CULTURAL IMPACT ASSESSMENT

Parkburn Subdivision — Cromwell






An assessment prepared on behalf of Hokonui Rūnanga, Te Rūnanga o Ōtākou, Kati Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Moeraki

for

Fulton Hogan Land Development Ltd

July 2026

Cover photos

Top left: This is a photo of Te Wairere	Top right: A Kawarau Gecko – one of the taonga species found on site
Bottom left: This photo shows the entrance to the McNulty Inlet Nohoanga	Bottom right: This is a photo overlooking the Park Burn looking towards its junction with the Mata-Au

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EXECUTIVE SUMMARY

Purpose. This Cultural Impact Assessment (CIA) has been prepared on behalf of four Papatipu Rūnaka — Hokonui Rūnanga, Te Rūnanga o Ōtākou, Kāti Huirapa Rūnaka ki Puketeraki, and Te Rūnanga o Moeraki — in response to the substantive Fast Track Approvals Act 2024 application by Fulton Hogan Land Development Ltd (FHLD) for the Parkburn Subdivision at 922 Luggate–Cromwell Road on the shores of Te Wairere (Lake Dunstan), Cromwell. The CIA assesses the cultural impacts of the proposal against the beliefs, values and practices of Kāi Tahu, with particular attention to the matters recognised and protected in the Ngāi Tahu Claims Settlement Act 1998 (NTCSA), including the Statutory Acknowledgement of Te Wairere (Schedule 61) and the Nohoanga entitlement at McNulty Inlet (Schedule 95). This CIA integrates analyses of the updated April–July 2026 applicant suite of technical reports, prepared in response to the lodgement of the substantive Fast Track application.

The proposal. The proposal provides for the staged urban redevelopment of the existing Parkburn Quarry site to approximately 989 standard residential lots (with a further nine residential 'superlots' excluded from the modelling), a local commercial centre, a potential primary school site of approximately 2.6 ha, several open space reserves, two excavated lake coves to be breached into Te Wairere, and restoration works along the lake margin and Park Burn corridor. Total enabling earthworks are in the order of 3.15 million cubic metres, including the reprocessing of approximately 2 million cubic metres of pea gravel and the on-site containment of approximately 180,000 m³ of cleanfill. Development is to be consented as a single project and delivered in stages, with lot release phased against transport thresholds at 710 and 875 units.

Assessment framework. The assessment is grounded in two interlocking Kāi Tahu values: whānau ora (the wellbeing of whānau across generations, and of the resources that sustain them) and manaakitaka (the obligation of care for places, taoka, and people). The assessment addresses six areas of cultural interest — wai māori, taoka species, mahika kai, ara and kāika nohoanga, cultural presence, and rakatirataka and kaitiakitaka. Within each area, the impacts that Manawhenua seek to have avoided are identified, and the May 2026 applicant technical reports are assessed against those impacts under a four-tier framework: likely to be addressed, partially addressed, potential conflict, and silent.

Summary of findings. Across the six cultural areas, the CIA assesses 92 impacts. Three are likely to be addressed based on the updated technical reports; thirty are partially addressed; sixteen are in potential conflict with the CIA framework; and forty-three are silent. The overall finding in each of the six areas, and in the assessment as a whole, is POTENTIAL CONFLICT. The applicant's reports do not, in their current form, recognise or give effect to the Statutory Acknowledgement of Te Wairere, the nohoanga entitlement at McNulty Inlet, or the Treaty obligations of the Crown to the standard required by the NTCSA 1998 and section 8 of the Resource Management Act 1991.

Substantive engineering progress. The updated 2026 technical reports represent substantive engineering progress on the earlier set of reports provided to rūnaka. The updated Insight Engineering geotechnical assessment identifies three Remediation Areas and proposes pea gravel re-engineering. The Environmental Associates hydrology report is new and confirms a continuous groundwater pathway from the development footprint to Te Wairere at approximately 1.5 m/day — the single most consequential cultural finding of the application. Six HAIL activities are identified and are accompanied by an Updated Final Remedial Action Plan (16 July 2026) that now adopts the dual name Lake Dunstan / Te Wairere and has regard to section 8 of the RMA.

The Viridis ecology report includes a Schedule 97 taoka species table and a Lizard Management Plan addressing McCann's skink. The Reset Concept Report introduces 'Cultural' as the first of six design principles, a 38-species Ngāi Tahu Taoka Species planting palette, and Cultural Interpretation in three perspectives. The latest Reset landscape documents — the Landscape Concept (v7) and Crown Land Esplanade Concept (v6), both 24 July 2026 — nonetheless still record on their face that 'the cultural narrative is yet to be woven into this landscape concept', and the Urban Design Memo (Final, 19 June 2026) continues to find 'no significant cultural features' on the site. A Marshall Day noise assessment (23 July 2026) assessing State Highway 6 and construction noise has also been lodged and reviewed. The Insight Economics report has been recalibrated to a net benefit of approximately $256 million NPV and uses the dual name 'Lake Dunstan / Te Wairere'. A consolidated Infrastructure Assessment (Landpro, July 2026), bundling updated three-waters, earthworks, stormwater/flood and water/wastewater reports and an Environmental Management Plan, has since been lodged. It materially updates the infrastructure evidence and, for the first time across the applicant's suite, recognises the Statutory Acknowledgement Area, references the Nohoanga entitlement at McNulty Inlet, engages the NPS-FM and Te Mana o te Wai in the stormwater report, and adds a cove in-water works methodology and an accidental discovery protocol — though it does not assess downstream effects on the nohoanga.

Areas of substantive alignment. Three matters in the May 2026 reports are substantively aligned with the CIA framework: the McCann's skink Lizard Management Plan, the lakeshore trail continuity proposed in the Reset Concept Report, and the staging mechanism. The staging mechanism — lot release phased against transport thresholds — is the most important of the three, because it provides a structural vehicle through which cultural conditions, monitoring milestones, and Manawhenua sign-offs can be phased against development progress.

Cross-cutting concerns. Notwithstanding the engineering progress, ten cross-cutting concerns remain unresolved across the cultural framework:

(1) confirmed groundwater connectivity from the site to Te Wairere;

(2) cove construction and breach as the highest-risk single event;

(3) the absence of bioaccumulation and flow on consumption-risks for kai species;

(4) the acknowledgement — but not the assessment — of the McNulty Inlet nohoanga across the updated technical documents;

(5) operational-phase effects over the 50–100 year lifetime of the subdivision;

(6) the absence of te reo Māori naming and cultural narrative across the urban design package;

(7) the lack of clarity on the provision for affordable housing;

(8) internal contradictions between the applicant's own Reset Concept Report and Reset Urban Design Memo;

(9) the unused potential of the staging mechanism as a vehicle for cultural conditions; and

(10) the Treaty framing in the Insight Engineering Remedial Action Plan, which in its Updated Final version (16 July 2026) has removed the earlier 'no specific Treaty of Waitangi matters requiring consideration' statement and now has regard to section 8 of the Resource Management Act 1991 and to the Statutory Acknowledgement of Te

Wairere — a welcome improvement that nonetheless remains an acknowledgement but it does not consider the nohoanga entitlement.

Consolidated recommendations. A series of recommendations are set out in Chapter 6. They are intended to function as the framework for the partnership relationship between Manawhenua and FHLD through the design and construction of the subdivision. In summary, the recommendations call for: a Manawhenua–FHLD relationship prior to the issue of any consent; the application of Te Mauri o te Wai and receiving-environment performance standards for Te Wairere in the stormwater and three-waters design; a sediment quality and tissue residue baseline programme; a McNulty Inlet Nohoanga assessment; cultural conditions phased to the staging mechanism; a cove cultural design review; a mahika kai restoration plan; an operational-phase predator and lake margin management programme; a cultural health monitoring and adaptive management programme; an affordability and tenure mix response; a naming, narrative, and cultural interpretation programme; an archaeological assessment in partnership with Manawhenua; and resolution of the internal coherence of the cultural framework within the applicant's own documents.

Status and posture. Manawhenua have a continuing and active relationship to Te Wairere and the wider Mata-au catchment. The cultural conditions that ultimately attach to any consent will be the product of further engagement, discussions with the applicant and its advisers, and the partnership relationship that this CIA recommends establishing. Manawhenua approach that engagement in good faith and from a foundation of rakatirataka.

PART ONE: INTRODUCTION

Chapter 1: Background Information

1.1 Introduction

Te Wairere (Lake Dunstan) is located in the Upper Clutha catchment of central Te Wai Pounamu, wholly within the rohe of Kāi Tahu whānui. Te Wairere holds cultural and spiritual significance for Kāi Tahu.

The lake and its surrounding landscape were integral to the mahika kai networks and seasonal patterns of occupation that sustained Kāi Tahu whānui for generations. A nohoanga located where Cromwell now stands was the central meeting point for many trails that traversed inland Otago. The many waterways across the Mata-au were renowned as mahika kai.

Trails in the area connected the lake to wider networks of resource use and trade, including the Mata-au river corridor for transporting pounamu and mahika kai to the coast, and the Ōmakō / Lindis Pass route linking the Waitaki with lakes Wānaka and Hāwea.

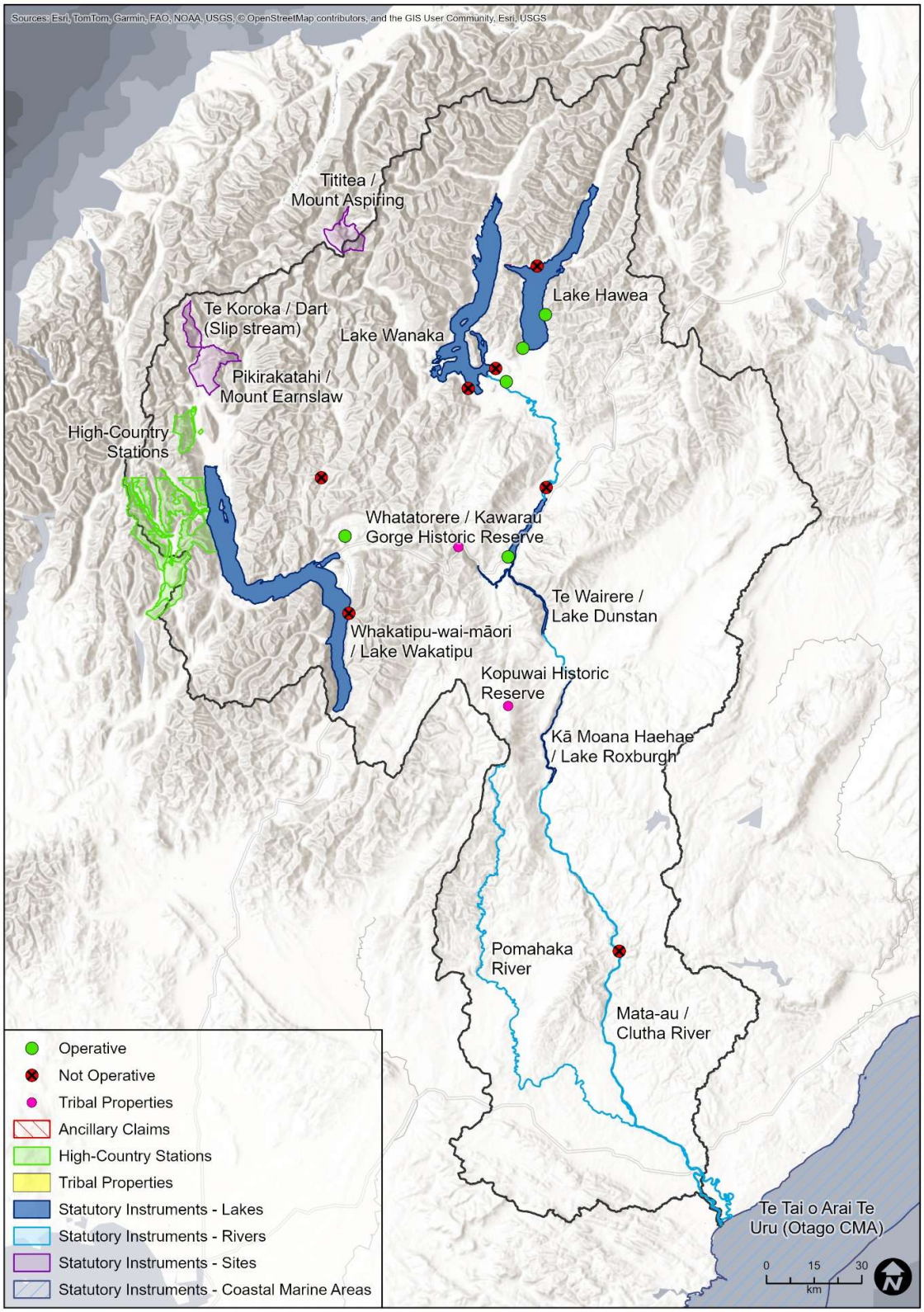
The association of Kāi Tahu with Te Wairere is formally recognised by the Crown through a Statutory Acknowledgement under Schedule 61 of the Ngāi Tahu Claims Settlement Act 1998 (NTCSA). The Statutory Acknowledgement records the cultural, spiritual, historical, and traditional values of the lake to Kāi Tahu whānui and requires consent authorities to have regard to this association when processing resource consent applications. It acknowledges the mauri of Te Wairere as the essence that binds the physical and spiritual elements of all things together, generating and upholding all life, and affirms that all elements of the natural environment possess a life force and that all forms of life are related. All of the cultural values identified in the Statutory Acknowledgement remain important to Kāi Tahu today.

The cultural landscape of the Cromwell area and Te Wairere has been altered. Kāi Tahu seasonal occupation of the area ceased following Crown land purchases which left Kāi Tahu effectively landless across the Upper Clutha.

Fortunately, a number of mechanisms were included in the NTCSA 1998 to recognise the significance of the area to Kāi Tahu and to aid the reconnection with sites in the Mata-au. These mechanisms are summarised in Figure 1 (to be inserted).

This Cultural Impact Assessment assesses the impacts of FHLD's proposed redevelopment of the Parkburn site on the shores of Te Wairere on the cultural beliefs, values and practices of Kāi Tahu, with a particular focus on how the development could affect the beliefs, values and practices recognised and protected in the NTCSA 1998.

Figure 1: Kai Tahu mechanisms in the Ngai Tahu Claims Settlement Act 1998



1.2 The description of the project

The site of the Parkburn subdivision was rezoned through Plan Change 21 (PC21) to the Central Otago District Plan. This plan provided for a range of urban zonings (residential, industrial and business) to support the future efficient and appropriate rehabilitation of the site post-quarrying activities. PC21 introduced a prescriptive Structure Plan to guide development. Following the rezoning FHLD undertook further investigations into the development opportunities and constraints associated with the site and identified a number of concerns with the Structure Plan, particularly with respect to the extent of water inlets / lagoon areas, and the appropriateness and long-term viability of industrial activity at this location.

In light of the above, FHLD have applied under the Fast Track Approvals Act for an urban development that will facilitate the rehabilitation of the existing Parkburn Quarry. The project provides for the staged creation of approximately 1,000 residential lots of varying densities, together with a local commercial centre, a potential primary school site, and several reserves.

The May 2026 Insight Economics report describes 989 standard residential lots, of which 100 are small standalone (10%), 576 are medium standalone (58%), and 313 are large standalone (32%), with a further nine residential 'superlots' identified in the masterplan and excluded from the modelling. The masterplan also identifies two coves to be excavated on the lake margin (a northern cove of approximately 51,000 m³ nominal volume and a southern cove of approximately 33,150 m³ nominal volume), an 11.47 ha irrigated amenity area, and 2.89 ha set aside for stormwater-land drainage purposes.

The development will be supported by new roads, intersections with SH6, and associated infrastructure, and includes the formation of two small lake coves and restoration works along the stream and lake margins. Key features include:

- Approximately 989 residential lots/units (of varying densities) with associated roading and intersections with SH6;
- A local commercial centre, positioned centrally within the development;
- A potential primary school site of approximately 2.6 ha;
- Several open space reserve areas, including a larger multi-purpose reserve area adjacent to Te Wairere and the Park Burn;
- Two lake coves of differing depths (northern cove up to 4 m deep, southern cove up to 1.5 m deep) to be excavated initially as silt retention ponds and ultimately breached into Te Wairere; and
- Restoration works along the lake margin and the Park Burn corridor, partly on Crown land administered by LINZ outside the FTAA pathway.

