- ii. Soils and Geology
- iii. Structures and Pavement
- iv. Recreation
- v. Terrestrial Ecology
- vi. Aquatic ecology
- vii. Noise & Vibration
- viii. Karst & Caves
- ix. Water Quantity and Water Quality

The strategic kaupapa explored with the RMC members at the wānanga were drawn from source material such as cultural values under the Maniapoto Environmental Plan and are related to the relationship between the members of the RMC to the landscapes and valued resources that may be impacted by the activity. This was done on the caveat that the full appreciation for the impacts were somewhat limited due to the delays in receiving key reports listed above.

Throughout 2021 and right up to **July 2022**, Swampfrog continued to receive the remainder of the technical reports. In referring to the values and concerns raised by the community at the hui in early 2021, Swampfrog also undertook to provide feedback directly to Graymont on behalf of the RMC (WHARE) highlighting areas within the received reports that were felt needed further work. This included improving references within reports to the relevant sections of Ko Tā Maniapoto Mahere Taiao, and tightening references to and analyses against Te Ture Whaimana o te Awa Waikato. Swampfrog raised that the absence of RMC and marae voices in a number of the technical reports may generate some feedback relating to missed opportunities to better understand landscape features, species and/or practices important to the RMC and marae that were overlooked in those reports. Options to address and improve on this are outlined in the recommendation section of this CIA.

In 2021, Graymont also advised that they were proposing the development of a betterment plan related to the activity. This plan would address some environmental impacts related to the immediate site of the quarrying activity but might also include some other pieces of work with adjacent landowners including riparian protection, fencing and potential for other restoration projects upstream of the activity.

The final ecological technical reports were received by Swampfrog in **July 2022**. In **September 2022**, a presentation was made to members of the TT-RMC and marae on the final and holistic analysis of the 13 technical reports, using the values of the 2021 wānanga as the framework for response. This was followed by a presentation from Graymont to the RMC and marae members two weeks later with specific focus on the Betterment Plan and its intention.

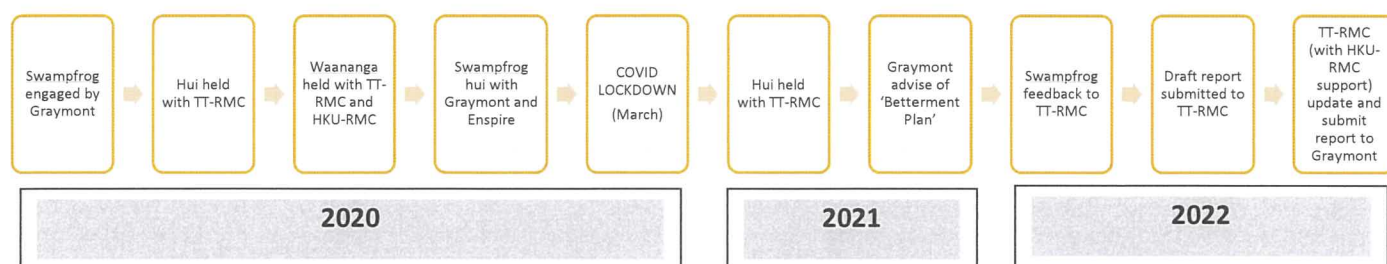


Fig. 2: Summary of the whakapapa for the process and development of this CIA up to mid-2022

B: Years 2022 - 2024

At the time of the first iteration of this CIA, the key roopu for engagement was with members from the Maniapoto Regional Management Committees (RMCs); localised management structures under the Maniapoto Maori Trust Board (MMTB). The RMCs were collectives of Marae and Papakāinga and were aligned to local Ngāti Maniapoto peoples. MMTB have recently settled Treaty Grievances as an Iwi with the Crown and MMTB is now known as the

Te Nehenehenui Trust (TNN). The RMCs have recently shifted away from the RMC designation and are now be known as “Whare” i.e. Te Whare ki Tokanganui-a-noho (TT-Whare).

At the request of Oparure marae, additional hui were called between Graymont and the marae during 2022 and 2023. With the support of TT-Whare, the CIA was extracted from the process in early 2024 for reassessment and wānanga with Oparure marae members. Swampfrog was reengaged in May at the request of the marae to provide support to the drafting of this revised CIA. What is now presented is the culmination of a total of almost over 4 years of engagement intersecting with major changes across TNN and an evolving and dynamic relationship between whanau at Oparure marae and Graymont.

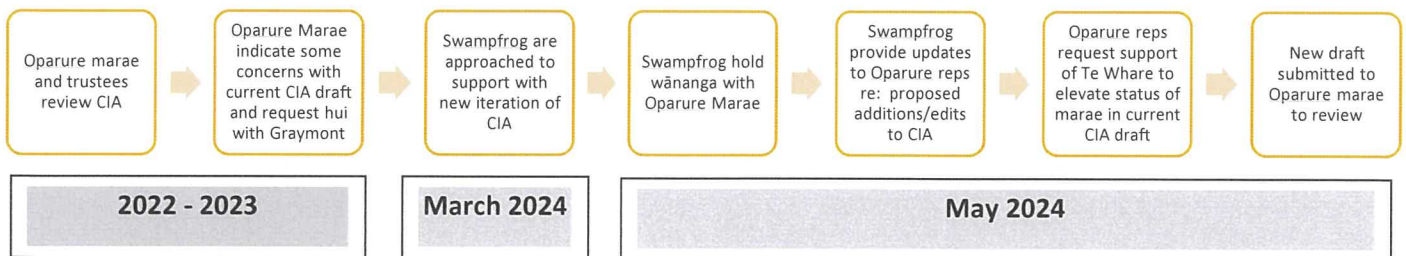


Fig. 3: Summary of the whakapapa for the process and development of this CIA from mid-2022 to 2024

This CIA is, therefore, the culmination of over 4 years of work with the RMC (WHARE) and Graymont to bring this document to fruition.

1.4 Summary of Key Points

The following are noted as key matters of importance under the proposal as noted by members of Oparure marae, the original RMC entity and supported by TT-Whare:

- i. ***The recognition and application of Te Ture Whaimana (Vision & Strategy) as the key policy document for the Waikato & Waipā River systems*** - The beginning of the process highlighted a lack of general understanding amongst Graymont staff and their planning technicians in regard to the application of Te Ture Whaimana within projects such as this; particularly where activities consented under the RMA (1991) may be viewed as not having a direct impact on the big River systems. However, Graymont and many of their technical consultants have grown in their knowledge and appreciation for the role they can and should play in supporting the overarching vision for the Waikato and Waipā River systems. The most significant outcome has been the development of the proposed Betterment Plan which is part of the Expansion Proposal.
- ii. ***The recognition and evaluation of key sections of Ko Tā Maniapoto Mahere Taiao within the technical reports and application*** - The process around the drafting of the technical reports for the consent application highlighted some limitations in this regard. But again, the marae and TT-Whare acknowledges the ongoing effort of the Graymont team to remedy this and their commitment to continuously improve with the guidance of the Marae.
- iii. ***The uplifting, recognition and provision for key values of importance to Oparure marae, Ngāti Kinohaku peoples and TT-Whare*** – This is especially relevant within the setting of any conditions for the application. In particular the implementation of inclusive processes and mechanisms for the marae that will support, protect and/or enhance culturally and ecologically important features and associated species such as (but not limited to): cultural monitoring, restoration activities and plan/strategy development.
- iv. ***The recognition and understanding by all parties that this CIA does not constitute agreement to the***

application, nor does it give unfettered support by mana whenua to the on-going activity of quarrying in their rohe - This CIA is a means to capture the voices of the marae and TT-Whare as they relate to the potential impacts of the activity on their culturally important landscapes, sites, species and practices. And, to highlight the areas where the applicant and consenting authority could work with the marae to address some of those impacts. It was clearly stated by a number of marae members and past representatives of TT-RMC that philosophically, they do not endorse quarrying or mining. But their obligation and commitment to their taonga and mokopuna means that they are committed to continue working with Graymont into the future to explore the ways and means to reduce impacts of the activity where resources and technology allow.