1.2.1 Staging

The entire subdivision is to be consented as one but delivered in stages. The proposed development staging has been informed by the quarrying programme. Key triggers include:

- Development to progress from south to north, with infrastructure provision coming from the south;
- Water and wastewater infrastructure development triggers, with development progressing in line with required infrastructure upgrades determined in consultation with CODC;

- Transportation and access triggers: no more than 710 residential units until a direct link between the site and Pisa Moorings is achieved (the Pony Court link), and no more than 875 residential units until the southern approach to the SH6 / SH8 roundabout is improved.

The transport staging mechanism is a critical opportunity for the cultural framework. If lot release is already staged for traffic performance, cultural and environmental staging conditions can be embedded at the same trigger points.

Figure 2: The site model of the Parkburn Development



1.2.2 Enabling works

As the site is an active quarry, the extent of enabling works required to prepare the site for future development are significant. The Insight Engineering geotechnical assessment (May 2026) confirms cut-to-fill activities to depths of up to 15 m, with fill placed in four stages progressing northwards, and identifies three Remediation Areas (R1, R2, R3) containing uncontrolled fill, pea gravel backfill, and historic settling ponds. The Remediation Action Plan (Insight Engineering, April 2026) proposes on-site containment of 180,000 m³ of cleanfill in a containment cell in the north-eastern portion of the site, buried at depth greater than 2 m below finished ground level and capped with at least 2 m of clean material, with off-site disposal of petroleum-hydrocarbon-impacted soils (up to 100 m³ from the asphalt plant and up to 50 m³ from the fuel storage areas).

The total enabling earthworks volume remains in the order of 3.15 million cubic metres, including reprocessing of approximately 2 million cubic metres of pea gravel that the Geotago

2022 report described as ‘loose, free-running, and collapsing on excavation.’ The Insight Engineering compaction trials demonstrate that crushed pea gravel can be re-engineered into a structural fill achieving CBR of at least 7 and 95–98% of maximum dry density (MDD), substantially reducing the volume of material requiring off-site disposal.

Figure 3: The proposed Master Plan



1.2.3 Services

Water supply, wastewater disposal, and stormwater management for the development will be provided in accordance with CODC standards and expectations, including the upgrade and extension of existing reticulated systems. The Fluent Infrastructure Solutions report (January 2026) sets out a concept design under which potable water is supplied from a proposed new CODC reservoir above Clark Road via a new falling main, and wastewater gravitates to a new pump station near the boat ramp at the lake edge before being pumped through new rising main(s) to the existing Pisa Moorings wastewater pump station and onward to Cromwell. That report confirms the existing Pisa Moorings pump station (designed in 1994) is already near capacity, that the downstream pump stations and rising mains will most likely require upgrades, and that CODC modelling of the cumulative loading from Parkburn, the adjacent HWR development, and the potential Dippie development was not yet available; these matters are addressed in section 5.6 of this CIA. The Environmental Associates hydrology report (May 2026) identifies three options for irrigation water supply for the 11.47 ha of amenity area: a new riparian well within 100 m of the lake (Option 1), a surface take from within Cove A (Option 2), and variation of the existing consented take RM15.108.01.V1 (Option 3). Each option has differing cultural implications, addressed in section 5.6 of this CIA.

1.2.4 Landscaping and Open Space

A range of landscaping and open space features are proposed including a multipurpose reserve and playground adjacent to the lake of approximately 3.2 ha, several neighbourhood parks, a greenway reserve, the two coves and esplanade reserves, and bund and buffer areas adjoining the road and the active quarry to the north of the site. The project provides for a range of restoration works focused along the margins of the lake and the Parkburn Stream, including weed removal and revegetation. The Reset Landscape Concept Report (v7, 24 July 2026) and the Crown Land Esplanade Concept (v6, 24 July 2026), with its Landscape Management Plan, introduce a 38-species 'Ngāi Tahu Taonga Species' indigenous planting palette (Palettes A and B) to inform the revegetation, with eco-sourced planting and crack willow removal to be undertaken in coordination with Iwi and an ecologist. Both concepts record on their face that the cultural narrative is yet to be woven into the landscape concept.

Figure 4: Looking across the quarry to see the different levels that need to be rehabilitated



1.3 The Cultural Association with the Affected Area

In 2000, Kāi Tahu prepared a comprehensive CIA when Contact Energy applied for resource consents for the Clutha system. That CIA provided a detailed description of the history of Kāi Tahu in the Mata-au including their association with the Cromwell area. That description remains relevant to this CIA.

1.4 Methodology Used for Impact Identification

The methodology used to prepare this CIA was to:

- Summarise the significance of the lands, waters and resources of the Mata-au catchment;
- Review reports prepared by Kā rūnaka on the Mata-au to the extent that the information is relevant to assessing the impact of the subdivision (e.g., previous CIAs, cultural monitoring reports, Iwi Management Plans);
- Review the technical reports prepared by FHLD to assist Kā rūnaka to determine whether the proposed subdivision will have any negative or positive effects on their values, and the significance of the effects;
- Prepare six discipline-specific companion analyses of the updated April–May 2026 applicant suite, applying the four-tier assessment framework to each technical report against the impacts to be avoided in this CIA; and
- Collaborate with representatives of Kā rūnaka to discuss how the effects could be mitigated or remedied and the best mechanism for achieving the relief sought.

The principal sources of information from Kāi Tahu should be considered as valid and demanding of respect. The range of methods utilised to identify both the taoka, beliefs, values and practices, and the potential effects, demonstrates good faith by Manawhenua to fully identify the impacts on the catchment.

1.5 Consultation Timeline

Engagement to date is summarised in Table 1 below. The table will be completed prior to formal lodgement of this CIA.

Table 1: Timeline of engagement

Date	Description of Engagement
September 2025	Town Planning Group (TPG), on behalf of Fulton Hogan Land Development Limited (FHLD), makes contact with Aukaha (1997) Limited re intent to seek approvals by Fast Track Approvals Act (FTAA)
September 2025	Kā Rūnaka representatives, following notification from Aukaha, make contact with TPG about the proposed application and approach to consultation.
29 October 2025	TPG advises that FHLD has submitted their referral application to Environmental Protection Agency.
11 November 2025	FHLD and each of Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnaka o Ōtākou and Hokonui Runanga execute a Process Agreement which sets out protocols for engagement in respect of the FTAA process
17 December 2025	Hui to discuss general approach to consultation including site visit, availability of reports and development of Cultural Impact Assessment
26 January 2026	Site visit to site of Parkburn project and surrounds by Kā Rūnaka advisors
March 2026	FHLD and TPG provide summary of technical reports to be included in the substantive application.
March 2026	Kā Rūnaka provide advice of nominated representative for engagement.
March 2026	FHLD and Kā Rūnaka agree support required to enable Kā Rūnaka to assess the substantive application.
13 May 2026	TPG commence providing draft technical reports for the project to Kā Rūnaka to enable review and development of the CIA.
22 June 2026	Kā Rūnaka provide unendorsed working draft of CIA to FHLD and TPG.

Date	Description of Engagement
30 June 2026	TPG provide first draft of proposed management plans for review by Kā Rūnaka
2 July 2026	Hui between advisors to Kā Rūnaka and FHLD/TPG to discuss CIA, implications and potential mitigation measures
14 July 2026	TPG provide first draft of proposed conditions for review by Kā Rūnaka
23 July 2026	Hui between FHLD and Kā Rūnaka representatives to discuss next steps in process including close out of consent conditions and other mitigations
24 July 2026	TPG provide final reports to be included with substantive application to enable close out of CIA
29 July 2026	FHLD advise that they will be lodging their substantive application on 31 July and will advise EPA that they expect the CIA will be submitted by Kā Rūnaka along with comments to the Panel. Further, they will advise the EPA and Expert Panel that they have been provided with a draft CIA and that we are continuing to work with Kā Rūnaka on the matters raised in the same and the proposed conditions.

1.6 Structure of this Assessment

There are four parts to this CIA.

Part 1 is the introductory section that provides an overview of the proposal and explains the purpose and structure of the CIA.

Part 2 introduces Kāi Tahu and then provides the legal and Treaty context for the consent discussions with Fulton Hogan Land Development Ltd. This part has been prepared with assistance from Anderson Lloyd.

Part 3 sets out the cultural framework used to guide the assessment.

Part 4 discusses the cultural impacts that Manawhenua want the developers to avoid. The discussion includes an analysis of the technical reports the applicant has prepared in so far as they relate to the impacts Manawhenua seek the development to avoid. This part has been prepared by Gail Tipa from Tipa and Associates Ltd.

Appendices are also included.

PLEASE NOTE:

Having different authors, with differing professional backgrounds, drafting the respective sections of the CIA means that writing styles will inevitably differ.

Note that the Kāi Tahu dialect uses ‘k’ interchangeably with ‘ng’, and this document reflects this approach.

PART TWO: INTRODUCING KĀI TAHU

CHAPTER 2: WHO WE ARE

2.1 Origins of Ngāi Tahu in Te Waipounamu

Kāi Tahu take their name from Tahupōtiki, a descendant of Paikea. Sometime in the seventeenth century his descendants gradually migrated south from the Poverty Bay-Hawkes Bay area, travelling first to the Wellington coast and then crossing Raukawamoana (Cook Strait) in several waves to Te Wai Pounamu. Over a number of generations, they spread through Te Waipounamu and on to Rakiura (Stewart Island) (Wai 27, Chapter 3).

As Kāi Tahu moved south, they sometimes fought and defeated, and sometimes intermarried with, other tribes. In doing so they absorbed these peoples' older knowledge and experience of the land and its resources, forging links with more ancient history and resources. Kāi Tahu is therefore an amalgam, formed from three main lines of descent which flowed together to make the modern tribe (Wai 27, Chapter 3).

These three tribes can be described as:

- First, Waitaha, being also a collective name given to a number of ancient tribal groups which occupied Te Waka o Aoraki (South Island), descending from the founding ancestor Rakaihautu of the Uruao canoe.
- The second tribe, Kāti Mamoe came from the Heretaunga (Napier) area around the sixteenth century and gradually filtered through the South Island to intermarry with Waitaha and assume control.
- The third, Kāi Tahu, also migrated from the eastern region of the North Island and gradually united with Kāti Mamoe, absorbing Waitaha at the same time and inheriting many traditions.

By the time of Te Tiriti, Kāi Tahu were in control of a vast territory, but existed in hapū and whānau communities, with different genealogies, often reflecting the mixed origins of the tribe (Wai 27, Chapter 3).

2.2 Te Rūnanga o Ngāi Tahu

Te Rūnanga o Ngāi Tahu is the present iteration of a process that has spanned nearly two centuries, involving at various times tribal councils, tribal parliaments at Ōtākou, Kaiapoi, and Temuka and the Ngāi Tahu Māori Trust Board.

On 6 September 1991, the Waitangi Tribunal issued a *'Supplementary Report on Ngāi Tahu Legal Personality'* to its Minister recommending the Minister of Māori Affairs introduce legislation constituting a Ngāi Tahu Iwi Authority. The Tribunal noted in that report that Kāi Tahu had engaged widely with tribal members and that:

> *'Te Runakanui o Tahu' has been formed which is recognised as the real 'owners' of Ngāi Tahu and the repository of the tribe's collective tino rakatirataka. Ngāi Tahu affirm that tino rakatirataka resides ultimately in the papatipu runaka which comprise the runakanui.*

Te Rūnanga o Ngāi Tahu Bill was introduced to Parliament by Hon Doug Kidd in mid-1993 but was not passed until 1996. It was passed as a Private Act, for the particular interest and benefit of Ngāi Tahu

Whānui. The 1996 Act says Te Rūnanga o Ngāi Tahu was established for the benefit of, and as the representative of, "*Ngāi Tahu Whanui*". That Act states that:

- Te Rūnanga o Ngāi Tahu shall be recognised for all purposes as the representative of Kāi Tahu Whānui.
- Ngāi Tahu Whānui "*means the collective of the individuals who descend from the primary hapu of Waitaha, Ngāti Mamoe, and Ngāi Tahu, namely, Kāti Kuri, Kāti Irakehu, Kāti Huirapa, Ngāi Tuahuriri, and Kāi Te Ruahikihiki*".
- Where any enactment requires consultation with any iwi or with any iwi authority, that consultation shall, with respect to matters affecting Ngāi Tahu Whānui, be held with Te Rūnanga o Ngāi Tahu.

The 1996 Act specifies the charter of Te Rūnanga o Ngāi Tahu as the charter adopted at a meeting of representatives of the Papatipu Rūnanga of Ngāi Tahu Whānui at Aparima on 21 August 1993. The Kaupapa Whakakotahi of the charter adopted at Aparima, as recognised by the 1996 Act, is that the poupou of the House of Tahu are the Papatipu Rūnanga of our people, each with their own mana and woven together with the tukutuku of our whakapapa. In them resides the tino rakatirataka of Kāi Tahu. Its collective voice is Te Rūnanga o Ngāi Tahu. Te Rūnanga o Ngāi Tahu supports Kāi Tahu hapū and Rūnaka throughout the takiwā. Te Rūnanga operates according to tikaka, and on the shared understanding throughout Kāi Tahu that tino rakatirataka rests with hapū and Rūnaka.

In accordance with this tikaka, while Te Rūnanga o Ngāi Tahu has been involved, Kā papatipu Rūnaka have led this process, consistent with their tino rakatirataka.

2.3. Kā Papatipu Rūnaka

There are four papatipu rūnaka representing Manawhenua for the affected area, including Te Wairere (Lake Dunstan).

Te Rūnanga o Moeraki

Ko Te Kohurau te maunga
Ko Kākaunui te awa
Ko Moeraki te marae
Ko Uenuku te whare tupuna
K Wairutuātai te whare kai



Kati Huirapa ki te Puketeraki

Ko Hikaroroa te maunga
Ko Waikouaiti te awa
Ko Te Tai o Araiteuru te moana
Ko Puketeraki te Papatipu marae



Te Rūnaka o Otakou Ko Pukekura, ko Te Atua o Taiehu kā mauka Ko Ōtākou te awa Ko Ōtākou te marae Ko Tamatea te whare tupuna Ko Hakuiao te whare kai	
Hokonui Rūnanga Ko Ōparure te maunga Ko Mataura te awa Ko Ō Te Ika Rama te marae Ko Ō Te Ika Rama te whare tupuna	

2.4 Kāi Tahu Whānui

After many years of negotiations, Kāi Tahu signed the Deed of Settlement for its historic claims against the Crown at Kaikoura on 21 November 1997, and the Ngāi Tahu Claims Settlement Act was passed on 29 September 1998. The Kāi Tahu settlement was expressed on the basis that it was full and final with regard to the specified claims of Kai Tahu Whānui. Importantly, the validity of the Deed of Settlement cannot be undermined.

The legislation records Ngāi Tahu Whānui tikaka that Te Rūnanga o Ngāi Tahu is "*recognised for all purposes as the representative of the Ngāi Tahu Whānui*". Ngāi Tahu Whānui is defined as "*the collective of the individuals who descend from the primary hapu of Waitaha, Ngāti Mamoe, and Ngāi Tahu, namely, Kāti Kuri, Kāti Irakehu, Kāti Huirapa, Ngāi Tuahuriri, and Kāi Te Ruahikihiki*" (Te Rūnanga o Ngāi Tahu Act 1996, ss 6 and 15).

For the avoidance of doubt, Waitaha in Te Waipounamu is part of Ngāi Tahu Whānui. The plain words of the Te Rūnanga o Ngāi Tahu Act 1996 state Te Rūnanga is the representative of Waitaha and other Ngāi Tahu Whānui. The Ngāi Tahu settlement has settled all Waitaha claims in Te Waipounamu (as part of Ngāi Tahu Whānui) that are specified in the Deed of Settlement (Ngāi Tahu Deed of Settlement, cl 1.2.1; and Ngāi Tahu Claims Settlement Act 1998, s 10), and Te Rūnanga o Ngāi Tahu is to be recognised for all purposes as the representative of Ngāi Tahu Whānui.