These points will be discussed more in the sections following. Note however, where requested by the marae and TT-Whare, this report will not outline **sensitive cultural information** that led to the identification of these issues.



Fig. 4: Meeting point of Mangawhitikau stream and Mangapu River. Cloudy stream is the Mangawhitikau
[IMAGE source: Gary Paki-Titi - Own work 26/10/21]

E rere kau mai i Mangaone ki te waihāpuapua o Koropupū. Pupū ake ka rere ki Mangawhitikau. E rere rā ki Mangapū. Tāhuti atu te haere ka huihuia ki Waipā. E puta rā ki te awa nui o Waikato, tōnā whakatauki, he piko he taniwha, he piko he taniwha, Waikato Taniwha rau!

Mangaone mouth opens to the bubbling waters of Koropupu. Coming up at Mangawhitikau then flowing into the Mangapu. Bending and twisting till it meets Waipa. The water flows to meet Waikato, known for its proverb, he piko he taniwha, he piko he taniwha, Waikato Taniwha Rau!

- Lament of the Oparure mana whenua, tracing the whakapapa of the water that flows from the Manawhitikau catchment to the Waikato river

Te Awa o Waipā is a taonga to Maniapoto; the relationship between Maniapoto and the Waipā River is historic, intellectual, physical, and spiritual; to Maniapoto, their relationship with the Waipā River and their respect for it lies at the heart of their spiritual and physical wellbeing, and their tribal identity and culture.

- Statement of Significance of Waipā River to Maniapoto, Nga Wai o Maniapoto (Waipā River) Act 2012

Tooku awa koiora me oona pikonga he kura tangihia o te maataamuri.

The River of life, each curve more beautiful than the last

- Vision for the Waikato River

2.0 ASSESSMENT of the PROPOSAL AGAINST CULTURAL VALUES

2.1 Methodology for the approach

2.1.1 *Te Ture Whaimana – The Vision & Strategy for the Waikato and Waipā Rivers*

Te Ture Whaimana (the “Vision & Strategy”) is recognised in the Waikato Raupatu (Waikato River) legislation (2010) as the primary direction setting document for the Waikato River and its catchment (which includes the Waipā), with the intent to facilitate a more integrated and holistic approach to the management of the Rivers in partnership with River iwi. This legislative approach was also endorsed through the settlements of Ngāti Tūwharetoa, Raukawa and Te Arawa River Iwi (2010), and extended to the upper Waipā catchment via the Ngā Wai o Maniapoto (Waipā River) Act in 2012.

Importantly, Te Ture Whaimana prevails over any inconsistent provision in any National Policy Statement issued under s.52 of the RMA (1991); a New Zealand Coastal Policy Statement issued under s.57 of the RMA (1991) and a national planning standard published under section 58F of the Resource Management Act 1991, to the extent that it contains provisions referred to in section 58C(1)(b) of that Act (s.12, Waikato-Tainui Raupatu (Waikato River) Settlement Act, 2010).

Furthermore, any rule included in a regional or district plan for the purpose of giving effect to Te Ture Whaimana (the Vision and Strategy) prevails over any national environment standard made under s.43 of the RMA (1991); and any water conservation order made under s.214 of the RMA (1991) (s.12, subs.4-5; *ibid*).

Te Ture Whaimana was ground-breaking at the time. It was the amongst the first situations where Iwi and Hapū were strongly recognised in law as having a right to participate meaningfully in decision-making functions relating to their valued waterbodies, and to have their values directly entrenched within that framework. But, more importantly, it elevated the right of those waterbodies to be considered as having mana in their own right, including a right to be protected and to have processes and functions dedicated to their restoration and enhancement. Whilst this approach has since been superseded by even more extra-ordinary negotiations for natural systems - such as Te Urewera Act (2014), Te Awa Tupua (Whanganui River Claims Settlement) Act (2017), and the current agreements for legal status to be given to Taranaki Maunga² - it is still recognised as setting a platform for greater recognition of culturally valuable landscapes and their people. And the careful design of its intent within planning and policy is still amongst the strongest in relation to environmental recognition and protection. It is challenged however by conceptions of operationalisation, and part of this comes down to understanding the intent of objectives which underpin them.

There are thirteen objectives under Te Ture Whaimana, and eight of those are transferred directly from the Waikato-Tainui Raupatu (Waikato River) Settlement Act (2010) with the endorsement of the other River iwi through their respective settlement acts. The remaining five objectives were formulated after extensive community consultation in 2009, led by the Guardians Establishment Committee (GEC). The functions of the GEC were then subsumed into the Waikato River Authority – operationalising the concept of co-governance between Iwi and the Crown. This group was endowed with the statutory responsibility to advocate and promote Te Ture Whaimana, and to manage any review processes, and the allocation of funds under the Clean Up Fund. The latter mechanism was a key negotiation matter for Waikato-Tainui, along with support from the other River Iwi, to ensure that the rivers were provided with a suitable fund (\$210m over 30 years) to support the overarching vision for their protection and restoration. The settlement negotiations of Maniapoto for the Waipā provided an additional \$10m to this fund.

Following an investigation into perceived conflicts arising around the definitions about the intent and scope of the objectives, Waikato-Tainui undertook work to clarify what they intended by the eight objectives transferred from their Settlement to Te Ture Whaimana – specifically, objectives A, B, E, F, G, H, I and M. These are outlined in **table 1** following and have been used under this CIA as part of the analysis of the application for the RMC (WHARE). We also adopted the definition of the Waipā River as described under the Ngā Wai o Maniapoto (Waipā River) Act (2012) as being key to fully appreciating the wider impacts of the quarrying activity to the health and wellbeing of the Waipā River system and its people. As highlighted below, this definition clearly captures all the landscape and hydrological features within and around the proposed activity including the Camelot and wider karst system, and tributaries - the Mangapu and Mangawhitikau:

“...the waters that flow into and form part of the Waipā River” refers to the connected and flowing body of water that comprises the Waipā River together with all its associated waters and water columns, including those flowing through its floodplains and the Maniapoto karst, streams, waterways, tributaries, springs, geothermal springs, watercourses, and lakes...’ (ibid: s3 (2) (a))².

2.1.2 Values identified by the RMCs, Oparure marae (and TT-Whare), and supported by Ko Tā Maniapoto Mahere Taiao (the Maniapoto environmental plan)

With the agreement of the TT-RMC, the Swampfrog team extracted key elements from part C of Ko Tā Maniapoto Mahere Taiao to wānanga with their members in 2021. These were focused on the following:

- Rangatiratanga
- Kaitiakitanga
- Customary activities
- Conservation
- Cultural heritage, and
- Papakāinga, marae and pā

Members of the TT-RMC, and HKU-RUMC were invited to explore what these meant to them specifically at the flax-roots, recognising that plans like Ko Tā Maniapoto Mahere Taiao can often sit at a much higher strategic level and therefore do not necessarily capture the nuances and distinctive features at a more localised level. This highlights the value of using the plan as a reference document, but then most importantly, ground-truthing it with the local people.

Swampfrog then worked with the TT-RMC to identify clearly which elements of their kōrero should be captured within the CIA as it relates to the proposed activities and subsequent application. Matters that may be out of scope for the consent but may still be important to hold as key discussion items moving forward with Graymont were also discussed. The application was then primarily assessed against these values, and the relevant matters of importance within those. These have been summarised in **section 3 – CIA Discussion**.

NOTE: At the wānanga with Oparure marae members in May 2024, there was continued support for this process undertaken previously by the TT-RMC and so this piece of work remains unchanged in this document.

² Previously, this definition also included the following: ‘but does not include any unconnected waters or artificial watercourse such as an irrigation canal, water supply race, canal for the supply of water for electricity power generation, or farm drainage canal’, however, the enactment of the Maniapoto Claims Settlement Bill (2021), specifically section 231, has since deleted this.

Table 1: The intent of the eight Waikato-Tainui objectives as defined by Waikato-Tainui (2021)

OBJECTIVE	WORDING IN TE TURE WHAIMANA	KAUPAPA	EXPLANATION	INTENT AS UNDERSTOOD BY WAIKATO-TAINUI
A	The restoration and protection of the health and wellbeing of the Waikato River.	Mana o te Awa	Health & Wellbeing	The health and wellbeing of the Waikato River and Waikato Iwi is restored and protected to the state that existed in the time of Kiingi Taawhiao.
B	The restoration and protection of the relationship of Waikato -Tainui with the Waikato River, including their economic, social, cultural, and spiritual relationships.	Awa Tuupuna	Relationships	The Mana Whakahaere of Waikato Iwi is protected and restored to the state that existed in 1835.
E	The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River.	Kaitiakitanga	Integrated Management	That central, regional and local government entities with decision making functions, implement a holistic and co-ordinated approach to the management and use of the resources of the Waikato River and its catchment.
F	The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River.	Kia Tuupato	Precautionary Principle	That central, regional and local government entities with decision making functions go above and beyond precedence when reviewing or developing policy, and/or granting authorisation for activities.
G	The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River and within its catchments on the health and wellbeing of the Waikato River.	Whakaaweawe	Influence & Impacts	Central, regional and local government entities with decision making functions will avoid the adverse or potential adverse cumulative effects of their policies and authorisations, on the Waikato River and its catchment.
H	The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities.	Te Awa Koiora	Protect & Restore	All decisions and actions will continuously advance the health and wellbeing of the River from the state it was at in 2008 .
I	The protection and enhancement of significant sites, fisheries, flora and fauna.	Whakapakari i te Taiao	Ensuring sustainability	That existing protections for significant sites and indigenous fisheries, flora and fauna are strengthened and efforts to achieve their restoration enhanced (these must always be higher than what existed in 2008)
M	The application to the above of both maatauranga Maaori and latest available scientific methods.	Maatauranga Maaori	Tikanga & Practice	The restoration and protection of the health and wellbeing of the River is based on Maatauranga Maaori and the latest available scientific methods.

2.1.3 Themes raised from the Wānanga with RMC members in 2021

The following themes were identified from discussions with the TT-RMC and HKU-RMC and are outlined here to provide context for **section 3** following:

- **Our cultural practices** – this relates to the practices, and norms of Ngāti Maniapoto and Ngāti Kinohaku life within the sub catchment. This indicates the state of overall health and wellbeing of spiritual and physical relationships with the natural world and of the water bodies and karst systems.
- **Our communities** – this recognises that impacts are felt across the catchment to people, lifestyles, landscapes and species of value and also intergenerationally.
- **Our environment** – this delves into those species and valued natural resources affiliated with the Mangarama, Mangawhitikau, Mangatea, Mangapu and wider Waipā catchment that support local practices and cultural norms and maintain support for whānau physical and spiritual health and wellbeing.
- **Communication to make informed decisions** – this theme highlights the importance of information from all sources to ensure that the best decisions are made with the best available information at that time. This of course highlights the experience of the hapū and marae, and mātauranga pūtaiao is an essential part of that.
- **Alternatives and options** – all decisions should be based on more than one option, and this theme highlights that the marae (as the directly impacted community) must have the right to provide their own and/or to co-design solutions.
- **Monitoring** – this theme points to the importance of monitoring to ensure that decisions made are as good as they have been intended, but also to evaluate and adapt to changes faster.

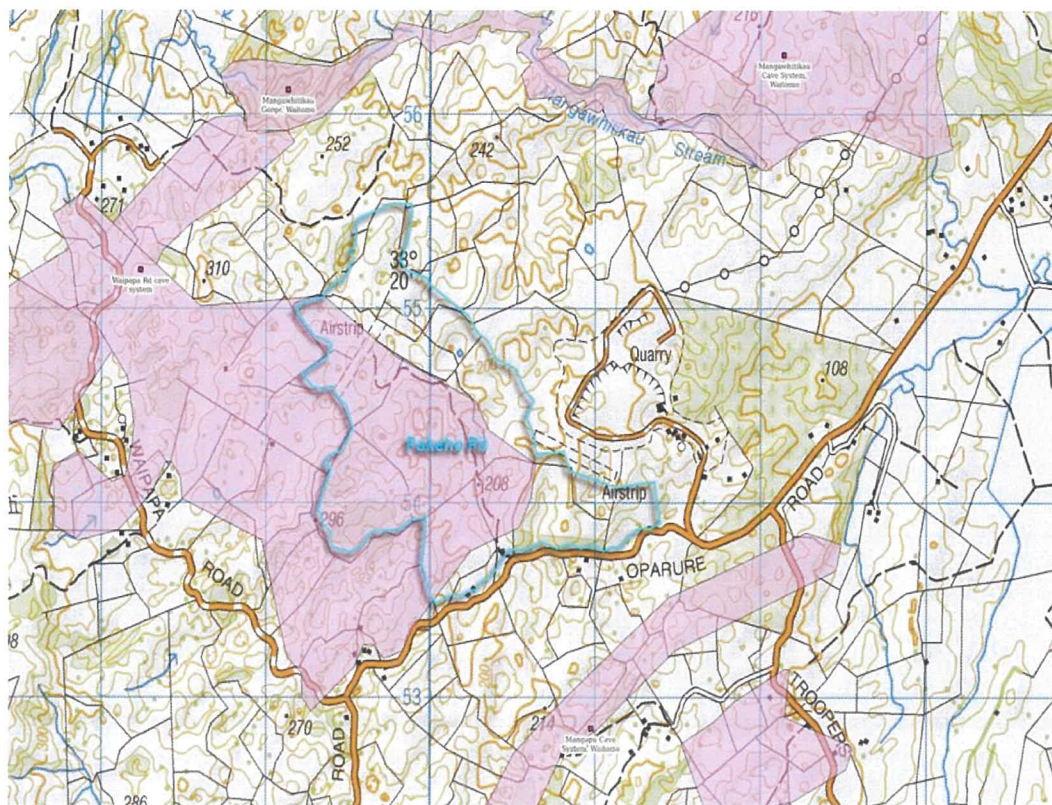


Fig. 5: The Waipapa Rd Cave System and Pit 2 Polygon Karst west to north of the current Oparure quarry (pink) – as identified in the NZ Geopreservation Inventory [source: PDP reports]

3.0 Cultural Impact Assessment – Discussion

3.1 Assessment frameworks and results

3.1.1 Primary assessment using the values and themes

The following tables in **section 3.2** following summarise some of the initial process with the RMCs and provide an evaluation of how the technical reports propose to address these. Note that the report authors did not do this evaluation themselves, this was a framework implemented by Swampfrog and the RMC to understand the technical reports. This then assisted them in identifying the recommendations they support and/or where the RMCs feel that more work might be needed to address their concerns. This process and the information contained therein was then further supported by Oparure marae members in May 2024.