CHAPTER 3: THE LEGAL AND TREATY CONTEXT

3.1 Kāi Tahu rakatirataka

To Kāi Tahu, rakatirataka means chiefly sovereignty, authority and autonomy. Rakatirataka is exercised by leaders (rakatira) of an iwi or hapū and is closely related to and derived from the concept of mana. In exercising rakatirataka leaders must make decisions that consolidate and improve the mana of the wider whānau, hapū and iwi.

Kaitiakitaka is an inherited obligation on Manawhenua to maintain the hauora of the taiao and the mauri of the resources of the takiwā to sustain current and future generations. Rakatirataka and kaitiakitaka go hand in hand: only those who hold rakatirataka can and must exercise kaitiakitaka.

Wai māori is a key taoka for Kāi Tahu and, as guaranteed by Te Tiriti, Kāi Tahu continues to hold rakatirataka over wai māori, which includes rights, responsibilities and obligations. Importantly, the Ngāi Tahu Claims Settlement Act 1998 recognised Ngāi Tahu as tāngata whenua of, and holding rakatirataka within, the Ngāi Tahu takiwā (NTCSA, s 6):

> *The Crown apologises to Ngāi Tahu for its past failures to acknowledge Ngāi Tahu rakatirataka and mana over the South Island lands within its boundaries, and, in fulfilment of its Treaty obligations, the Crown recognises Ngāi Tahu as the tāngata whenua of, and as holding rakatirataka within, the Takiwā of Ngāi Tahu Whānui.*

The Environment Court has recognised that, where it finds that certain hapū have the right to exercise rakatirataka or customary authority over an area, the finding means that it is the tikaka of those hapū which must be applied (*Ngāi Te Hapū v Bay of Plenty Regional Council*).

Te Wairere lies under the cloak of Manawhenua rakatirataka and is cared for and managed by Manawhenua to the greatest extent possible, in a manner consistent with kaitiakitaka.

As current legislation and regulation do not provide adequate recognition of rakatirataka, Ngāi Tahu lodged a claim in the High Court. This assessment is provided without prejudice to these ongoing legal proceedings. It is the right and responsibility of Kāi Tahu to protect Te Taiao, including freshwater, as under the current framework, while pursuing recognition of rakatirataka through the courts and in negotiations with the Crown.

The four papatipu rūnaka wish to engage in a constructive relationship that furthers the practical recognition of their rights, responsibilities and obligations to te taiao. The approach that Manawhenua has taken to discussions with FHLD Ltd and this CIA, reflects the desire of Kai Tahu to fulfil obligations and responsibilities to te taiao to the extent currently possible.

3.2 Manawhenua recognised by the RMA

The Environment Court has found that kaitiaki have a right to protect the history of their cultural and customary associations to an area (*Ngāi Te Hapū v Bay of Plenty Regional Council* [2017] NZEnvC 73 at [88]). In a Kāi Tahu context, the Environment Court in *Aratiatia Livestock Ltd v Southland Regional Council* has commented that it is the responsibility of kaitiaki to ensure that water is available for future generations in as good as, if not better, quality, and tikaka goes beyond any rights or obligations that may

attach to the use of water (*Aratiatia Livestock Ltd v Southland Regional Council* [2019] NZEnvC 208 at [50]).

The recognition of Manawhenua in an RMA context has been summarised in findings of Whata J in *Ngati Maru Trust v Ngati Whatua Orakei,* which discusses the comprehensive provision for Māori and iwi interests in the RMA ([2020] NZHC 2768):

- section 104 of the RMA, which provides a power to grant resource consents, is expressly subject to Part 2 of the Act, which outlines "numerous mandatory considerations concerning a wide range of matters" that, alongside Part 2, provide scope for consideration of Manawhenua;

- citing Lord Cooke in *McGuire v Hastings District Council*, sections 6(e), 7(a) and 8 of the RMA are "*focal points*" of "*special significance*" and "*strong directions, to be borne in mind at every stage of the planning process*", going on to note that "*As stated by the Supreme Court in New Zealand King Salmon Co Ltd, planning instruments may set the frame for resource management decision-makers without further need to refer to pt 2"*;

- the RMA is "*replete*" with references to kupu Māori, and Parliament "*plainly anticipated that resource management decision-makers will be able to grasp these concepts and where necessary, apply them in accordance with tikaka Māori*";

- case law over the last 30 years demonstrates "*an evolving understanding and application of mātauranga Māori and tikaka Māori*";

- "*While tikaka Māori is defined in the RMA as* "customary values and practices" *it has come to be understood as a body of principles, values and law that is cognisable by the Courts*";

- iwi involvement in policy and plan promulgation is also anticipated by the RMA "*and that iwi and hapū with defined customary rights will be specifically provided for where relevant*", including through preparation of Mana Whakahono a Rohe agreements, which demands that persons making decisions under the RMA can "*identify, involve and provide for iwi and their manawhenua in accordance with mātauranga Māori and tikaka Māori*";

- "*The statutory obligation to recognise and provide for the relationship of Māori and their culture and traditions with their whenua and tāonga, to have to regard to their kaitiakitaka and take into account the principles of the Treaty of Waitangi, does not permit indifference to the tikaka-based claims of iwi to a particular resource management outcome*";

- decision-makers exercising functions under the RMA are necessarily engaged in ascertaining tikaka Māori in order to discharge statutory directions in Part 2 outlined above and must "*meaningfully respond*" to claims by iwi that a particular resource management outcome is required to meet those statutory outcomes, which may require evidential findings of how "*kaitiakitaka, in accordance with tikaka Māori, is to be provided for in the resource management outcome*".

In light of the above, this CIA sets out the process through which tikaka was followed in preparing for these consent applications, and the approach that Kā Rūnaka take to the assessment of consent applications, with appropriate mitigation, is informed by tikaka. This must be respected throughout the consenting process.

3.3 Manawhenua recognised within the Fast Track Legislation

The Fast-track Approvals Act establishes a permanent fast-track regime for infrastructure and development projects of national or regional significance. While the purpose of the Fast-track Act is to accelerate consenting of major infrastructure and development projects, it also embeds obligations that strengthen Manawhenua participation at various stages in the consenting process.

The intention for iwi to have a strong and Influential voice under the Fast-track Act was emphasised by Minister Hon Tama Potaka in the first reading of the bill when he stated:

> *With regards to Te Arawhiti, and the leaders of tribes, their view is that the Treaty settlements issues be safeguarded - agreed. In the pages and discussion of this initiative of the bill, it can be seen that at every management level, at every decision-making level the applicant and Ministers and the panel must make contact with Māori, with iwi, and with hapū, to discuss in-depth the way forward.*

It is clear that Parliament's intention is not just that the Crown must safeguard Treaty settlement obligations but also actively recognise Māori rakatirataka by ensuring iwi engagement is meaningful, influential, and embedded at every stage of the fast-track process.

Obligations under the Fast-track Act include:

- Consultation before applying: The Fast-track Act imposes strict iwi consultation requirements for both referral and substantive applications, mandating early, genuine, inclusive, and responsive engagement with Manawhenua before lodgement. Applicants are required to consult relevant iwi authorities, hapū, Treaty settlement entities, and groups under the Marine and Coastal Area (Takutai Moana) Act and provide a summary of the consultation and explain how it informed the project. Applications that fail to meet these requirements are deemed incomplete and returned. In a recent judicial review of a Fast-track application for the Port of Tauranga the importance of these obligations was considered when the High Court considered there was an "arguable" case for inadequate consultation occurring particularly in regards to reliance on prior engagement and whether the consultation was in accordance with tikaka.[1] The High Court subsequently confirmed that the following principles from *Land Air Water Association v Waikato Regional Council* apply in relation to consultation with Māori under the Fast-track Act:[2]

  > *The nature and object of consultation must be related to the circumstances.*
  >
  > *Adequate information about a proposal is to be given in a timely manner so that those consulted know what is proposed.*
  >
  > *Those consulted must be given a reasonable opportunity to state their views.*
  >
  > *While those consulted cannot be forced to state their views they cannot complain, if having had both time and opportunity, they for any reason fail to themselves of the opportunity.*
  >
  > *Consultation is never to be treated perfunctorily or as a mere formality.*
  >
  > *The parties are to approach consultation with an open mind.*

[1] *Ngāti Kuku Hapū Trust v Environmental Protection Agency* [2025] NZHC 2046.
[2] [2001] ELHNZ 428 at [453].

Consultation is an intermediate situation involving meaningful discussions and does not necessarily involve resolution by agreement.

Neither party is entitled to make demands.

There is no universal requirement as to form or duration.

The whole process is to be underlain by fairness.

- The referral application stage: At the referral application stage the Minister for Infrastructure decides whether the project should be referred to the substantive stage of the Fast-track process. This involves inviting comments on the referral application from relevant iwi authorities, hapū and Treaty settlement entities and other relevant Māori groups.

- The land exchange stage: Before lodging a substantive application, projects seeking approval for a land exchange must lodge their application with the Department of Conservation who must invite comments on the proposed land exchange from relevant iwi authorities, hapū and Treaty settlement entities and other relevant Māori groups.

- The substantive application stage: at the substantive application stage an expert panel decides whether to approve or decline a project, and whether to impose conditions on a project. To do so they are strongly encouraged to invite comments on the application and draft conditions, or request further information about the application, from relevant iwi authorities, hapū and Treaty settlement entities and other relevant Māori groups.[3] To support this process the panel conveners have developed practical guidance for participants, including panel members. The guidance note suggests panels should invite comments and consider information regarding mātauranga Māori, tikaka, matters of significance to Māori, whether the application aligns with Treaty settlement obligations and recognised customary rights under relevant legislation as well as how iwi feedback could be incorporated into consent conditions and management plans;

- Hearing stage: if a hearing is held, section 58 requires panels to recognise tikaka Māori where appropriate. The guidance note states it is important that panels consider the need to consult with participants over tikaka requirements ahead of the hearing event in either an exchange of memoranda and directions or in a conference.

- At all stages: the guidance note states even if no hearing is required, panels need to be mindful of tikaka throughout the process they are adopting, including during any activity that requires either remote or face-to-face engagement of the participants, such as at panel conferences, wānanga, expert conferences on cultural values, and site visits.[4]

In addition to Manawhenua being invited to participate in the process, there are also various provisions in the FTAA which direct decision makers to consider Treaty settlements and other specific arrangements in the process of making decisions around Fast-track projects including:

- section 7: an obligation relating to Treaty settlements and recognised customary rights;

[3] Fast-track Approvals Act 2024: Panel Conveners Practice and Procedure Guidance (22 July 2025) at page 9.
[4] At page 19.

- section 16: pertains to the effect of Treaty settlements and other obligations on decision making;
- section 18: requires a report to be generated that sets out the Treaty settlements and other obligations;
- section 82: sets out the effect of Treaty settlements and other obligations on decision making; and
- section 84: sets out conditions relating to Treaty settlements and recognized customary rights.

In recognition of the potential for applications under the Fast-track Act to affect Māori rohe, whenua, and whānaunga connections to a broad range of Tiriti interests, the Ministry for the Environment has created Te Poka Pū Māori online hub for iwi Māori, which they say recognises the Crown's obligations under Te Tiriti o Waitangi and the Fast-track Act to ensure accessible information is provided to iwi/Māori with genuine intent and respect for Māori rakatirataka.

3.4 Te Tiriti o Waitangi

The position and interests of Kā Rūnaka are informed by Te Tiriti, on the basis that Te Tiriti:

- is a founding constitutional document for New Zealand;
- is the primary nexus between tikaka Māori and the laws of England, which today form the laws of New Zealand; and
- guaranteed for Māori tino rakatirataka, the unqualified exercise of chieftainship, over lands, villages, and all their property and treasures.

There are many New Zealand laws which have referred to the principles of the Treaty. The first law to do so was the Treaty of Waitangi Act 1975, which established the Waitangi Tribunal. Principles have been used as a means of reconciling the differences between the texts, being Te Tiriti (the Māori version), and the Treaty (the English version). In 1983 the Waitangi Tribunal said, *'The spirit of the Treaty transcends the sum total of its component written words and puts literal or narrow interpretations out of place.'* Although recognising that the principles evolve over time and vary depending on the context and issues at play, the following principles are relevant (both procedurally and substantively) and are engaged here.

3.4.1 Rakatirataka

This can be referenced directly with Article 2 of the Treaty and includes ideas and values around sovereignty, leadership, autonomy, and self-determination, as discussed above. Within this are concepts around stewardship and looking after others (in this case that includes members of Kā Rūnaka and wider New Zealand) along with ensuring well-being.

3.4.2 The Principle of Partnership

This requires that the Crown work together with iwi, and within that owe each other duties of fair conduct and good faith, including through the Crown respecting Manawhenua interests. This is not consultation but rather 'co-operation' in light of the obligation of good faith and partnership to each other.

3.4.3 The Principles of Reciprocity and Mutual Benefit

These reflect the equal status of the Treaty Partners and including an obligation to enable Māori wellbeing. This is important as the agreed arrangements between Kai Tahu and FHLD Ltd will provide for the wellbeing of residents in the Parkburn subdivision, Manawhenua and the wider population of New Zealand.

3.4.4 A duty to make informed decisions

Any Crown agent, in exercising their statutory functions, is under a duty to make fully informed decisions. In this instance it is essential that the perspectives of the four Papatipu Rūnaka are properly explored and understood, which is the purpose of this CIA. In light of this principle, this document and the wider position of the four Papatipu Rūnaka must be respected and understood, and this CIA should therefore be treated with respect.

3.4.5 The Principle of active protection

This principle is a positive obligation on the Crown to protect Māori interests. It includes a duty on the Crown to protect Māori rakatirataka. We emphasise that:

- Enabling Kai Tahu is central to the principle of active protection;
- Manawhenua views are expressed in this document and must be carefully considered and understood by the decision-maker.

The discussion above is not intended to be exhaustive.

The next part of this CIA sets out the framework used to assess impacts of the proposed subdivision – both beneficial and adverse – that have been identified by Manawhenua.

PART THREE: ASSESSMENT FRAMEWORK

CHAPTER 4: INTRODUCING OUR IMPACT ASSESSMENT FRAMEWORK

4.1 Our Framework

This CIA examines the proposed Parkburn subdivision of approximately 989 residential lots through the interconnected cultural lenses of whānau ora and manaakitanga. This framing has been deliberately chosen because the nature and scale of a development of this magnitude demands an assessment methodology that extends beyond the conventional environmental effects-based analysis typically applied under consenting processes. A near-1,000-lot subdivision doesn't just alter land; it creates a community. It establishes the conditions within which families/whānau will live, raise children, and sustain relationships with the natural environment for generations. The cultural adequacy of this development must therefore be measured against its capacity to uphold, rather than diminish, the collective wellbeing of residents, Manawhenua and the wider community it will serve.

4.2 Why Choose Whānau Ora as an Assessment Framework

Whānau ora speaks to the holistic wellbeing of residents including potentially our Kāi Tahu whānau encompassing physical health, mental and emotional resilience, identity, economic security, environmental connection, and social cohesion. It is not a welfare concept; it is an aspirational state in which residents are self-determining, grounded, and thriving across all dimensions of their lives. It has its foundations in te ao Māori understandings that the health of people is inseparable from the health of the environment, the strength of relationships, and the vitality of practices sustained in and around the subdivision.

The application of whānau ora to this assessment recognises that a residential development of approximately 989 lots will directly shape the determinants of wellbeing for current and future residents, including Ngāi Tahu whānau. Conventional impact assessment methodologies tend to fragment effects into discrete environmental categories — noise, dust, traffic, stormwater, ecology — and assess each in isolation. While technical assessments are essential, they are often unable to capture the cumulative, relational, and intergenerational dimensions of impact that matter most to Manawhenua. A whānau ora lens draws these threads together, asking not simply 'what are the environmental effects?' but 'what kind of place is being created by FHLD, and will residents and whānau flourish there?'

This reframing is particularly critical for a development of this scale. The decisions made in the design, consenting, and construction phases of this subdivision will determine ongoing access to mahinga kai along the lakeshore, the health of waterways, the protection of wāhi tapu and wāhi taonga, the availability of communal spaces, and the degree to which Manawhenua will exercise rangatiratanga over outcomes within their rohe. These are not marginal considerations; they are the conditions upon which whānau ora depends.

4.3 Why Choose Manaakitanga as an Assessment Framework

Manaakitanga is the ethic of care, hospitality, and reciprocal respect that underpins relationships between people, and between people and the natural world. It carries an obligation to nurture and uplift those

within your sphere of responsibility — to leave people, places, and communities in a better state than you found them. Manaakitanga is not passive; it is an active and ongoing commitment to others.

In the context of a large-scale subdivision, manaakitanga provides the standard against which the developer's conduct and the quality of outcomes must be measured. It asks whether this development demonstrates genuine care for Manawhenua whose relationship with this land predates and will outlast any residential development. It asks whether the proposal will protect the mauri of the waterways, soils, indigenous species (many of which the Crown recognised as taonga species), and cultural landscapes that sustain both ecological and cultural health. And it asks whether the process of engagement, design, and decision-making reflects the reciprocity and respect that manaakitanga demands.

Manaakitanga as an assessment principle moves the evaluation beyond regulatory compliance — beyond the question of whether minimum standards have been met — and towards a qualitative assessment of whether this development will actively contribute to the cultural, environmental, and social fabric of the area. A subdivision that merely avoids adverse effects while extracting economic value from the land without reciprocal benefit to the residents, Manawhenua or the environment would fail to uphold the principle of manaakitanga, even if it satisfies technical consent requirements.

4.4 The Interconnection of Whānau Ora and Manaakitanga in Assessment

Whānau ora and manaakitanga are not parallel frameworks operating independently; they are deeply interwoven. Manaakitanga describes the quality of relationships and conduct that make whānau ora achievable. Whānau ora describes the state of collective flourishing that manaakitanga aspires to create. Together, they provide a cultural assessment framework that help analyse the full complexity of what a near-1,000-lot subdivision means for Manawhenua.

This CIA accordingly evaluates the proposed subdivision across a series of cultural areas that flow from these twin principles. These include:

- **Wai Māori —** The protection and enhancement of wai (water) in all its forms — surface water, groundwater, stormwater, and the mauri of waterways — as a foundation for both ecological integrity and whānau ora;
- **Cultural presence —** The provision of physical and spatial conditions that support cultural expression, intergenerational connection, and community cohesion consistent with whānau ora.
- **Mahinga kai —** The maintenance and, where possible, restoration of mahinga kai resources and the cultural practices associated with gathering, preparation, and sharing;
- **Ara and nohoanga —** The protection of the ability to use the nohoanga that were secured as part of the Treaty settlement;
- **Rangatiratanga —** The capacity for Tangata whenua to exercise rangatiratanga — meaningful authority and decision-making power — over outcomes that affect their cultural interests, throughout the life of the development;
- **Taonga species –** The protection of the indigenous biodiversity that has contributed to the significance of landscapes of Central Otago.

- **Cumulative effects —** The cumulative effects of development at this scale on the cultural landscape, including visual, spiritual, and relational dimensions that are not captured by conventional landscape and visual assessments.

4.5 The Significance of Scale

It must be emphasised that the choice of whānau ora and manaakitanga as organising principles is in response to the scale of this proposal. A near-1,000-lot subdivision represents a transformative intervention that will fundamentally alter the character, ecology, hydrology, and cultural landscape of the area. The effects of development at this density and extent are not simply additive. Each additional lot contributes to cumulative pressure on water resources, stormwater systems, indigenous habitats, traffic networks, and the carrying capacity of the landscape.

A conventional, effects-based assessment applied to a development of this magnitude risks systematically understating cultural impact by evaluating each effect category in isolation and each stage of development as if it were independent. The whānau ora and manaakitanga framework employed here deliberately resists this fragmentation. It holds the development accountable as a whole — and asks whether, taken together, its outcomes meet the cultural standards that Manawhenua expect.

4.6 Treaty Obligations and Statutory Context

The whānau ora and manaakitanga framework adopted in this CIA is offered as a culturally appropriate means of evaluating the impacts with respect to the Treaty and the NTCSA 1998. It ensures that the assessment is grounded in the values, priorities, and aspirations of Manawhenua.

4.7 The Following Part of this Assessment

The sections that follow in Part 4 apply the whānau ora and manaakitanga lens to the specific features, effects, and opportunities presented by the proposed subdivision. Each sub-section sets out the impacts to be avoided in order to bring the development into alignment with the expectations that framework establishes, then assesses the response of the updated applicant suite using the four-tier framework described in section 5.4 below.

PART FOUR: IMPACT ASSESSMENT

CHAPTER 5 — IMPACTS

5.1 Introduction

Our assessment has two parts:

- First, we list the impacts that Manawhenua want to see avoided. For example, where the taoka to be protected is wai māori, then Manawhenua expect a number of potential impacts on drinking water and on the mauri of Te Wairere to be avoided.
- The second part of the assessment reviews the technical reports and provides a commentary on whether they suggest that those impacts are likely to be avoided. Specifically, we identify if and how the applicant's suite of documents aligns with, conflicts with, or is silent on the impacts this CIA identifies as essential to the protection and enhancement of Ngāi Tahu cultural values.

This chapter discusses impacts across six areas:

- Wai (water) — section 5.6;
- Taonga Species — section 5.7;
- Mahinga Kai — section 5.8;
- Ara and Kāika Nohoanga (trails and settlements) — section 5.9;
- Cultural Presence — section 5.10; and
- Rangatiratanga and Kaitiakitaka — section 5.11.

All of these taonga are afforded protection under the NTCSA 1998. The chapter closes with a cross-cutting concerns summary (section 5.12) and the consolidated assessment tally (section 5.13). Recommendations are then set out in Chapter 6.

5.2 Applicant Technical Reports

The CIA draws on the following updated reports, lodged in support of the substantive Fast Track application:

- Geotechnical Assessment — Updated Geotechnical Assessment for the Proposed Parkburn Subdivision (Insight Engineering Ltd, Final V4, 16 July 2026), superseding the Geotago Ltd preliminary assessment of 2022.
- Hydrology Assessment — Parkburn Hydrology Assessment (Environmental Associates Ltd, 6 May 2026). Not previously before the March 2026 CIA.
- Remediation Action Plan — Remediation Action Plan for the Parkburn Quarry at 922 Luggate-Cromwell Road (Insight Engineering, Updated Final, 16 July 2026).
- Preliminary and Detailed Environmental Investigation at 922 Luggate-Cromwell Road (Insight Engineering, appended to the Updated Final RAP, 16 July 2026).
- Soil Contaminants Preliminary Site Investigation — Parkburn Quarry (e3Scientific Ltd, Project 21085, December 2021).

- Infrastructure Assessment for Parkburn Subdivision (Landpro Ltd, for FHLD, lodged July 2026) — a consolidated report covering earthworks, roading, stormwater, wastewater, water supply, utilities and trails, and appending updated Insight Engineering geotechnical and contaminated-land reports, a Fluent Solutions water and wastewater report, a Woods Stormwater & Flood Management report, a Fluent Solutions irrigation report, a Carriageway Consulting transportation assessment, and a Landpro Environmental Management Plan. This consolidated assessment supersedes the earlier Infrastructure Memo (Tim James Consultants Ltd, September 2025).
- Water Supply and Wastewater Flow Estimates and Other Associated Works — Parkburn Development (Fluent Infrastructure Solutions Ltd, ref GL-260127ACS-980, 27 January 2026), with the associated Statement of Evidence of Anthony Steel (24 June 2026) and the Irrigation Infrastructure Planning summary report (Fluent Infrastructure Solutions Ltd, ref RP-260504PD-980, 14 May 2026).
- Stormwater & Flood Management report — Parkburn Development (Woods, P24-487, V3, Final, 23 July 2026), superseding the earlier Parkburn Stormwater Treatment and Disposal Options memo (Woods, 29 August 2025) and forming Appendix G of the July 2026 Infrastructure Assessment. It sets out the stormwater treatment train and discharges to Lake Dunstan / Te Wairere and the Park Burn, engages the NPS-FM 2020 / Te Mana o te Wai and the NPS for Natural Hazards 2025, and records the CODC / ORC review. Not previously before the March 2026 CIA in this form.
- Ecological Impact Assessment — Parkburn Subdivision (Viridis Limited, Draft B, 1 May 2026), including reference to the LizardExpertNZ Desktop Assessment (December 2023) and Beale Consultants Ecological Significance Assessment (December 2023).
- Landscape Assessment Report (Reset Urban Design / Landscape With Linda, v7, 24 July 2026), superseding the Draft v3 of 24 April 2026.
- Landscape Concept Report (Reset Urban Design, v7, 24 July 2026).
- Crown Land Esplanade Landscape Concept (Reset Urban Design / Landscape With Linda, v6, 24 July 2026), with the appended Landscape Management Plan, covering lakeshore esplanade revegetation zones, delta and lake-edge planting palettes, crack willow removal, and pest plant and animal management to be undertaken in coordination with Iwi and an ecologist. Not previously before the March 2026 CIA.
- Urban Design Memo (Reset Urban Design, Final, 19 June 2026), superseding the Draft v2 of 29 April 2026.
- Transportation Assessment — Proposed Mixed Use Subdivision, 922 Luggate-Cromwell Road (Carriageway Consulting, CCL Ref: 15090 parkburn ta final, Final, 15 July 2026), which supersedes and incorporates the earlier Update of Transportation Matters letter (Carriageway Consulting, 31 October 2025).
- Noise Assessment — Parkburn Residential Development (Marshall Day Acoustics, Rp 001 20260193, 23 July 2026), with the appended Carriageway Consulting traffic advice, assessing State Highway 6 traffic noise to proposed dwellings within 80 m of the carriageway and civil construction noise at the Pisa Moorings interface. Not previously before the March 2026 CIA.

- Economic Assessment of the Proposed Parkburn Development (Insight Economics Ltd, 7 May 2026), updating the earlier draft of 1 October 2025.

5.3 Fast-track Approvals Act Documents

The following FTAA process documents have also been reviewed:

- Referral Application — FTAA referral application form dated 26 October 2025, signed by Daniel Thorne of Town Planning Group (NZ) Limited on behalf of FHLD;
- MfE Stage 1 Briefing — BRF-7108, dated 12 November 2025;
- MfE Stage 2 Briefing — BRF-00309, dated 13 February 2026;
- Subdivision Scheme Plans — Landpro, sheets 1–5, issued for FTA 17 October 2025; and
- Illustrative Masterplan — Woods, 1:5000/1:2500, October 2025.

5.4 Assessment Methodology

Each technical report has been assessed against the six areas of this CIA. The findings have been classified into four categories:

LIKELY TO BE ADDRESSED	The applicant's document addresses the matter in a manner broadly consistent with the CIA framework, though not necessarily to the extent desired by Manawhenua.
PARTIALLY ADDRESSED	The applicant's document acknowledges the impact but frames it in ways that diverge from the CIA's expectations, or addresses some but not all aspects of it.
POTENTIAL CONFLICT	The applicant's document takes a position or makes an assumption which is at odds with the CIA's assessment of the impact.
SILENT	The applicant's document does not address the matter at all.

Where the finding is POTENTIAL CONFLICT or SILENT, the analysis identifies the specific risk to Ngāi Tahu interests. This also serves to identify the issues to be discussed with respect to consent conditions, management plans, and further investigations.

5.5 Benefits

It is essential that this CIA starts by acknowledging the benefits of the proposal.

Housing Supply, Affordability, and Workforce Accommodation

Central Otago faces a well-documented housing supply constraint that directly affects the district's economic functioning and community wellbeing. The updated economics report (Insight Economics, May 2026) records the Cromwell Ward median dwelling price at $946,000 in mid-2025, up from $388,000 a decade earlier (a compound annual growth rate of 9.3%); weekly rents have risen from $330 to $630 over the same period. A subdivision of approximately 989 residential lots represents a significant addition to the district's housing stock and, if delivered with genuine diversity of housing typology and price point, has the

potential to materially ease the supply constraint. At this scale, the development also has the capacity to absorb a meaningful proportion of affordable, medium-density, and alternative housing typologies — worker housing, rental housing, multi-unit housing, and collective housing models — alongside conventional residential lots. The economics report acknowledges candidly that the proposal will not reduce prices in absolute terms; its contribution will be to 'moderate' the rate of future price growth. This reinforces the need for permanent affordability mechanisms beyond a market-supply argument.

Economic Contribution and Local Employment

A development of this magnitude will generate sustained employment during its construction phases — earthworks, civil infrastructure, building construction, landscaping, and professional services. Beyond construction, a permanent residential population of approximately 2,000 to 2,500 people will support local businesses, schools, health services, and community organisations. The updated economics report estimates net regional economic benefits of approximately $256 million NPV over a 30-year horizon (revised down from the $472 million figure in the earlier draft, following the exclusion of induced effects, 80% scaling for capacity constraints, and 75% Otago attribution).

Community Infrastructure, Public Amenity, and Site Rehabilitation

Large-scale subdivisions carry obligations that smaller developments do not. The reserves, lakeshore corridors, stream margins, stormwater infrastructure, and public spaces required at this scale represent a significant investment in public amenity. The waterfront precinct, if designed well, has the potential to provide Cromwell with a public lakefront currently inaccessible along much of the Parkburn shoreline. The Parkburn site is a former quarry contributing little to the ecological, cultural, or amenity values of the lakeshore. The development requires its rehabilitation — recontouring, soil placement, planting, and the restoration of a landform that quarrying removed — and this transition creates the possibility of ecological and cultural outcomes the quarry forecloses. A permanent residential population of approximately 989 households also strengthens the case for investment in medical, educational, recreational, and commercial facilities that the existing Cromwell population cannot alone justify.

5.6 Wai Māori — through a Whānau Ora Lens

This sub-section sets out Manawhenua expectations for wai māori (water) at the Parkburn subdivision site, organised around two primary values:

Whānau Ora — In the context of wai, this means that the water environment must actively support the physical health, cultural practice, spiritual connection, and intergenerational continuity of residents who live there, visit there, or exercise rights there. The standard is flourishing, not survival.

Manaakitanga — Applied to wai, this means that developers, consent authorities, and infrastructure providers owe a duty of care to future residents and to Manawhenua that goes beyond regulatory compliance, and that the obligations owed to Te Wairere as a statutory acknowledgement area and to the nohoanga must be given practical effect — not just procedural acknowledgement.

Wai Māori — Potential Impacts to be Avoided

5.6.1 Drinking Water Supply

Safe, reliable, affordable drinking water is the most basic precondition of a liveable place. At Parkburn, the quarry history introduces specific risks: potential contamination pathways, unstable ground affecting infrastructure integrity, and high per-lot infrastructure costs.

Safety of the water — Impact to be avoided: Whānau living in the subdivision are unable to trust the water from their taps. The supply fails to account for heavy metals, hydrocarbons, and contaminants of emerging concern that the quarry site's history could introduce. Water is technically compliant at commissioning but degrades over the lifetime of homes as contaminant pathways through quarry substrate and fill materials become active.

Reliability of supply — Impact to be avoided: Water supply infrastructure fails under the ground conditions of a rehabilitated quarry. Reticulation fractures or allows contamination ingress due to differential settlement in fill and cut areas.

Affordability — Impact to be avoided: The cost of safe, reliable water prices whānau out of the subdivision or imposes disproportionate ongoing charges.

Transparency of information — Impact to be avoided: Residents lack access to meaningful information about their water quality. Incidents, exceedances, or system failures are not communicated promptly.