The tables are situated within key values (e.g., kaitiakitanga) and then divided into four columns:

- The key theme identified by the RMC under the overarching value (e.g., water quality decline)
- The current pressure and/or state of the value as identified by the local experiences of the RMC and Oparure marae (e.g. puna wai supply source to the marae and tomo)
- The perceived impact of the quarrying activity on that theme or value (e.g., groundwater quality)
- The proposed recommendations from Graymont that (in the perspective of the RMC and Oparure marae may address (partially or fully) the concerns raised

We also highlight here that context within which these analyses are conducted: Graymont were not necessarily fully aware of the information outlined here including how the RMC and Marae members would perceive the impacts to them. Nor what recommendations or proposals within the technical reports would address the concerns raised. For this reason, it needs to be recognised that the components identified by the RMC and marae as potentially addressing some of their concerns are not taken to be the catch-all mitigation for similar concerns in the future, although they may still be part of those future considerations. Each consent beyond this one must be reviewed on a case-by-case basis, be without prejudice, and is subject to the values, concerns and mitigation packages that the marae, with the support of TT-Whare deem a priority and relevant at that time.

3.1.2 Secondary assessment using Te Ture Whaimana objectives and intent

In **section 3.3**, a similar assessment was made using Te Ture Whaimana. The Waikato-Tainui intent was used as the key intent of their eight objectives that were transferred from their settlement (and thus, designed by them). However, for this assessment, we removed objective B which is focused on Waikato-Tainui and also objective D which refers to the wider community values. Because discussions for this CIA were kept in house to the RMC and Marae it was not considered appropriate for the RMC to define how and in what ways the activity would impact on those objectives as they need to be assessed by those communities. Instead, we assessed against **objective C** which relates to the other River iwi including Maniapoto. We also brought in the remaining 3 objectives – **J, K and L** - that were incorporated following public consultation. Because there are no formal descriptions of the intent for objectives **C, J, K and L**, we used the values and themes drawn from the wānanga with the RMCs in 2021, to help us understand the intent for those within the context of this application.

3.1.3 SUMMARY of key concerns for Oparure marae, and whaanau

The following bullet points summarise the key matters of concern that were raised during the original hui with RMC members, and inclusive of the additional work to capture the views of hau kāinga. These formed the basis of the analyses that follow in the tables in section 3.1. Oparure marae note the recommendations of Graymont to mitigate many of the concerns following, but where there are gaps, these are highlighted in the relevant tables, specifically, **table 3.1.6**, and **table 3.2**:

- Physical and visual impacts to culturally important landscapes, species and places including tomo and wai.
- Noise and vibration impact of the activity on culturally important events, and the health and wellbeing of people and native/endemic species.
- Light pollution impacts on the health and wellbeing of people, and native/endemic species, and culturally important indicators and events (e.g., Matariki).
- Heavy vehicle movements within the village, and adjacent to important cultural centres – marae and kura.
- Impacts to archaeology of significance to tangata whenua

3.2 Assessment Tables – RMC (WHARE) values

3.2.1 Kaitiakitanga

KEY THEME	PRESSURES and STATE	IMPACT on the KEY THEME	PROPOSED RECOMMENDATIONS from GRAYMONT (or TECHNICAL REPORTS) THAT MAY ADDRESS CONCERN
Water – quantity/ quality decline	- Puna supply to the marae - Surface water and sediment into streams	- Groundwater quality - Potential downhill subterranean supply and downstream quality effects to receiving surface waterbodies - Dye tracing: Gate Spring; Pumphouse Spring; other more diffuse discharges in parts of Mangawhitikau Stream. - Majority are water contaminants from activities further up catchment (i.e. probably farming)	- Recognition of suspended sediment concentration (SSC) impacts from Pit 2. Options to be explored (strongest to least effective): - Doline (caves/tomo) planting and fencing - Stream riparian plating - Delaying advance towards Camelot system for first 12 years to assist ID and measure for impacts - Parallel Oparure and Pit 2 rehabilitation as Pit 2 develops - Erosion and sediment control - Quarry Site Management Plan - Cropping field management Plans for local swamp zones - Collect surface water onsite for dust suppression. - Retain good water practices from Oparure for Pit 2 - Site rehabilitation plan at end of quarrying - Monitoring water quality @ 4 locations including: - Upper Mangawhitikau; - stormwater conveyance and sediment retention ponds; - visual assessment and reports of drainage channels to stormwater ponds during high rainfall events

KEY THEME	PRESSURES and STATE	IMPACT on the KEY THEME	PROPOSED RECOMMENDATIONS from GRAYMONT (or TECHNICAL REPORTS) THAT MAY ADDRESS CONCERN
Inability to gather kai	Protecting our tikanga and kawa and their integrity	- As for above (potential water quality effects) - Removal of terrestrial habitat	- Verbal recognition from Graymont re: the value in selecting native trees over exotics to address the amenity issues related to the Landscape Assessment Report. - Betterment Plan – protection of some bush areas onsite; offset restoration of other caves (recommended 30:10); riparian and wetland restoration in wider sub catchment - Improved cropping & field management systems locally
Impacts to rongoaa and other plants (e.g., harakeke)	Protecting our tikanga and kawa and their integrity	- Removal of terrestrial habitat - Removal of indigenous terrestrial plant species	- As above for amenity and screening - Site Rehabilitation Plan - Seedbank creation + assist nursery establishment
Protection of waahi tapuu	Fewer whaanau doing the mahi	- No waahi tapū noted on the site (as per arch report). - NOTE that tāngata whenua were not involved in the compilation of the arch technical report	- NZAA protocols will be adopted. - Intent of Graymont appears to also extend to protocols agreed to by Tāngata Whenua, but this needs to be locked in and formalised with Oparure marae. - Training and education
Protection of natural resources	- Urban-economic drift; nothing to keep our whaanau here - support rangatahi who show interest - succession is lacking	- Removal of terrestrial habitat - Removal of indigenous plant species - Blasting and destruction of at least 10 tomo on the site	- Protection and buffering for Camelot System and other erosion-prone dolines including the delayed advance from the system for the first 12 years, until more monitoring and technical information is complete - Betterment Plan – protection and restoration of other tomo in wider sub catchment - Maintaining new quarry activities (roads etc) in the existing footprint of Oparure site - Development Dust Management Plan and Dust