5.6.2 Stormwater and Receiving Waters

Stormwater is the primary pathway through which the subdivision potentially affects Te Wairere, Park Burn, and those venturing along the lake from the nohoanga. The receiving environment is a statutory acknowledgement area; the nohoanga is a Treaty settlement right. These are obligations to be met, not amenities to be balanced against development benefits. Crown land works proposed on the bed of Te Wairere — including cove formation, lakeshore revegetation, and trail realignment — are excluded from the FTAA application on the basis that LINZ approvals sit outside the fast-track process, but they directly intervene at the interface between the subdivision and the Statutory Acknowledgement Area.

The life force of Te Wairere — Impact to be avoided: The subdivision further diminishes the mauri of Te Wairere. Ecological, cultural, and experiential indicators decline.

Viability of food gathering — Impact to be avoided: Whānau can no longer safely gather kai from Te Wairere and its margins. The stormwater system introduces contaminants or nutrients at levels that render gathered kai unsafe, or degrades the habitat on which those species depend.

Water safe for children — Impact to be avoided: Tamariki cannot safely swim or play in the lake at the margins adjacent to and downstream of the subdivision.

Sediment and contaminants during earthworks — Impact to be avoided: The earthworks phase sends sediment or quarry-derived contaminants into Te Wairere or Park Burn.

Cumulative effects and long-term stewardship — Impact to be avoided: The stormwater system is designed only for the consent horizon and degrades over time.

The cumulative effect of this subdivision combined with existing and reasonably foreseeable development around Te Wairere has not been properly assessed.

5.6.3 Wastewater

The existing constraint — that low-density residential development cannot proceed until the Cromwell wastewater treatment plant is upgraded — is itself an indicator of system stress. Manaakitanga requires that the people who move into this subdivision are not exposed to risk that would not be tolerated in established Cromwell neighbourhoods.

Fitness of the system — Impact to be avoided: The wastewater solution is adequate only for early-stage occupancy and fails at full buildout.

No direct discharge to water — Impact to be avoided: The wastewater system discharges — directly or through overflow, seepage, or failure — to Te Wairere, Park Burn, or groundwater connected to these waterways.

Mana of residents — Impact to be avoided: Residents experience conditions a household in established Cromwell would not accept: persistent odour from pump stations, visible sewage overflows, or interim systems.

5.6.4 Water and the Nohoanga Entitlement

The nohoanga at McNulty Inlet (operative) and near the Bendigo Everglades (non-operative) are a Treaty settlement right. Their exercise depends on the water environment (Te Wairere) being suitable for kai gathering and preparation, wānanga, and intergenerational knowledge transmission.

Water quality at the nohoanga — Impact to be avoided: Water quality for those staying at the nohoanga deteriorates to the point where cultural uses are compromised. The nohoanga exists so that the relationship between Ngāi Tahu and this water can be lived; degraded water quality reduces it to a right that can only be remembered, not practised.

Environmental character of the lake around the nohoanga — Impact to be avoided: The ecological setting of the lake upstream and around the nohoanga loses the character and biological richness that makes it a place where cultural practice is meaningful.

Intergenerational continuity — Impact to be avoided: The aquatic conditions around and at the nohoanga degrade across generations. The mokopuna of the first whānau to use the nohoanga after the subdivision is built can no longer exercise the same practices, gather the same kai, or experience the same water quality.

5.6.5 Te Mauri o te Wai

Mauri is sustained — Impact to be avoided: The overall mauri of Te Wairere, Park Burn, and the groundwater systems connected to the subdivision site is diminished by the development.





Figure 5 (Left) showing the boil water notice for South Canterbury. Figure 6 (right) A subdivision at Waihola also saw residents affected by water supply issues.

Summary of Manawhenua Expectations for Wai Māori

These expectations ask, in different ways, a single question: does this subdivision treat water as the foundation of wellbeing, or as an engineering problem to be managed? A whānau ora assessment demands the former. If the Parkburn development cannot demonstrate that whānau will drink safely, that tamariki will swim safely, that the nohoanga will function as a living cultural site for generations to come, that Te Wairere will not experience further decline, and that mokopuna will inherit conditions at least as good as those their grandparents found — then the wai māori expectations of Manawhenua are not met.

5.6.6 What the Updated Technical Reports Say About Wai Māori

The hydrology report (Environmental Associates, June 2026) and the geotechnical report (Insight Engineering, 2026) together provide a substantially improved engineering and hydraulic basis for understanding the site. They do not, however, individually or collectively, address the cultural concerns under wai māori.

Hydraulic Connectivity and Contamination Pathways

The Insight Engineering report records groundwater in site bores at 9.86 m to 16.47 m below original ground surfaces, with static water levels ranging between approximately 186 mRL and 198 mRL, conforming to lake levels at approximately 194 mRL. The base of the quarry sits at around 195 mRL — about 1 m above the lake. Native subsoils to at least 28 m depth are described as silty and sandy gravels with very high permeability. The hydrology report quantifies this: groundwater flow is south-east towards the lake, average velocity is approximately 1.5 m per day, aquifer transmissivity is approximately 2,000 m²/day, and saturated thickness is approximately 19m. These parameters confirm that any contaminant entering the substrate beneath the subdivision has a direct, relatively rapid, and now quantifiable pathway to Te Wairere.

Notwithstanding this confirmed pathway, the updated RAP (Updated Final, 16 July 2026) names Lake Dunstan / Te Wairere as a receptor only in its assessment of construction-phase surface water, stormwater, and sediment discharge; the lake is not carried into the Conceptual Site Model in the appended PSI/DSI, whose only water pathway is 'leaching via stormwater

infiltration' to soil, plants, and wildlife, and where the groundwater-borne pathway to the lake is not represented at all. The approach for the 180,000 m³ cleanfill stockpile is designed to prevent human contact, not downward leaching. The RAP's assertion that 'once buried, the cleanfill would not interact with the environment to a measurable degree' is not supported by hydrogeological modelling, permeability testing of the proposed encapsulation design, or a quantitative leachate generation assessment. The updated RAP adds a qualitative statement that leachate generation from the marginally impacted layer would be 'minimal' and that stormwater infiltration through the capping layer is 'de minimis', but this remains an assertion rather than a modelled or permeability-tested result. The hydrology report's nutrient mass balance addresses only nitrogen, phosphorus, and E. coli; it does not model heavy metals, hydrocarbons, sediment-bound contaminants, or contaminants of emerging concern. The report's own cove modelling demonstrates the pathway concretely: it tracks groundwater carrying nitrate-nitrogen at 0.5 mg/L through the aquifer and into the coves, and thence back to Te Wairere. The same mass-balance logic that the report applies to nitrogen is not extended to the quarry-derived contaminants that the site's HAIL history makes relevant, even though those contaminants would travel the identical, now-quantified pathway. The geotechnical report does not model contaminant transport through engineered fill or outwash gravels. The stormwater memo (Woods) sets no contaminant performance targets for the lake.

Cove Construction and Lake Breach

The Insight Engineering report describes the cove formation methodology in detail: excavation below approximately 195 mRL, water inflow management by sump pumping, edge protection by rock armour, gabions or reno mattresses, retaining walls on the southern edge of the northern cove, and a final step of 'breaking through to the lake'. The northern cove is proposed up to 4 m deep, the southern cove no more than 1.5 m deep. Both lie within the bed of Te Wairere — a statutory acknowledgement area administered by LINZ outside the FTAA pathway.

The final hydrology report (Environmental Associates, June 2026) provides the first quantitative assessment of cove water quality, and now disaggregates the result by season. Daily lake-level variation driven by hydro generation at the Clyde Power Station is modelled at 0.4 m in winter and 0.2 m in summer, exchanging a conservatively estimated 13% and 7% of each cove volume per day respectively with the main lake; the report states that lake-water residence time in each cove is no greater than 24 hours. Modelled cove nitrogen concentrations rise from 0.105–0.108 mg/L in winter (approximately 1.5 times the lake background of 0.07 mg/L) to 0.135–0.139 mg/L in summer (approaching twice the lake background), in all cases below the ANZECC 2000 guideline values of 0.44 mg/L (in-stream) and 0.35 mg/L (lake) for nitrate-nitrogen.

Two features of this modelling carry cultural weight and are not addressed by the report.

(1) First, the enrichment is driven entirely by groundwater through-flow carrying nitrate-nitrogen at 0.5 mg/L — approximately seven times the lake concentration — so the coves function as zones that concentrate groundwater-borne nitrogen before returning it to Te Wairere. The summer worst case combines the highest cove concentration with the weakest flushing, and it coincides with the season of greatest cultural use of the lake and especially its margins for swimming, mahika kai, and nohoanga occupation; the report's reliance on an annual-average, steady-state framing understates that summer condition.

(2) Second, the water-quality model assumes a uniform cove depth of 3 m, whereas the proposal is for a northern cove up to 4 m deep and a southern cove no more than 1.5 m deep, so the flushing and mixing behaviour of the shallower southern cove is not in fact modelled. These are useful engineering findings, but they do not address the CIA's primary cultural concerns.

The use of the coves as silt retention ponds during the 3.15 million cubic metre earthworks programme is not discussed in either report; the steady-state framing assumes the coves are already formed and flushing freely. The condition of the sediment in the coves at the moment of breaching is not addressed. The contamination documents have no scope over the coves. The Viridis ecology assessment treats cove construction as ecological disturbance to be managed by fish salvage and erosion and sediment control, not as the breach of potentially contaminated sediment into a statutory acknowledgement area. The cultural significance of breaking through into Te Wairere is not recognised anywhere in the applicant's technical reports. The Landpro Environmental Management Plan in the July 2026 Infrastructure Assessment does, however, now set out a detailed cove in-water works methodology — floating booms and silt curtains across the inlets, landward-first excavation, dewatering, rock-armour edge protection, and water-quality monitoring on the lakeward side of the curtain — and forms the coves as discrete late-stage Crown-land works rather than reusing them as silt-retention ponds. What that methodology does not address is the contaminant status of the sediment at the point of breach, or the tikanga for breaking through into the Statutory Acknowledgement Area.

Te Mauri o Te Wai and the Nohoanga

The Woods stormwater memo is now a full Stormwater & Flood Management report (Appendix G of the July 2026 Infrastructure Assessment), and it marks a change from the March 2026 position. It recognises Lake Dunstan / Te Wairere as a Statutory Acknowledgement Area, references the nohoanga entitlement at McNulty Inlet (~7 km south, described as a central meeting point for many trails that traversed inland Otago), engages the NPS-FM 2020 and Te Mana o te Wai, and states that mana whenua have been consulted and the CIA considered. It adopts a treatment-train approach — swales, bioretention, tree pits, catchpit filters and proprietary devices — targeting a minimum 75% contaminant (TSS) removal efficiency under GD01 / Best Practicable Option, and models flooding under the RCP8.5 climate scenario to 2100. These are real improvements. They do not, however, resolve the cultural concerns: the 75% figure is a generic treatment-efficiency target rather than a receiving-environment or cultural performance target for Te Wairere; residual contaminant loads reaching the lake are not modelled; metals, hydrocarbons and contaminants of emerging concern remain outside the treatment design basis; and no baseline water-quality assessment along the lakeshore using culturally meaningful indicators, no modelled change at the nohoanga under full-buildout scenarios, and no cultural health assessment with whānau is proposed. The report continues to conclude that cove outflow will be 'quickly dispersed within the main lake' — a generic statement, not a modelled outcome for those venturing from the nohoanga.

The uploaded Stormwater & Flood Management report (Woods, P24-487, V3, Final, 23 July 2026) allows three further observations.

(1) First, the lakefront precinct (Catchment 2, Zone B) is drained by piped reticulation discharging directly into Te Wairere, and the eastern residential zone (Zone D) discharges directly to the Park Burn, so treated urban runoff enters the Statutory

Acknowledgement Area and its tributary at defined points, measured against a generic minimum 75% TSS-removal target rather than any receiving-environment or cultural performance standard for Te Wairere.

(2) Second, the report's own consultation record documents engagement with the Central Otago District Council and the Otago Regional Council only (25 ORC review comments and responses), with no Manawhenua involvement in the stormwater work itself; and its treatment of the NPS-FM 2020 states that Te Mana o te Wai and the active involvement of tangata whenua have been addressed 'through the broader resource consent process' and 'the Cultural Impact Assessment', so the freshwater national direction is referenced and then outsourced to this document rather than applied within the stormwater design.

(3) Third, the report now commits to securing water-quality outcomes through conditions of consent, including specific treatment standards and pre- and post-development water-quality monitoring — a welcome mechanism, but one that still carries no culturally meaningful indicators and no Manawhenua role in monitoring design, interpretation, or response.

The flood assessment engages the new NPS for Natural Hazards 2025 and concludes that flood-hazard risk across the development platforms is low to negligible, with finished floor levels set 0.5 m above the climate-adjusted 1% AEP level; the groundwater regime and the contaminant pathway to Te Wairere under those climate scenarios remain unmodelled.

The Three Water Take Options

The hydrology report identifies three options for irrigation water supply for the 11.47 ha amenity area:

- Option 1 (new riparian well within 100 m of the lake);
- Option 2 (surface water take by floating pump within Cove A); and
- Option 3 (variation of existing consent RM15.108.01.V1).

Each has different cultural implications that the report does not assess. Option 2 places permanent water-supply infrastructure within what, on breach, becomes part of Te Wairere; the cultural significance of permanent works within a statutory acknowledgement area is not considered. The choice between options also has rangatiratanga implications: Permitted Activity pathways (Options 1 and 2 if compliant) proceed without an opportunity for cultural conditions; a consent variation (Option 3) provides limited opportunity to insert cultural conditions because the underlying consent (RM15.108.01.V1) is operative until 1 November 2050 and its consumptive allocation is already some 2.4 times the amenity irrigation demand, so the report presents it as a simple variation rather than a fresh consenting event; a fresh consent provides the strongest opportunity for cultural conditions, but the report does not flag this trade-off. The report's framing throughout — treating Options 1 and 2 as Permitted Activity and Option 3 as a minor variation — steers toward the pathways that afford Manawhenua the least opportunity to attach cultural conditions to the take.

The Park Burn

The Insight Engineering report excludes Park Burn flooding from its scope, while confirming that an approximately 200m wide strip adjacent to the Park Burn is mapped as active

floodwater-dominated. The hydrology report does not address the Park Burn. The Viridis ecology assessment identifies the proposed culvert removal and bridge replacement positive impacts, concluding that fish passage will be improved. None of the reports engages the CIA's concern that the Park Burn should not be reduced to a stormwater utility, or that gathering access for raupō, harakeke, and similar materials should be maintained at multiple points.

Drinking Water and Wastewater Reticulation

The Insight Engineering report addresses settlement at a generic level, recommends settlement monitoring, and proposes constructing high-fill areas first so that the bulk of settlement is expressed before reticulation is installed — a PARTIALLY ADDRESSED mitigation of the engineering hazard. The contamination documents address the soil-to-human pathway through dermal contact, ingestion, and inhalation but do not assess infrastructure integrity or water supply contamination risk through quarry substrate. The hydrology report explicitly refers drinking water supply to the CODC reticulated supply and out of scope.

The wastewater solution has moved on materially in the July 2026 Infrastructure Assessment, though not in a way that resolves the CIA's concerns. The Landpro assessment now proposes gravity reticulation to a central pump station located within the subdivision — no longer the terminal pump station at the lake-edge boat ramp — with 24 hours of emergency storage and dual pressure mains discharging to the Cromwell wastewater treatment plant at Richards Beach Road, via a larger rising main that CODC would supply to the Pisa Moorings / Clark Road intersection; integration with the existing Pisa Moorings pressure main is proposed only for the final stages of development. Relocating the pump station away from the Te Wairere interface reduces the lakeside servicing footprint and the reliance on the constrained Pisa Moorings WWPS, and both changes are welcome. Three concerns remain.

(1) First, the applicant's own bundle is internally inconsistent: the appended Fluent report (27 January 2026) still describes the earlier boat-ramp terminal pump station and a 2,480 m rising main to the 1994-vintage Pisa Moorings WWPS, which it confirms is already close to its design capacity and 'will most likely require upgrades', with CODC's cumulative-effects modelling of the Parkburn, HWR and 'Dippie' developments still outstanding. Whether the system is fit for full buildout therefore remains an open question turning on infrastructure and modelling beyond the applicant's control and not seen by Manawhenua.