KEY THEME	PRESSURES and STATE	IMPACT on the KEY THEME	PROPOSED RECOMMENDATIONS from GRAYMONT (or TECHNICAL REPORTS) THAT MAY ADDRESS CONCERN
			Mitigation Strategies which is a recommendation within the reports to Graymont regarding Air Quality - Air Quality monitoring - Graymont is offering (recommendation) real time instrumental wind monitoring and visual dust monitoring. To include ability for regular recording and reporting of outcomes. - Water quality monitoring - Erosion and sediment control
Protection of tikanga/kawa	Need kaumatua to support and guide rangatahi	Unknown – but see impacts to indigenous habitat, flora and fauna	- Inclusion of Tāngata Whenua in the application process – TT-RMC (originally) and Oparure marae now (with the support of TT-Whare). - Review and retain good processes in Oparure for Pit 2 - Potea / Motu Tapu (Potential) rejuvenation examples
Enhancement and preservation of culturally important landscapes and resources Conservation and restoration	- Employment - Tangata whenua - comes down to mana and whakapapa	- Quarry will remove terrestrial and some cave habitat - Intergenerational activity impacts – over 80 years for the new site; and also considering the cumulative effects to tangata whenua of the quarrying activities on Oparure prior and up to current Graymont ownership (~ 45 years)	- Verbal discussions have been had with Graymont re: potential loss of employment once quarry is finished (ID = 80-year target) - Graymont have undertaken clean-up of tomo and other features onsite through the removal of hazardous substances (including asbestos) - Karst Enhancement Plan - Graymont committed to working with Oparure marae to investigate options for potential remediation of culturally significant sites that changed and were significantly damaged in some cases <u>under the previous quarry owners</u>. - Potea / Motu Tapu (remediation examples)

3.2.2 Rangatiratanga

KEY THEME	PRESSURES and STATE	IMPACT on the KEY THEME	PROPOSED RECOMMENDATIONS from GRAYMONT (or TECHNICAL REPORTS) THAT MAY ADDRESS CONCERN
For Māori by Māori	- Employing the right people with the knowledge and technical skills for roles - Capacity in regards to time, availability and skills - Can be different across the layers (i.e., marae whaanau versus trustees)	- Reliance on technical experts who are not necessarily Māori - Intergenerational activity impacts – over 80 years in initial consenting proposal. Could go longer if technology facilitates them going deeper than current proposal - Impacts felt more acutely at the marae and local residents	- Involvement of Swampfrog (with RMC and then Oparure marae permission and support) - Inclusion of Oparure marae in monitoring on-going operations at Quarry - Inclusion of TT-RMC (originally) and then Oparure marae in reviewing the technical reports and the Betterment plan - Monitor and review
Decision making	- Capacity in regards to time, availability and skills - Can be different across the layers (i.e., marae whaanau versus trustees)	- Reliance on technical experts who are not necessarily Māori - Intergenerational activity impacts –80 years plus – ID of new technology may facilitate going deeper than current proposal	- Inclusion of Marae in reviewing the technical reports and the Betterment plan - Requires new Resource consents - Technical reports are a providing 'new' knowledge about the area (even if mainstream) - Mana whenua Kōrero - Inclusion of the marae reps, and where requested by the Marae, TT-Whare in providing cultural oversight to the current and future quarry operations
Enhance understanding of our people	- Stories of kōiwi burials; passion for marae - Interactions between different generations of our people	- Potential to disturb unmapped /unregistered/unknown sites - Reliance on technical experts who are not necessarily Māori	- Mana whenua Kōrero - Inclusion of the marae reps, and where requested by the Marae, TT-Whare in providing cultural oversight to the current and future quarry operations

3.2.3 Cultural heritage

KEY THEME	PRESSURES and STATE	IMPACT on the KEY THEME	PROPOSED RECOMMENDATIONS from GRAYMONT (or TECHNICAL REPORTS) THAT MAY ADDRESS CONCERN
Evolution of our culture (tikanga and kawa)	Changes to landscape, mahinga kai, our settlements	- Removal of ridges through quarrying activity - Removal of terrestrial and (potential subterranean) habitat	- Site Rehabilitation Plan including recontouring of land post-pit closure - Parallel rehabilitation of both sites – Oparure and Pit 2 - Joint revegetation plans where possible indigenous biodiversity (Potential to re-introduce endangered native bird species)
'Value' – defined by others	Prioritisation of what is important set by others, e.g., mudfish	- Ignorance of culturally important species - Prioritisation of restoration and/or protection funding set by others	Graymont expecting feedback from Marae re: this to incorporate into future species management plans and pest management. Oparure marae whaanau wish to highlight here that pest/invasive plants are an area that management is needed, particularly with the increased potential facilitation of weeds/pest/invasive plants via quarry activities (i.e. opening up areas for invasion and/or truck movements).

3.2.4 Customary Activities

KEY THEME	PRESSURES and STATE	IMPACT on the KEY THEME	PROPOSED RECOMMENDATIONS from GRAYMONT (or TECHNICAL REPORTS) THAT MAY ADDRESS CONCERN
Mahinga Kai	• Hangi stones • Raurekau, tanekaha, hiinau • Fishing and pest species • Rongoa • Weaving, paru • Birds – harvest and impacts to species like kawau • Tuna, paa tuna, worm farms • Creation of swamps to replace loss	• Removal of terrestrial habitat • Removal of kōhatu (rocks) • Potential impacts to surface water in wider sub-catchment through runoff • Quarry blasting of sites • Potential impacts on sediment loads into karst subsurface waters and then alter into tributaries	• Site rehabilitation plan – could include key plant species of importance to Oparure marae • Plant screening – should include key plant species of importance to Oparure marae • Species Management Plans to counter potential deaths during quarrying activities. • Pest animal management plans [the marae note here though that pest/invasive plants are not mentioned and request that this is identified and addressed as well] • Waters of direct impact of activity are subterranean; HOWEVER, Graymont are investigating wider benefits for surface water and land use effects via Betterment Plan • Land based remediation includes real-time monitoring and reporting. • Sediment and erosion management plans and • Monitoring/reporting on key surface water systems

3.2.5 Conservation

KEY THEME	PRESSURES and STATE	IMPACT on the KEY THEME	PROPOSED RECOMMENDATIONS from GRAYMONT (or TECHNICAL REPORTS) THAT MAY ADDRESS CONCERN
Koiwi	• Oparure (check the tomo, probably last customary activity to store koiwi in the caves) • Check with Marae members	• Unknown – no sites identified via Archaeological assessment	• Confirm accidental discovery protocols and other matters of importance with Oparure marae to be formalised in both the consent and with Graymont

KEY THEME	PRESSURES and STATE	IMPACT on the KEY THEME	PROPOSED RECOMMENDATIONS from GRAYMONT (or TECHNICAL REPORTS) THAT MAY ADDRESS CONCERN
Wai	Our water trails, to be followed and understood	Potential impacts to surface waters downstream of site	- Waters of direct impact of activity are subterranean; HOWEVER, Graymont are investigating wider benefits for surface water and land use effects via Betterment Plan - As noted above re: monitoring and sediment and erosion management plans

3.2.6 Papakāinga, marae and pā

KEY THEME	PRESSURES and STATE	IMPACT on the KEY THEME	PROPOSED RECOMMENDATIONS FROM GRAYMONT TO ADDRESS CONCERN
Our pā and papakāinga	- Keeping our kaimahi, and paepae full for our marae - Financial security of marae and our people	Graymont is a key employer (both directly and indirectly) of a number of tribal members in the Te Kuiti and wider district.	- Nothing in the technical reports specifically relating to the perceived and/or actual economic benefits to local Māori. However, recognition in the economic report of the contribution the quarry might make to the local economy, particularly in Te Kuiti and wider district. - Verbal discussions have been had between representatives of TT-RMC and the Marae, and Graymont re: potential opportunities for on-going partnership opportunities separate to this consent
Our pā and papakāinga	- Safe quality drinking and bathing water - Maintaining our activities - Health of our people - Harvesting of our resources: rongoa, birds, tuna	- Impacts of the extension on the health of whaanau – increased dust particles moving downwind to local residents and receiving natural environments - Impacts of the increase in quarrying activity on the ability of whānau to be able to continue doing their practices in the sub catchment - Impacts of increased heavy traffic	- Transferring the same processes for access to culturally significant sites as for Oparure quarry - Mutual agreement to be reached between Graymont and Oparure marae (and where invited by the Marae, TT-Whare) to explore the incorporation of -preferred projects into the Betterment Plan - Development of species management plans, and pest animal and pest/invasive plant management plans, with verbal recognition from Graymont that Oparure marae

KEY THEME	PRESSURES and STATE	IMPACT on the KEY THEME	PROPOSED RECOMMENDATIONS FROM GRAYMONT TO ADDRESS CONCERN
		(numbers, and increased vehicle weights/lengths) on the local community and cultural centres (marae and kura). This is from both the current and proposed extended operations at the quarry.	needs to be involved in those - At the time of drafting this CIA, there were no accommodations within the recommendations of Graymont to alleviate concerns regarding the potential increases in heavy vehicle operations, apart from notable efforts from Graymont to support marae and local community requests to reduce speed limits. - NOTE: Oparure marae appreciate this support from Graymont for speed reductions, but wish to further explore options for mitigating perceived and actual risks from increased heavy vehicle movements and potentially associated increases in weights and/or vehicle lengths. See condition 24 later.
Our pā and papakāinga	Accessibility	Concerns regarding any ko iwi and/or other culturally important sites on Pit 2 that have not been identified via the archaeological report	- ID and Transfer of processes for access to and for current or new culturally significant sites - Formal adoption of MMTB/Oparure marae and/or TT-Whare accidental discovery protocols
Our pā and papakāinga	- Maintaining our tikanga and culture - Maintaining culture and development on the marae - Protection of marae as important parts of our historic and cultural heritage	Legacy issues of environmental damage caused to culturally significant sites from past owners of the quarry	Mutual agreement to be reached between Graymont and Oparure marae (and where invited by the Marae, TT-Whare) to explore the incorporation of -preferred projects into the Betterment Plan

3.3 Assessment Table – Objectives under Te Ture Whaimana directly relevant to Maniapoto and the RMC (WHARE)

NOTE: Refers to the objective that refers directly to the other River iwi which includes Maniapoto (along with Raukawa, Te Arawa River Iwi and Ngāti Tūwharetoa). It is over to those respective iwi to describe the intention of objective C to them and their values. The values and feedback of the RMC (WHARE) was used in this regard to anchor the objective in their context and space.

Objective B – which refers to Waikato-Tainui has been removed.

OBJECTIVE	WORDING IN TE TURE WHAIMANA	SUMMARY OF HOW GRAYMONT ARE ATTEMPTING TO ADDRESS THE OBJECTIVES IN THEIR APPLICATION	CONSIDERATIONS TO ADDRESS OBJECTIVES FROM PERSPECTIVE OF RMC (WHARE)
A	The restoration and protection of the health and wellbeing of the Waikato [and Waipā] River.	Betterment plan partially addresses this, although the actions under the plan are to mitigate a new activity, not necessarily to improve the area from its current state	- Graymont to update the proposed projects under the Betterment Plan to include projects of importance to Oparure marae (as identified by the people) - Recommended technical design alterations to lighting for the new activity to limit light pollution and impacts on the night sky³
C	The restoration and protection of the relationship of [Maniapoto] with the [Waipā]...River, including their economic, social, cultural, and spiritual relationships	There already exists a good relationship with RMC (WHARE)	- Graymont to update the proposed projects under the Betterment Plan to include projects of importance to Oparure marae (as identified by the people) - Graymont to include the accidental discovery protocols under Ko Tā Maniapoto Mahere Taiao into their archaeological responsibilities - Maintain current access agreements to waahi tapū in Oparure and transfer these agreements across to Pit 2 (Safety First)
E	The integrated, holistic, and coordinated approach to management of the natural, physical, cultural and historic resources of the Waipā River.	- Drafting of a Betterment Plan to address some of these issues both onsite and in other parts of the sub-catchment. - Species Management Plans - Pest Animal Management Plan - Native trees as part of plant lists for site screening	- Oparure marae should be involved in the identification of species that management plans (biodiversity and pest management/biosecurity) are needed for, this includes pest/invasive plants as well as animals. - Oparure marae should be involved in the selection of native species for screening. - Oparure marae should be involved in site rehabilitation plans to ensure activity will meet cultural expectations under this

³ Oparure Marae recommend that Ensign and Graymont review the Mackenzie District Council's Section 32 Report regarding plan change 22 – light (Sept 2022). URL link: https://www.mackenzie.govt.nz/_data/assets/pdf_file/0008/677960/PC22-Section-32-Report.pdf

TR

OBJECTIVE	WORDING IN TE TURE WHAIMANA	SUMMARY OF HOW GRAYMONT ARE ATTEMPTING TO ADDRESS THE OBJECTIVES IN THEIR APPLICATION	CONSIDERATIONS TO ADDRESS OBJECTIVES FROM PERSPECTIVE OF RMC (WHARE)
F	The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River.	Delayed advance towards Camelot Cave as a means to monitor and respond accordingly if impacts are noted in first 12 years	- All monitoring reports (and similar) should be shared with Oparure marae as they are drafted/reported on - Oparure recommend a condition for whānau to carry out monitoring (“cultural monitoring”), along with other monitoring council is doing, then apply some resources to some proactive project. - Monitoring and regular reviews to measure climate change impacts of the quarry and associated activities - Consent period needs to be connected to reports mitigation requirements that may arise during this time period and should be flexible enough to adjust to changes to the proposed works that may require protection measures for the cave to be implemented faster than originally expected.
G	The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River and within its catchments on the health and wellbeing of the Waikato River.	- Betterment Plan - Air quality monitoring and reporting - Maintenance of existing activities within the current footprint of the existing quarry	- Build a Joint plan to address any rising issues identified with the project stakeholders during monitoring/reporting - Implement noise and vibration monitoring programmes to measure changes (including improvements) as they affect the activities of the marae and day-to-day life in the village during the life of the activity.
H	The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities.	- Sediment control, dust management and associated plans to be implemented - Air quality monitoring Graymont is offering (at their recommendation) real time instrumental wind monitoring and visual dust monitoring/reporting. - Removal of dangerous contaminants from past land use on Pit 2 site including rubbish in tomo	- Resource Oparure marae members to assist, in mitigation of any rising issues identified through Monitoring and Reporting over time. - Oparure marae members to be resourced to assist in any plan development for the operations of any onsite activities - Training to be provided by, or in partnership with Graymont