(2) Second, a fixed irrigation intake and pump station drawing from Te Wairere under the existing lake take is still proposed at the cove / lake edge — placed 'in the central cove' in the Landpro assessment and 'beside the boat ramp in Area 9' in the appended Fluent irrigation report — so permanent servicing infrastructure at the Statutory Acknowledgement Area interface is confirmed rather than removed.

(3) Third, and most significantly, no document assesses the risk of wastewater seepage — through pump station structures, rising mains, or the gravity network installed in re-engineered quarry fill — into the highly permeable substrate that carries groundwater to Te Wairere at approximately 1.5 m/day. That pathway is neither modelled nor mitigated in the applicant's suite.

Three features of this evidence carry cultural weight.

(1) First, it confirms the CIA’s underlying concern that the wastewater system is under stress: the shared receiving infrastructure is already near its 1994 design capacity, the

upgrade pathway and timeline are not yet finalised, and the assessment of whether the system is fit for full buildout has been deferred to a CODC cumulative-effects study that Manawhenua have not seen and were not party to. The impact to be avoided — a system adequate only for early-stage occupancy that fails at full buildout — is therefore not demonstrated to be avoided; it is confirmed to be an open question that turns on infrastructure beyond the applicant's control.

(2) Second, the report locates a new pump station and rising main at the lake edge near the boat ramp, alongside the irrigation intake well and feed pumps that the Fluent irrigation report (14 May 2026) places in the same location drawing water from Te Wairere at RL194. The cumulative footprint of permanent servicing infrastructure at the Te Wairere interface — pump station, rising mains, intake well, and irrigation pumps, adjacent to the cove that is to be breached into the Statutory Acknowledgement Area — is not assessed for cultural effect in any document.

(3) Third, and most significantly, neither the Fluent report nor any other document assesses the risk of wastewater seepage — through pump station structures, rising mains, or the gravity network — into the highly permeable quarry substrate that the hydrology report confirms carries groundwater to Te Wairere at approximately 1.5 m/day. A wastewater network installed in re-engineered fill over a confirmed, rapid groundwater pathway to a Statutory Acknowledgement Area, with settlement-driven fracture risk acknowledged elsewhere in the applicant's own geotechnical evidence, is precisely the 'no direct or indirect discharge to water' impact that this CIA identifies as one to be avoided. That pathway is neither modelled nor mitigated in the applicant's suite.

Table 2 — Wai Māori: impact assessment

Impact / Area	Findings from updated technical reports (July 2026)	Assessment
Mauri of Te Wairere	Hydraulic connectivity confirmed and quantified. No report models contamination risk to the lake. The updated RAP and its appended PSI/DSI now use the dual name 'Lake Dunstan / Te Wairere' throughout, name the lake as a receptor for construction-phase discharge, and acknowledge it as a Statutory Acknowledgement Area of significant cultural importance to mana whenua; the geotechnical and ecology reports still refer to 'Lake Dunstan'. No engagement with mauri or NPS-FM. Coves to be breached into statutory acknowledgement area without cultural assessment.	**POTENTIAL CONFLICT**
Groundwater connectivity and contamination pathways	Quantified aquifer characteristics (1.5 m/day, 2,000 m²/day transmissivity, ~19 m saturated thickness) confirm direct pathway to Te Wairere. Report's own cove modelling tracks groundwater nitrate-nitrogen (0.5 mg/L, ~7x lake) along this pathway into the coves and back to the lake, but does not extend the same mass-balance logic to quarry-derived contaminants. Lake now named as a receptor in the RAP's construction-phase effects table but not carried into the PSI/DSI Conceptual Site Model, where the groundwater-borne pathway to the lake is not represented. Stormwater soakage proposed through highly permeable gravels. Heavy metals, hydrocarbons, sediment-bound contaminants, contaminants of emerging concern not modelled.	**POTENTIAL CONFLICT**

	Geotechnical engineered fill not assessed for attenuation function.	
Stormwater treatment standards and receiving environment performance	The Woods memo is now a full Stormwater & Flood Management report (Appendix G of the July 2026 Infrastructure Assessment). It adopts a treatment-train approach — swales, bioretention devices, tree pits, catchpit filters and proprietary devices — with a minimum 75% contaminant (TSS) removal target under GD01 / Best Practicable Option, low-contaminant roofing at source, and first-flush capture, and it now engages the NPS-FM 2020 and Te Mana o te Wai and recognises the Statutory Acknowledgement Area. The 75% figure is nonetheless a generic TSS-removal efficiency, not a receiving-environment or cultural performance target for Te Wairere; residual contaminant loads reaching the lake are still not modelled, and metals, hydrocarbons and contaminants of emerging concern remain outside the treatment design basis. The V3 report (23 July 2026) confirms the lakefront precinct (Zone B) discharges directly into Te Wairere and the eastern zone (Zone D) directly to the Park Burn.	**PARTIALLY ADDRESSED**
Cove water quality (seasonal steady state)	Final report provides seasonal nutrient and water balance. Coves flushed at ~13% per day in winter, ~7% in summer. Cove N rises from 0.105–0.108 mg/L in winter (~1.5x lake) to 0.135–0.139 mg/L in summer (approaching 2x lake), below ANZECC 2000. Summer worst case (weakest flushing, highest N) coincides with peak cultural use but is masked by annual-average framing. Model assumes uniform 3 m cove depth; proposed 1.5 m southern cove not actually modelled. Phosphorus and E. coli dismissed as similar in source waters. Metals, hydrocarbons and contaminants of emerging concern not modelled.	**PARTIALLY ADDRESSED**
Cove sediment quality during construction and at breach	The Landpro EMP (Appendix C) now sets out a detailed cove in-water works methodology: floating booms and silt curtains across the inlets before works, landward-first excavation with dewatering and rock-armour edge protection, in-water cutting behind the curtain, and removal of the curtain only once suspended sediment has settled, with water-quality monitoring on the lakeward side of the curtain and TSS ≤ 50 mg/L / turbidity ≤ 150 NTU discharge criteria. The coves are formed as discrete late-stage Crown-land works, not reused as silt-retention ponds, which addresses the construction-phase sediment-control concern. The contaminant status of the sediment at the point of breach, and the tikanga for breaking through into the Statutory Acknowledgement Area, remain unaddressed.	**PARTIALLY ADDRESSED**
Drinking water safety	The July 2026 Infrastructure Assessment sizes potable supply at ~1,547 m³/day (peak 91.3 l/s) for ~1,020 lots plus commercial and school, connected to the Cromwell Water Treatment Plant at the Pisa Moorings Road / SH6 intersection, with a new CODC reservoir above Clark Road for pressure and FW3 firefighting (50 l/s) and a stated commitment to comply with Taumata Arowai obligations. CODC network-upgrade modelling is still in progress. Insight Engineering recommends settlement monitoring and constructing high-fill areas first. The contamination documents still address direct-contact pathways only, not	**PARTIALLY ADDRESSED**

	reticulation integrity or supply-contamination risk through the quarry substrate. Concept design only.	
Park Burn	Identified as stormwater discharge point. Geotechnical excludes flooding from scope. Hydrology silent. Viridis confirms ecological improvement through culvert removal but does not assess cultural gathering access at multiple stream points.	**PARTIALLY ADDRESSED**
Nohoanga water quality (McNulty Inlet)	The Nohoanga entitlement at McNulty Inlet is now acknowledged as an entitlement (~7 km south) in the EMP, the Woods report and the Insight reports, but only as context; no baseline water-quality assessment between the subdivision and the nohoanga is undertaken, and cove outflows are still assumed to 'disperse within the main lake' without modelling of any change along the lakeshore towards the nohoanga.	**SILENT**
Cumulative water effects	Cove and stormwater assessments conducted in isolation. Final report names neighbouring coves and inlets (incl. McNulty, Lowburn) only as reassuring analogues, not as a cumulative-load assessment. Existing Pisa Moorings discharge, agricultural runoff, Clyde and Roxburgh dam regimes, and consented future development not assessed alongside Parkburn contribution. Fluent report flags cumulative wastewater loading of Parkburn + HWR + Dippie on shared infrastructure but defers it to a CODC study not yet available; no cumulative assessment of receiving-environment or cultural effects on Te Wairere.	**SILENT**
Te Mauri o Te Wai / NPS-FM hierarchy of obligations	The Woods report (Appendix G) now engages the NPS-FM 2020 and records Te Mana o te Wai obligations, and states that mana whenua have been consulted and the CIA considered. Water quality is nonetheless still assessed principally against ANZECC 2000 and Regional Plan: Water for Otago rules; Te Mana o te Wai is referenced rather than applied as a hierarchy of obligations, and mauri is not assessed through a cultural framework. The report's own consultation record shows engagement with CODC and ORC only (25 ORC comments); Te Mana o te Wai and active tangata whenua involvement are deferred to 'the broader resource consent process' and this CIA rather than applied within the stormwater design.	**PARTIALLY ADDRESSED**
Climate risk over 50–100 years	The Woods Stormwater & Flood Management report now models stormwater and flooding under climate change using NIWA HIRDS v4 and the RCP8.5 scenario to 2100, and building platforms are lifted above the 1% AEP flood level and the Contact Energy future maximum lake level with freeboard. Altered precipitation and flood risk are therefore now addressed; changes to lake level, the groundwater regime, and the contaminant pathway to Te Wairere under climate scenarios are still not modelled. The V3 report engages the NPS for Natural Hazards 2025 and assesses flood-hazard risk across the development platforms as low to negligible, with floor levels 0.5 m above the climate-adjusted 1% AEP level.	**PARTIALLY ADDRESSED**
Water take option cultural implications	The July 2026 Infrastructure Assessment settles the irrigation supply on the existing lake take (max ~1,000 m^3/day), with a fixed intake structure and pump station	**PARTIALLY ADDRESSED**

	drawing from Te Wairere at RL194. Its own documents place that intake inconsistently — 'in the central cove' in the Landpro assessment but 'beside the boat ramp in Area 9' in the appended Fluent irrigation report — but in either case permanent servicing infrastructure is now confirmed at the cove / lake-edge interface with the Statutory Acknowledgement Area. The cultural significance of permanent works within, or breaching into, that Area, and the cumulative lakeside servicing footprint, are still not culturally assessed.	
Wastewater system fitness and direct discharge to water	The July 2026 Landpro assessment relocates wastewater to a central pump station within the subdivision (no longer at the lake edge / boat ramp), with gravity reticulation, 24-hour emergency storage, and dual pressure mains discharging to the Cromwell WWTP at Richards Beach Road via a CODC-supplied larger rising main to the Pisa Moorings / Clark Road intersection; integration with the existing Pisa Moorings main is proposed only for the final stages. This reduces the lakeside servicing footprint and the reliance on the constrained Pisa Moorings WWPS. However, the appended Fluent report still describes the earlier boat-ramp terminal pump station and 2,480 m main to the 1994-vintage Pisa Moorings WWPS (already near capacity) — an unresolved internal inconsistency — and system fitness at full buildout still turns on CODC cumulative-effects modelling (Parkburn + HWR + Dippie) not yet available. Seepage risk from the network through the quarry substrate into the confirmed ~1.5 m/day groundwater pathway to Te Wairere remains unaddressed. Concept design only.	**POTENTIAL CONFLICT**
Manawhenua role in monitoring and adaptive management	No cultural health indicators in any monitoring programme. No Manawhenua role in monitoring design, results interpretation, or adaptive management response thresholds proposed. The V3 stormwater report (23 July 2026) now commits to pre- and post-development water-quality monitoring secured through conditions of consent, but with no cultural indicators and no Manawhenua role.	**SILENT**

5.7 Taonga Species

5.7.1 Impacts to be avoided

Several taonga species are present, or once were present, in the landscape in which the application sits. Schedule 97 of the NTCSA 1998 lists by name the taonga species of Te Rūnanga o Ngāi Tahu over which the iwi holds a special interest. The Schedule 97 framework is not exhaustive: it is the formal recognition of an interest extending across the wider whakapapa of indigenous biodiversity. The duty of kaitiakitaka sits with Manawhenua across all of these species, present and once present, including those whose reintroduction is sought. The proposed activity must therefore avoid the following impacts:

Tuna (longfin and shortfin eel)

- Further loss or reduction in tuna populations in Te Wairere/Mata-au within the zone of influence of the development.

- Contamination of tuna flesh through bioaccumulation of contaminants of potential concern from the legacy quarry footprint, the cleanfill stockpile, the contractor's yard, the bitumen storage area, or stormwater runoff.
- Loss of, or interference with, migratory pathways into and out of the lake and tributaries (the Park Burn and the unnamed gully drainage to the south).
- Loss of riparian and littoral habitat through cove construction, foreshore reshaping, or McNulty Inlet hydrology changes.
- Loss of access along the lakeshore to tuna for customary harvest, venturing out from the McNulty Inlet.

Other taonga fish — including kanakana, indigenous galaxiids, koaro, kōkopu

- Loss of habitat through stream modification, hydrology change, or sediment discharge in the Park Burn or unnamed gully.
- Barriers to passage at any new or modified culvert, weir, or stormwater outlet structure.
- Reduction in water quality through stormwater contaminants, elevated nutrients, or sediment from the construction phase or from ongoing residential runoff.

Indigenous lizards — including taonga skinks and Kawarau gecko

- Direct mortality or displacement of populations of McCann's skink, Southern Alps gecko, jewelled gecko, or Kawarau gecko present on the site at the time of disturbance.
- Loss of lizard habitat — including rock outcrops, boulder fields, woody debris, and refuges within the legacy quarry footprint — without offset.
- Predation pressure on relocated, remnant, or recolonising populations from cats and other introduced predators associated with 989 households.

Indigenous birds — including the Schedule 97 species

- Loss of nesting, roosting, foraging, and refuge habitat across the site and the lake margin.
- Increased mortality from cats, rats, mustelids, and dogs associated with 989 households, in the absence of an integrated predator management programme covering the development footprint and the adjacent lake margin and conservation values.
- Light spill, noise, and recreational pressure on the lake margin during and after construction.

Indigenous plants — including kōwhai, mānuka, kānuka, tussock communities, and Raoulia mat communities of the Cromwell terrace

- Direct loss of the Raoulia australis (scabweed) mat community, observed by Beale on the site, through earthworks or vegetation clearance.
- Loss of indigenous vegetation more generally through ground disturbance, fill placement, and landscape conversion to amenity planting.
- Loss of opportunities to re-establish indigenous community through exotic landscape planting, including the street tree palette and ornamental species in private gardens.

- Loss of the cultural and ecological functions performed by the indigenous Cromwell terrace plant community, which has already been heavily reduced across the basin.

Whakapapa, integration, and ecological systems

- Treatment of taonga species as a list of discrete species rather than as members of an interconnected ecological system.
- Loss of, or reduction in, the role that the development site can play in re-establishing a continuous functioning indigenous ecological corridor between the Cromwell terrace, the Park Burn catchment, the Te Wairere foreshore, and the Mata-au margin.
- Loss of opportunity for Manawhenua-led restoration, monitoring, and reintroduction of taonga species — including species once present and now absent.

5.7.2 What the updated technical reports say

The May 2026 ecology report (Viridis Draft B, 1 May 2026), together with the geotechnical, hydrological, contamination, and landscape analyses, is examined here as it bears on taonga species. The engineering basis for assessing terrestrial habitat has strengthened: a Schedule 97 taonga species table is now included; a Lizard Management Plan is proposed; and the Park Burn culvert removal is identified as an ecological gain. These are welcome. The cultural framework, however, is not yet in place.

Tuna are listed in the species inventory but the report does not address their cultural significance at Te Wairere, does not assess any bioaccumulation pathway from soil, sediment, groundwater, or stormwater into tuna flesh, and does not include any sediment-quality sampling in the cove or along the lakeshore towards McNulty Inlet. PAH, TPH, arsenic, lead, and zinc are confirmed contaminants of potential concern on the site (Insight Engineering PSI/DSI, six HAIL activities identified). Tuna are long-lived and accumulate sediment-bound contaminants over decadal timeframes; no assessment of this pathway exists in any updated technical document.