TR

OBJECTIVE	WORDING IN TE TURE WHAIMANA	SUMMARY OF HOW GRAYMONT ARE ATTEMPTING TO ADDRESS THE OBJECTIVES IN THEIR APPLICATION	CONSIDERATIONS TO ADDRESS OBJECTIVES FROM PERSPECTIVE OF RMC (WHARE)
I	The protection and enhancement of significant sites, fisheries, flora and fauna.	• Delay advance towards Camelot Stream to monitor impacts and buffering. • Riparian plantings along key tributaries and fencing • Offset protection of 10 – 30 tomo/caves in response to the loss of 10 onsite as part of the activity • Development of species management plans for key species identified on, under and around the site	• Loss of mature canopy is going to occur – investigate methods to limit the impacts • Nursery and Seedbank establishment. • Oparure marae are deeply concerned about the losses of, and/or impacts to tomo in the activity zone. Implement cultural monitoring programme to oversee activities in relation tomo on site including adoption of appropriate tikanga as guided by Marae.
J	The recognition that the strategic importance of the Waikato River to New Zealand's social, cultural, environmental and economic wellbeing requires the restoration and protection of the health and wellbeing of the Waikato River	• Betterment Plan • Monitoring Reporting • Site rehabilitation plan	• Oparure marae, or their approved appointment/s are resourced to participate in the different plan developments • Training
K	The restoration of water quality within the Waikato River so that it is safe for people to swim in and take food from over its entire length	• Monitoring of water quality at 4 locations including the Upper Mangawhitikau, • Observations/monitoring of stormwater conveyance and sediment retention ponds, • Visual assessments of drainage channels to stormwater ponds during high rainfall events	• Cultural monitoring indicators and participation of Oparure marae members in the process of monitoring and assessing reports ('cultural monitors')
L	The promotion of improved access to the Waikato River to better enable sporting, recreational, and cultural opportunities	• Noise monitoring and assessment of light pollution are current gaps in the technical assessments. • Also, although out of scope for this consent, the marae members note the impacts of heavy traffic on Oparure Road. There is a broader community desire to see speed limits reduced and heavy traffic signage to be installed. • Additionally, whaanau wish to explore with Graymont, the implementation of more	• Undertake immediate monitoring of noise and vibration impacts on local residents to better identify Graymont's responsibility (or not) to directly mitigate. • Implement ongoing noise and vibration monitoring programmes to measure changes (including improvements) as they affect the activities of the marae and day-to-day life in the village during the life of the activity. • Recommended technical design alterations to lighting for the new activity to limit light pollution and impacts on the night sky • Restrictions on hours of heavy vehicular movement to and

OBJECTIVE	WORDING IN TE TURE WHAIMANA	SUMMARY OF HOW GRAYMONT ARE ATTEMPTING TO ADDRESS THE OBJECTIVES IN THEIR APPLICATION	CONSIDERATIONS TO ADDRESS OBJECTIVES FROM PERSPECTIVE OF RMC (WHARE)
		community-friendly hours of operation that reduce risks to the local community and cultural centres as activities increase within the area of the quarry due to the extension. The main concerns here are the increasing weights and lengths of heavy vehicles, and daily numbers of vehicles in response to market drivers across the whole mining/quarry transport and logistics industry. To be discussed further with the RMC (WHARE) and marae	from the quarry during kura dropoff and pickup hours, and also during tangihanga at the marae. This is in addition to current work to reduce speed limits along the main access road to the quarry.
M	The application to the above of both mātauranga Māori and latest available scientific methods.	Mātauranga Māori (as identified by Oparure marae and TT-Whare) are adopted as part of monitoring requirements and species/site plans across appropriate features of the application.	

3.3 Recommended conditions from the RMC (TT-WHARE) and with support and enhancement from Oparure marae based on the CIA assessments

Kaitiakitanga and Rangatiratanga

- **Condition 1** that Graymont assist resourcing Oparure marae to co-develop with them a unique 'Strategic Intent Plan' which will be intended to address matters outlined in this CIA in addition to others that may be out of scope for the consent but are considered important to the relationship moving forward. This plan could be used to address information gaps presented in the technical reports regarding experiences and/or valued landscapes, sites and species, but should not be limited to that alone. Graymont have indicated support for the establishment of an MoU with the Marae to start this process.

[Key objective under Te Ture Whaimana: C]

- **Condition 2** that any perceived Air quality issues onsite to be jointly reviewed between Graymont and Oparure marae at least every 5 years during LoQ (Life of Quarry)

[Key objectives under Te Ture Whaimana: A, C, F, G, H, I]

- **Continuation of support from Oparure marae for a condition (3)** to delay advancement to the Camelot system. While the current proposal from Graymont recommends assessment for the first 12 years and the undertaking of all necessary monitoring and sediment controls to prevent decline in the water quality of other connected systems, Oparure marae wish to reiterate their deep concern for this tomo (and others on the site). Marae members will only maintain their support if monitoring of potential risks are robust, and maintain regularity in a way that ensures that potential risks to the system are clearly identified **BEFORE** the activity impacts on the system. Thus, ensuring that Oparure marae can participate in decisions regarding appropriate actions for mitigation and/or avoidance of those risks to Camelot.

- With this in mind, they support an **additional condition (4) (with amendments) posed by the RMC in the original CIA** that Oparure marae is resourced to participate in the monitoring and associated components (including application of appropriate tikanga) as cultural monitors and advisors during this period for both the Camelot System and other tomo impacted by the activity.

- The Marae also presents an **additional condition (5)** that Oparure marae are engaged in a timely fashion by Graymont that ensures the monitoring results and recommendations of the cultural monitors are factored appropriately within any decisions relating to impacts (perceived and actual) on the Camelot system, but also other tomo in the Pakeho site. This includes associated decisions relating to improvements to other tomo as captured under the proposed Betterment Plan.

[Key objectives under Te Ture Whaimana: A, C, F and M]

- **Continuation of support from Oparure marae for a condition (6)** to develop and implement the plans on the next page, with the **Condition (7)** that Oparure marae members are resourced to participate within the identification of culturally important considerations within those (including culturally important species), and **Condition 8** that culturally appropriate monitoring indicators and methods are co-developed and co-implemented with Oparure marae [also see **Conditions 3,4 & 5** above]:

- Site Management Plan
 - Native Species management/recovery plans
 - Pest Animal and Pest/Invasive Plant Management Plans
 - Dust Management Plan and related strategies
 - Site Rehabilitation Plan
 - Karst Enhancement Plan including the offsetting of the loss of 10 tomo with up to 30 over the life of the Quarry extension [Key objectives under Te Ture Whaimana: **A, C, E, F, G, H, I, K, M**]
- **Condition 9** that further work would be required into the impacts of the quarry activity on any critically endangered local (Mangawhitikau) freshwater species if identified with an expectation that research and monitoring protocols would be developed immediately if identified; and Oparure marae would be involved in a meaningful way.
[Key objectives under Te Ture Whaimana: **A, C, E, F, G, I, M**]
 - **Condition 10** that Oparure marae are part of the communications plan for all monitoring and reporting against the conditions and relevant plans.
[Key objectives under Te Ture Whaimana: **A, C**]
 - **Condition 11** that Graymont will commit to on-going research and investment (where possible) into either augmenting current products with sustainable alternative sources and/or with a long-term goal for phasing out of their landscape altering sources from within the Oparure catchment.
[Key objectives under Te Ture Whaimana: **A, C, E, F, G, H, I, J, K, L, M**]

Cultural Heritage

- **Condition 12** that the TNN Accidental Discovery Protocols are adopted and upheld for the activity. Waahi Tapū ID to be included.
[Key objectives under Te Ture Whaimana: **A, C**]
- **Condition 13** that Graymont formalise and translocate existing access agreements for RMC (WHARE) monitors on Oparure site to also cover Pit 2, but with the addition that Oparure marae members are engaged as the cultural monitors for both sites.
[Key objectives under Te Ture Whaimana: **A, C, E, F, G, I, M**]
- **Condition 14** that Oparure marae or their approved agent are involved in timely seed and/or propagule collection from vegetation to be removed from the Pit 2 site for seed-banking and propagation at a jointly approved nursery
[Key objectives under Te Ture Whaimana: **A, C, E, F, G, I, J, M**]
- **Condition 15** for lighting design on the Pakeho site that measurably reduces the impact of the activity on the local nightscape, with a commitment from Graymont to consider transferring these designs to the existing Oparure site as an exemplar of best practice.