The Park Burn culvert removal is presented as an ecological gain and is supported in the Landscape Concept and Crown Land Esplanade Concepts, whose Palette A now provides for indigenous riparian revegetation of the Parkburn Stream margins, with the on-site review of species to be retained or replaced to be carried out 'in coordination with Iwi and Ecologist'. From a cultural perspective the works are positive in principle, but the assessments do not go further and consider customary access to the Park Burn at multiple points along its length, nor the cultural significance of restoration design choices (including channel shape, riparian species selection, or naming of restored reaches).

A Lizard Management Plan is proposed in the ecology report, with provisions for survey, capture, and translocation. McCann's skink is identified and addressed. Kawarau gecko habitat is acknowledged but the assessment of impact is qualified by survey limitations, and the relationship between the LMP and the wider lizard community on the Cromwell terrace is not fully developed.





Figure 7 (left): banded dotterel Figure 8: (right) Raoulia australis

Raoulia australis (scabweed) is not addressed in the ecology assessment. Beale's earlier survey identified a Raoulia mat community present on the site; the May 2026 Viridis report does not list, map, or propose any management of this plant community. The omission is significant: scabweed is an important species of the Cromwell terrace and forms part of the indigenous Cromwell basin community that has been heavily reduced.

The proposed development will introduce 989 households, with associated cats, rats, mustelids, and dogs, immediately adjacent to the lake margin and to ecological values on and beyond the site. No integrated predator management plan covering the development footprint and the adjacent lake margin and conservation land is proposed in any technical document. The Viridis report addresses some direct construction-phase effects on lizards and birds but does not address ongoing operational-phase predation pressure from the residential population.

The Marshall Day noise assessment (23 July 2026), now available, assesses human residential receivers only — the Pisa Moorings interface and proposed dwellings within 80 m of State Highway 6 — and predicts compliance with the daytime NZS 6803:1999 construction-noise criteria and insignificant vibration at those receivers. It does not assess noise or disturbance effects on lake-margin avifauna or other taonga species. The 'light spill, noise, and recreational pressure on the lake margin' identified above as an impact to be avoided therefore remains unassessed for ecological receivers, both during the multi-year earthworks programme and across the operational life of the subdivision.

The Landscape Concept Report (Reset, April 2026) and the July 2026 Crown Land Esplanade Concept together carry the applicant's indigenous planting response. The Landscape Concept Report (now v7, 24 July 2026) introduces a 38-species Ngāi Tahu Taonga Species planting palette (Palettes A and B, species listed under their te reo Māori names) for the esplanade, reserves, greenway and Parkburn Stream margins, and the Crown Land Esplanade Concept (v6, 24 July 2026) and its Landscape Management Plan set out revegetation Zones 1a, 1b and 2, eco-sourced indigenous planting, staged removal of crack willow, and a pest plant and animal programme, the on-site species review and pest works to be undertaken 'in coordination with Iwi and Ecologist'. These are welcome.

Three limitations remain.

(1) First, an exotic street-tree palette (oak, maple, hornbeam, sweet gum, Chinese tulip, magnolia) is retained for the road berms and the Northern Boundary Buffer and dominates the street renderings, so the indigenous palette is presented as one component of the design rather than the framework within which all planting decisions are made.

(2) Second, the companion Urban Design Memo — now in its Final version (19 June 2026), lodged for the substantive application — continues to state there are 'no significant cultural features' on the site and retains an unresolved author query ('check cultural / mana whenua?') in its assessment of cultural and heritage values, a position inconsistent with both the Concept Report's own 'Cultural' design principle and the known values of the area.

(3) Third, and most tellingly, both 24 July 2026 concepts record on their face that 'the cultural narrative is yet to be woven into this landscape concept', so the cultural content of the planting framework is, on the applicant's own documents, still outstanding.

Taonga species are addressed as a list rather than as a whakapapa-connected system. No ecological corridor is proposed. No Manawhenua-led restoration, monitoring, or reintroduction programme is considered.

Table 3 — Taonga species: impact assessment

Impact / Area	Findings from updated technical reports (July 2026)	Assessment
Tuna populations at Te Wairere	Tuna listed in species inventory. No assessment of tuna populations, habitat use, or migratory pathways along the lake margin. Cove construction and foreshore reshaping not assessed for tuna habitat effects.	**SILENT**
Tuna bioaccumulation pathway	Hydrology confirms continuous groundwater connectivity quarry → Te Wairere at ~1.5 m/day. PAH, TPH, As, Pb, Zn contaminants of potential concern across six HAIL activities. No sediment quality sampling in cove or McNulty Inlet. No bioaccumulation pathway assessed in any updated technical document.	**POTENTIAL CONFLICT**
Park Burn culvert removal	Identified as ecological gain in Viridis report and supported in the Landscape Concept and Crown Land Esplanade Concepts, whose Palette A now provides indigenous riparian revegetation of the Parkburn Stream margins, with species review 'in coordination with Iwi and Ecologist'. Restoration design (channel geometry, riparian species selection, naming) still not engaged from a cultural perspective; multi-point customary access not assessed.	**PARTIALLY ADDRESSED**
Indigenous fish (other than tuna)	Galaxiid, koaro, kōkopu listed. No detailed habitat assessment of Park Burn or unnamed gully for these species. Stormwater outlet structures not assessed for passage. Cumulative water quality effects on indigenous fish not assessed.	**PARTIALLY ADDRESSED**
Kanakana	Listed in Schedule 97 table. Habitat use of Te Wairere by kanakana not assessed. No assessment of cove construction effects on kanakana.	**SILENT**

McCann's skink and lizard management plan	Survey undertaken. LMP proposed with capture and translocation provisions. Provides a workable baseline framework with opportunities for ongoing Manawhenua involvement in receiving site selection and post-relocation monitoring.	**LIKELY TO BE ADDRESSED**
Kawarau gecko	Habitat acknowledged. Impact assessment qualified by survey limitations. Relationship between LMP and Kawarau gecko population on the wider Cromwell terrace not developed.	**PARTIALLY ADDRESSED**
Indigenous birds at the lake margin	Bird survey included. Construction-phase effects partly addressed. Operational-phase pressure from 989 households not assessed.	**PARTIALLY ADDRESSED**
Noise and disturbance to lake-margin avifauna	The Marshall Day noise assessment (23 July 2026) assesses human residential receivers only — Pisa Moorings dwellings and proposed dwellings within 80 m of SH6 — predicting compliance with the daytime NZS 6803:1999 construction-noise criteria and insignificant vibration at those receivers. It does not assess construction- or operational-phase noise or disturbance effects on lake-margin avifauna or other taonga species. The 'light spill, noise, and recreational pressure on the lake margin' impact is not assessed for ecological receivers in any updated technical document.	**SILENT**
Raoulia australis (scabweed) mat community	Identified by Beale on the site. Not listed, mapped, or addressed in the May 2026 Viridis assessment, the Landscape Concept Report, or the geotechnical, contamination, or hydrology reports.	**SILENT**
Indigenous Cromwell terrace plant community	Reset Concept Report introduces 38-species Ngāi Tahu Taonga Species planting palette; the Crown Land Esplanade Concept and its Landscape Management Plan add revegetation Zones 1a/1b/2, eco-sourced indigenous planting, staged crack-willow removal and a pest programme 'in coordination with Iwi and Ecologist'. Exotic street-tree palette confined to road berms and the Northern Boundary Buffer but dominates street renderings. Urban Design Memo (Final, 19 June 2026) retains 'no significant cultural features'. Both 24 July 2026 concepts note the cultural narrative is 'yet to be woven'. Raoulia australis still not addressed. Indigenous palette is one design option rather than the framework.	**PARTIALLY ADDRESSED**
Predator pressure from 989 households	Construction-phase effects addressed. Operational-phase predator pressure from cats, dogs, rats, mustelids associated with 989 households not addressed. No integrated predator management programme covering development footprint and adjacent lake margin proposed.	**POTENTIAL CONFLICT**
Ecological corridor function	Site not assessed as part of a continuous indigenous ecological corridor linking Cromwell terrace, Park Burn, Te Wairere foreshore, and Mata-au margin. Corridor design not engaged.	**SILENT**
Manawhenua-led restoration, monitoring, reintroduction	No Manawhenua opportunities for engagement in restoration, monitoring, or reintroduction programme proposed. Cultural health indicators not included in ecological monitoring.	**SILENT**

Schedule 97 framework	Viridis report includes Schedule 97 taonga species table, a welcome inclusion. Table is presented as descriptive rather than as the cultural framework against which design and management decisions are to be evaluated.	**PARTIALLY ADDRESSED**
Cumulative effects on taonga species	Cumulative effects of Parkburn alongside Pisa Moorings expansion, consented future development, dam regimes, and regional land use change on taonga species not addressed.	**SILENT**
Climate risk to taonga species over 50–100 years	Lake margin habitat, indigenous fish habitat, lizard and bird populations not assessed under climate scenarios.	**SILENT**

5.8 Mahinga Kai

5.8.1 Impacts to be avoided

Mahinga kai — the gathering of foods, fibres, materials, and rongoā from the natural environment — is an active expression of ahi kā, of intergenerational learning, of whakapapa connection, and of identity. The Te Wairere and Mata-au catchment have fed generations of Ngāi Tahu whānau and are intended, by Manawhenua, to continue to do so for generations to come. The cultural redress of the NTCSA 1998 — including the Statutory Acknowledgement of Te Wairere, the Nohoanga entitlement at McNulty Inlet, and the customary fishing rights of Mata-au — recognises this directly.

Mahinga kai is a system. It depends on five interconnected components — abundance, access, safety, practice, and governance. The proposed activity must therefore avoid the following impacts:

Abundance — the resource itself

- Reduction in populations of species gathered for kai through habitat loss, water quality decline, sediment effects, hydrological alteration, predator pressure, or other consequence of the proposed activity.
- Failure to bring degraded species populations and their habitats back toward a healthy baseline where the development presents the opportunity to do so.
- Loss of species diversity — including species once present and now absent — through development design choices that exclude habitat restoration or species reintroduction.

Access — the ability to reach and use the mahinga kai sites

- Loss of, or interference with, physical access to mahinga kai at Te Wairere foreshore, the Park Burn, the unnamed gully drainage, the McNulty Inlet nohoanga, and the Mata-au margin.
- Privatisation of foreshore or reserve land that would otherwise be available for customary harvest.
- Disruption of access during construction without temporary alternative arrangements agreed with Manawhenua.

Safety — the ability to consume kai gathered without harm

- Contamination of kai species — including tuna and watercress — through bioaccumulation of contaminants of potential concern from the legacy quarry footprint, the cleanfill stockpile, the bitumen storage area, the contractor's yard, or stormwater runoff.
- Failure to undertake sediment quality and tissue residue baseline sampling at gathering sites prior to development.
- Failure to disclose, communicate, and address risks of consumption to Manawhenua whānau actively harvesting mahinga kai from the application area.

Practice — the cultural transmission and intergenerational use of the resource

- Loss of, or reduction in, the ability for Manawhenua to gather together at gathering sites to share knowledge, tikanga, and identity.
- Severance of the relationship between mahinga kai gathering and the wider cultural landscape — including the kōrero of the place and the named features — through naming, exotic landscape, and absence of cultural interpretation at gathering sites.
- Loss of opportunity to manaaki manuhiri through the offering of kai harvested.

Governance — the role of Manawhenua in decision-making about the resource

- Reduction in the role of Manawhenua in decisions about mahinga kai abundance, access, safety, and practice.
- Reliance on technical monitoring frameworks without cultural health monitoring undertaken by, or in partnership with, Manawhenua.
- Failure to provide for Manawhenua participation in design of restoration works, monitoring programmes, and adaptive management responses where mahinga kai values are at stake.

System integrity

- Treatment of mahinga kai as a list of species and sites rather than as a cultural system that depends on all components together.
- Loss of mahinga kai across the Te Wairere–Mata-au catchment through the Parkburn proposal being considered in isolation from Pisa Moorings expansion, dam regimes, agricultural land use change, and other consented future development.

5.8.2 What the updated technical reports say

Across the May 2026 technical reports — ecology, hydrology, geotechnics, contamination, landscape, economic — mahinga kai is not referenced as a distinct, highly valued cultural activity. Where kai species are addressed, they are addressed as ecological values rather than as part of customary harvest.

Access to mahinga kai is not discussed in any updated technical report. The Reset Landscape Concept Report and the Crown Land Esplanade Concept establish a lakeshore esplanade and trail continuity, indigenous revegetation of the lake margin and Parkburn Delta (including harakeke and raupō in the delta and lake-edge palette), and a commitment that no weed sprays will be applied within the Delta or any area inundated by Lake Dunstan / Te Wairere, with the staging mechanism providing a means to phase development against infrastructure delivery; together these support physical access and habitat at the lake margin level. They do

not, however, address customary harvest access at multiple gathering points along the Park Burn, at the unnamed gully drainage, along the lakeshore to the McNulty Inlet nohoanga, or at the Mata-au margin. The updated technical documents now acknowledge the McNulty Inlet nohoanga, but none assess customary harvest access to it.

Abundance is partly engaged through the ecology and hydrology reports. The Park Burn culvert removal is a positive ecological gain. The 38-species Ngāi Tahu taonga palette in the Concept Report is a positive design contribution. Neither is presented more widely as part of a mahinga kai restoration programme. The hydrology report's quantitative findings (cove flushing at approximately 10% per day, groundwater velocity at approximately 1.5 m/day, cove nitrogen concentrations rising to approximately 0.135–0.139 mg/L in summer) address the protection-of-aquatic-ecosystems framework but do not address mahinga kai abundance under cultural health frameworks such as the National Objectives Framework attribute for mahinga kai under the NPS-FM 2020, nor tissue residue thresholds for safe consumption.

Safety of consumption is a large gap. The PSI/DSI (Insight Engineering, appended to the Updated Final RAP, 16 July 2026) confirms six HAIL activities on the site. PAH, TPH, arsenic, lead, and zinc are confirmed contaminants of potential concern. No sediment quality sampling has been undertaken in the cove or along the lakeshore towards McNulty Inlet; no tissue residue baseline sampling has been undertaken for tuna, other fish, or watercress; no consumption-safety pathway assessment exists in any updated technical document. The updated Remedial Action Plan (Updated Final, 16 July 2026) no longer states that 'no specific Treaty of Waitangi matters requiring consideration' arise; it now has regard to section 8 of the RMA, acknowledges Lake Dunstan / Te Wairere as a Statutory Acknowledgement Area of significant cultural importance to mana whenua, and uses the dual name. This is a welcome improvement in framing. It does not, however, extend to any assessment of mahinga kai safety: no sediment quality or tissue residue sampling is proposed, no consumption-safety pathway is assessed, and the acknowledgement was not developed with Manawhenua and does not reach the nohoanga or the bioaccumulation pathway.

Figure 9: A whanau member releasing a small tuna (eel)



The Concept Report's Cultural Interpretation in three perspectives is welcome in principle but is a presentation of cultural narrative rather than design that enables active mahinga kai. Governance is not considered. No cultural health indicators are proposed in any monitoring programme; no Manawhenua role in monitoring design, results interpretation, or adaptive management response is proposed. Mahinga kai is treated, where it is addressed, as a set of species rather than a system.