Oparure marae recommends that designs adopted by the Mackenzie District Council with the support of Ngai Tahu in Takapō (Lake Tekapo district), are an appropriate precedent to initiate the types of lighting innovations desired for the Pakeho and Oparure pits.

[Key objectives under Te Ture Whaimana: **A, C, E, F, G, H, I, J, L, M**]

Customary Activities

- **Condition 16** that plants utilised in the screening of the site include native species of importance to Oparure marae

[Key objectives under Te Ture Whaimana: **A, C, E, F, G, I, J, M**]

- **Condition 17** that any endangered native trees under 5m that would otherwise be destroyed in the quarry's activity area are *Jointly considered* for safe removal and translocation.

[Key objectives under Te Ture Whaimana: **A, C, E, F, G, I, J, M**]

- **Condition 18** that Oparure marae is given 'first right of refusal' over any culturally significant resources that will be impacted by the activity and are able to be removed safely.

[Key objectives under Te Ture Whaimana: **A, C, E, F, G, I**]

Papakāinga, marae and pā

- **Condition 19** that the consent period is mutually agreed (initially) with an **additional condition (20)** of a 'stop-go' review period at **year 12** of the consent linked to Camelot System analysis. This should also be conditional on the proven and resourced participation of Oparure marae in an agreement to undertake a 'cultural compliance review', and to evaluate monitoring of impacts to-date and mitigations undertaken by Graymont to remedy those (**condition 21**).

[Key objectives under Te Ture Whaimana: **A, C, E, F, G, H, I, M**]

- **Condition 22** Graymont to provide a formal commitment to develop a '**Community Land Exit Strategy**' for any repatriated land post quarrying. This is based on the information at hand that the activity will likely continue for at least a further 80 years. Oparure marae and TT-Whare view the 'Exit Strategy' to connected Land and its future use to have cultural and economic benefits. This will also ensure a wider community benefit.

[Key objectives under Te Ture Whaimana: **A, C, E, F, G, H, I, M**]

- **Recommendation 23** for council to better consider the cumulative impacts of all heavy vehicular operations on Oparure road associated with industry in this part of the district. Review of a potential reduction in speed on Oparure Road to enhance safer access and utilisation of the school and marae; Provide more signage (perhaps with potential for permanent **temporary activity** notice signs for **Tangi and other Events**) in key locations to better communicate to all road users; This supports and upholds Council obligations under Te

Ture Whaimana and Ko Tā Maniapoto Mahere Taiao.

[Key objectives under Te Ture Whaimana: **C, E, F, G, I, M**]

- **Condition 24 (in addition to condition 23 above)** for restrictions on the hours of vehicular movement to and from the quarry during kura drop off and pick up times, and also during tangihanga.

[Key objectives under Te Ture Whaimana: **C, E, F, G, I, L**]

- **Condition 25** that Graymont work with the Oparure marae to incorporate environmental and landscape projects that they deem to best support tribal betterment within the proposed 'Betterment Plan'. Oparure marae support the original sentiments of the RMCs in their support for the Betterment Plan concept and its principle of betterment.

[Key objectives under Te Ture Whaimana: **A, C, E, F, G, H, I, J, M**]

- **Condition 26** for baseline monitoring of noise impacts to the papakāinga and Oparure marae, and a confirmed plan for ongoing monitoring and appropriate mitigation of noise impacts to the local community and marae for the life of the activity.

[Key objectives under Te Ture Whaimana: **A, C, E, F, G**]

4.0 CONCLUSION

To counter any doubt, the following tables below provide summaries of how Oparure marae members, and TT-Whare view the implementation of their conditions will meet their aspirations and expectations under Ko Tā Maniapoto Māhere Taiao and Te Ture Whaimana.

RMC (WHARE) Condition number	RMC (WHARE) value and/or kaupapa met if condition supported	Te Ture Whaimana Objective(s) met if condition supported										
		A	C	E	F	G	H	I	J	K	L	M
1	<i>Kaitiakitanga and Rangatiratanga</i>		✓									
2		✓	✓		✓	✓	✓	✓				
3		✓	✓		✓							✓
4		✓	✓		✓							✓
5		✓	✓		✓							✓
6		✓	✓	✓	✓	✓	✓	✓		✓		✓
7		✓	✓	✓	✓	✓	✓	✓		✓		✓
8		✓	✓	✓	✓	✓	✓	✓		✓		✓
9		✓	✓	✓	✓	✓		✓				✓
10		✓	✓									
11		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
12	<i>Cultural Heritage</i>	✓	✓									
13		✓	✓	✓	✓	✓		✓				✓
14		✓	✓	✓	✓	✓		✓	✓			✓
15		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓
16	<i>Customary Activities</i>	✓	✓	✓	✓	✓		✓	✓			✓
17		✓	✓	✓	✓	✓		✓	✓			✓
18		✓	✓	✓	✓	✓		✓				
19	<i>Papakāinga, marae and pā</i>	✓	✓	✓	✓	✓	✓	✓				✓
20		✓	✓	✓	✓	✓	✓	✓				✓
21		✓	✓	✓	✓	✓	✓	✓				✓
22		✓	✓	✓	✓	✓	✓	✓				✓
23			✓	✓	✓	✓		✓				✓
24			✓	✓	✓	✓		✓			✓	
25		✓	✓	✓	✓	✓	✓	✓	✓			✓
26		✓	✓	✓	✓	✓						

As expressed through this CIA, the RMC (WHARE) note that the only and most appropriate way to fully understand what these important mechanisms mean both in terms of assessments and operationalisation is to ground truth with tangata whenua **at the flax roots**. Whilst Graymont is commended for having undertaken an exceptional and exemplary process for engaging with tangata whenua, and also in their approach to test how they can best meet Te Ture Whaimana in their own way such as via the Betterment Plan, there are still lessons to be learned in how to best include mana whenua voices at the technical report development phase. The conditions outlined here are to both acknowledge the work of Graymont, and to also provide some methods for addressing perceived gaps.

5.0 KEY REFERENCES

Maniapoto Māori Trust Board (2016). *Ko Tā Maniapoto Mahere Tāiao*. Maniapoto, Waikato: 122pp.

Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act (2010)

Nga Wai o Maniapoto (Waipā River) Act (2012)

Waikato River Authority (2019, reprint). *Vision & Strategy for the Waikato River*. Waikato River Authority, Waikato: 12pp.

Waikato-Tainui Te Whakakitenga Inc (2020). *Te Ture Whaimana oo Te Awa oo Waikato: Vision & Strategy for the Waikato River and the Waikato-Tainui objectives*. WTTKI, Waikato: 18pp.

Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act (2010)