Table 4 — Mahinga kai: impact assessment

Impact / Area	Findings from updated technical reports (July 2026)	Assessment
Mahinga kai species abundance — tuna	No assessment of tuna populations or habitat use at Te Wairere foreshore. Cove construction and foreshore reshaping not assessed for tuna habitat. Park Burn restoration is positive but not framed as mahinga kai restoration.	**PARTIALLY ADDRESSED**
Mahinga kai species abundance — indigenous fish	Galaxiid, koaro, kōkopu, kanakana listed. Habitat assessment partially addressed. Stormwater pathways not engaged for cumulative effect on indigenous fish abundance.	**PARTIALLY ADDRESSED**
Mahinga kai species abundance — watercress and freshwater plants	Watercress and other customarily harvested freshwater plants not addressed in any updated technical document.	**SILENT**
Access — Te Wairere foreshore	Lakeshore trail, esplanade and lake-margin revegetation established in the Landscape Concept and Crown Land Esplanade Concepts. Trail continuity and staging mechanism are aligned. Customary harvest access at specific gathering points along the foreshore not addressed.	**PARTIALLY ADDRESSED**
Access — Park Burn (multi-point)	Culvert removal addressed. Stormwater discharge points identified. Customary access at multiple points along the Park Burn for gathering not addressed.	**PARTIALLY ADDRESSED**
Access — McNulty Inlet nohoanga	The Nohoanga entitlement at McNulty Inlet is now acknowledged as context (~7 km south) in the EMP, Woods and Insight reports, but no access provision, baseline water-quality assessment, or hydrology assessment between the subdivision and the nohoanga is proposed.	**SILENT**
Access — Mata-au margin	Mata-au margin not engaged in any updated technical document.	**SILENT**
Safety — sediment quality at gathering sites	PAH, TPH, As, Pb, Zn contaminants of potential concern across six HAIL activities. Hydrology confirms ~1.5 m/day groundwater pathway to lake. No sediment quality sampling in cove or at any gathering site.	**POTENTIAL CONFLICT**
Safety — tissue residue baseline (tuna, fish, watercress)	No tissue residue baseline sampling undertaken for any mahinga kai species at gathering sites. No consumption-safety pathway assessed.	**POTENTIAL CONFLICT**
Safety — disclosure of risk to harvesting whānau	Risks of consumption not disclosed, communicated, or addressed to Manawhenua whānau in any updated technical document.	**SILENT**
Safety — Treaty matters in Remedial Action Plan	Updated RAP (16 July 2026) no longer states that 'no specific Treaty matters' arise. It now has regard to	**PARTIALLY ADDRESSED**

	section 8 RMA and acknowledges Lake Dunstan / Te Wairere as a Statutory Acknowledgement Area. Framing improved, but no mahinga kai safety, sediment, or tissue assessment; not developed with Manawhenua. The EMP and Woods report likewise recognise the Statutory Acknowledgement Area and reference the nohoanga.	
Practice — gathering-day infrastructure	No provision for gathering points proposed in any updated technical document.	**SILENT**
Practice — learning and intergenerational transmission	Cultural Interpretation in Concept Report welcome in principle. Learning provision not proposed.	**PARTIALLY ADDRESSED**
Governance — cultural health monitoring	Monitoring frameworks reference ANZECC 2000 limits, NPS-FM bands, Permitted Activity rules. No cultural health indicators proposed. No Manawhenua role in monitoring design or interpretation proposed.	**SILENT**
Governance — adaptive management	No Manawhenua role in adaptive management response thresholds for mahinga kai proposed.	**SILENT**
Governance — Manawhenua-led restoration design	Park Burn restoration, the 38-species palette and the Crown Land Esplanade Landscape Management Plan (which provides for on-site species review and pest works 'in coordination with Iwi and Ecologist') are welcome, but this is coordination on species and pest control only; Manawhenua-led restoration design and co-design not considered or proposed.	**PARTIALLY ADDRESSED**
System — mahinga kai as integrated system	Mahinga kai treated as set of species rather than as a system (abundance, access, safety, practice, governance).	**POTENTIAL CONFLICT**
System — cumulative mahinga kai impacts	Cumulative effects on mahinga kai across Te Wairere–Mata-au catchment, including Pisa Moorings expansion, dam regimes, and consented future development, not considered.	**SILENT**

Figure 10: An eel wananga at a marae teaching whanau, especially rangatahi about tuna (eels)



5.9 Ara and Kāika Nohoanga

5.9.1 Impacts to be avoided

Ara — the journeys, trails, and corridors of whānau movement — and kāika nohoanga — the places of customary occupation, gathering, and shelter — are the cultural foundations of ahi kā. They are how Manawhenua move through the rohe, stop and rest in the rohe, and maintain visible and continuous presence in the rohe. The Statutory Acknowledgement of Te Wairere and the nohoanga entitlement at McNulty Inlet (see Appendix 2) together formally recognise that this stretch of country was and is an active corridor including as a place to stop.

Figure 11: The signage at the McNulty Inlet



The proposed activity must therefore avoid the following impacts:

Lakeshore corridor and trail continuity

- Loss of, or interference with, continuous lakeshore access — including the existing and intended trail along the Te Wairere foreshore.
- Reduction in the quality of the lakeshore journey through inappropriate scale, materials, planting, signage, or visual intrusion of built form.
- Privatisation of foreshore land, or visual or physical sense of privatisation, that would otherwise be available for the Manawhenua and wider community journey along the shores of Te Wairere.

McNulty Inlet nohoanga

- Any impact on the function, amenity, water quality, or integrity of the McNulty Inlet nohoanga arising from the proposed development.
- Loss of, or change to, the visual setting of the nohoanga from the lake and from the nohoanga itself.
- Sediment, stormwater, contaminant, or hydrological effect on the nohoanga arising from development further upstream on the lakeshore.
- Loss of access to and from the nohoanga along the lakeshore.

Quality of experience

- Loss of the sense of place experienced by Manawhenua and others travelling to and from Te Wairere, Mata-au, and the wider rohe.
- Loss of cultural marking — through naming, narrative, and design — along the journey.

Intergenerational use

- Loss of, or reduction in, the ability for Manawhenua to use the ara and nohoanga together, across generations, across the seasons of the year, and across the decades.
- Loss of intergenerational opportunity to maintain ahi kā at McNulty Inlet and along the lakeshore over the 50–100 year design life of the subdivision.

Treaty redress, durability, and adaptive use

- Erosion, by design or operation, of the cultural redress provided by the Statutory Acknowledgement of Te Wairere and the Nohoanga entitlement at McNulty Inlet.
- Failure to provide for the long-term durability of cultural conditions, agreements, and provisions through the residential lifetime of the subdivision.
- Failure to provide for adaptive use of the nohoanga and the lakeshore corridor over time, as Manawhenua practice and need evolve.

5.9.2 What the updated technical reports say

This area contains two clear areas of alignment between the applicant's technical reports and the CIA framework. The Landscape Concept Report (v7, 24 July 2026) and the Crown Land Esplanade Concept (v6, 24 July 2026) confirm a continuous lakeshore esplanade and trail, integrated into the subdivision layout and connected to wider regional trail networks, with lake-margin revegetation along the foreshore. The esplanade and cove works sit on Crown land administered by LINZ and are excluded from the FTAA application. The economic and engineering reports establish a staging mechanism — under which lot release is phased against infrastructure delivery — that could also be used to phase development against cultural conditions, including conditions relating to McNulty Inlet, monitoring, and the durability of cultural redress. The Carriageway Transportation Assessment (Final, 15 July 2026) corroborates both points: it records the continuous, off-road Lake Dunstan Trail running along the Te Wairere shoreline at the site and connecting north and south into the wider regional network, and it confirms the 710-unit (Pony Court link) and 875-unit (SH6 / SH8B roundabout) staging thresholds that give the staging mechanism its structure. That report also adopts the dual name ‘Lake Dunstan / Te Wairere’ in describing the site’s setting — a small but welcome instance of the recognition that most of the engineering suite withholds. These are noted and welcomed. They are also, however, the limit of alignment in this area.

Lakeshore trail continuity is established at the level of the subdivision plan. The journey quality along the esplanade, however, depends on choices not yet made: the planting palette dominating the renderings is the exotic street-tree palette used along the road berms and Northern Boundary Buffer, while the indigenous Palettes A and B are applied to the esplanade, reserves and Parkburn Stream margins, and both 24 July 2026 concepts record on their face that 'the cultural narrative is yet to be woven into this landscape concept'; the naming of streets, parks, and waypoints is English-generic ('Neighbourhood Park 01' through '07'); and the Urban Design Memo's 'no significant cultural features'

finding sits in unresolved tension with the Concept Report's 'Cultural' design principle. The trail exists. The cultural benefit of the trail is not yet resolved.

The McNulty Inlet nohoanga is now acknowledged in the July 2026 Infrastructure Assessment — the EMP, the Woods report and the Insight reports each note the Nohoanga entitlement (~7 km south of the site), and the Woods report describes it as a central meeting point for many trails that traversed inland Otago. That recognition is welcome and is a change from the earlier position. It remains, however, an acknowledgement in passing rather than an assessment: there is still no baseline water-quality assessment between the subdivision and the nohoanga; no sediment quality sampling at the nohoanga; no hydrology modelling of the lakeshore to the nohoanga; no assessment of access to and from the nohoanga; and no engagement of the nohoanga as the cultural redress mechanism it is. This remains a significant gap in the updated technical reports.

The Marshall Day noise assessment (23 July 2026) confirms that daytime civil construction noise can comply with NZS 6803:1999 at the nearest residential receivers at Pisa Moorings — assisted by the retained southern bund and the ground-level difference — with no night works proposed and construction vibration assessed as insignificant under DIN 4150-3. These are useful findings for the residential interface. The assessment does not, however, extend to the cultural receivers relevant to this area: the amenity of the lakeshore ara and the McNulty Inlet nohoanga is not assessed, even though the multi-year civil works commence at the southern boundary adjoining the Te Wairere foreshore. Nor does the recommended Construction Noise and Vibration Management Plan provide any Manawhenua role in its development or certification — a matter returned to under rangatiratanga (section 5.11).

Quality of the experience is partly engaged through the Concept Report's Cultural Interpretation in three perspectives, which is welcome in principle. Cultural marking along the journey through naming, narrative panels, and design language is not resolved: the naming convention is English-generic, the Urban Design Memo retains a five-principle framework without a cultural lead, and the dominant rendered landscape language is European amenity rather than Cromwell terrace indigenous. The Cultural Interpretation is presented as one of three perspectives to be selected from, rather than as a potential framework for the journey as a whole.

Intergenerational use is not engaged in any updated technical document. The staging mechanism is available but is not currently linked to cultural triggers or thresholds. The Concept Report does not address how the 'Cultural' design principle and the 38-species Ngāi Tahu palette will survive through ownership change, body corporate rules, and CODC reserve management into the subdivision's operational lifetime.

Table 5 — Ara and kāika nohoanga: integrated assessment

Impact / Area	Findings from updated technical reports (July 2026)	Assessment
Lakeshore trail continuity	Continuous lakeshore esplanade and trail established in the Reset Landscape Concept and Crown Land Esplanade Concepts, with lake-margin revegetation. Integrated into subdivision plan and connected to wider regional trail networks. Esplanade and cove works are Crown/LINZ land excluded from the FTAA application.	**LIKELY TO BE ADDRESSED**
Staging mechanism for cultural conditions	Lot release phased against infrastructure delivery in economic and engineering documents. Mechanism could in principle be used to phase development against cultural conditions, including McNulty Inlet, monitoring, and durability conditions.	**LIKELY TO BE ADDRESSED**

Lakeshore journey quality — planting	38-species Ngāi Tahu Taonga Species palette introduced in Concept Report. Parallel exotic street tree palette is used for road berms and the Northern Boundary Buffer, while indigenous Palettes A and B are applied to the esplanade, reserves and greenway; both 24 July 2026 concepts note the cultural narrative is 'yet to be woven'. Indigenous palette presented as one design option rather than the framework.	**PARTIALLY ADDRESSED**
Lakeshore journey quality — naming and narrative	Parks numbered 'Neighbourhood Park 01–07'. Streets and waypoints English-generic. No te reo Māori or cultural narrative naming convention proposed. Cultural Interpretation in Concept Report presented as one of three perspectives.	**POTENTIAL CONFLICT**
Sense of place and arrival	Urban Design Memo states 'no significant cultural features' on site. Concept Report introduces 'Cultural' as first of six design principles. Internal contradiction within applicant's landscape evidence unresolved. The Urban Design Memo is now Final (19 June 2026) yet retains the 'no significant cultural features' finding and an unresolved 'check cultural / mana whenua?' query, and the Concept Report (v7, 24 July 2026) records the cultural narrative as 'yet to be woven'.	**POTENTIAL CONFLICT**
McNulty Inlet nohoanga — recognition	The Nohoanga entitlement at McNulty Inlet is now recognised as an entitlement in the July 2026 Infrastructure Assessment — the EMP, the Woods report and the Insight reports each note it (~7 km south; the Woods report describes it as a central meeting point for many trails that traversed inland Otago). Recognition is at the level of acknowledgement only: the nohoanga is not mapped in detail, assessed for effects, or engaged as a design driver in any updated document.	**PARTIALLY ADDRESSED**
McNulty Inlet nohoanga — water quality	No baseline water quality assessment between subdivision and nohoanga. Cove outflows assumed to 'disperse within the main lake' without modelling at the nohoanga.	**SILENT**
McNulty Inlet nohoanga — sediment and contamination	No sediment quality sampling at the nohoanga. Groundwater pathway at ~1.5 m/day and PAH/TPH/As/Pb/Zn contaminants of potential concern not assessed against nohoanga.	**SILENT**
McNulty Inlet nohoanga — visual setting	Visual assessment from the nohoanga toward the subdivision, and from the lake to and from the nohoanga, not undertaken.	**SILENT**
Construction and operational noise — lakeshore journey and nohoanga amenity	The Marshall Day noise assessment (23 July 2026) predicts daytime civil construction noise can comply with NZS 6803:1999 at the nearest (Pisa Moorings) residential receivers, aided by bund and ground-level screening, with no night works proposed and vibration assessed as insignificant under DIN 4150-3. Its receivers are residential only: the amenity of the lakeshore ara down to the McNulty Inlet nohoanga is not assessed; the multi-year civil works commence at the southern boundary adjoining the Te Wairere foreshore; and the recommended Construction Noise and Vibration Management Plan provides no Manawhenua role.	**SILENT**
McNulty Inlet nohoanga — access	Access to and from the nohoanga along customary corridors not assessed.	**SILENT**
Line of cultural sight (Cromwell terrace → Te Wairere → cove → nohoanga → Mata-au)	Cultural line of sight between the Cromwell terrace, Te Wairere shoreline, cove, McNulty Inlet, and Mata-au not engaged as a cultural design framework.	**SILENT**

Intergenerational use — gathering, hosting, learning	Gathering-day, hosting, and intergenerational learning provision at the lakeshore and nohoanga not proposed.	**SILENT**
Durability of cultural conditions through subdivision lifetime	Durability of the 'Cultural' design principle, 38-species palette, and cultural interpretation through ownership change, body corporate rules, and CODC reserve management not addressed.	**SILENT**
Adaptive use over 50–100 year design life	Adaptive use of the nohoanga, the lakeshore corridor, and the cultural design framework as Manawhenua practice and need evolves not engaged.	**SILENT**
Cumulative effect on Statutory Acknowledgement Area	Cumulative effect of Parkburn cove construction, Pisa Moorings expansion, and consented future development on the Statutory Acknowledgement Area not assessed.	**SILENT**

5.10 Cultural Presence

5.10.1 Impacts to be avoided

Cultural presence is the lived and visible expression of ahi kā in a place. It is the demonstration, in built form, in landscape, in naming, in narrative, in housing tenure, and in the everyday life of a place, that Manawhenua belong here, that this is whenua, wai and taonga with which Manawhenua have a continuous and active relationship. Cultural presence is sustained by all of the previous areas — wai, taonga species, mahinga kai, and ara/nohoanga — and by additional matters specific to the landscape and the people: by naming, by narrative, by the protection of wāhi tapu and wāhi taonga, and by the ability of Manawhenua whānau to live in the place. The proposed activity must therefore avoid the following impacts:

Naming and narrative

- Loss of the opportunity to put presence on the land — through the naming of streets, parks, neighbourhoods, water features, and key public spaces — in te reo Māori, drawing on the cultural narrative of this place.
- Loss of the opportunity to embed cultural narrative — the kōrero of Mata-au, of Te Wairere, of the named features of the wider rohe — in the public space and the interpretation of the subdivision.
- Imposition of English-generic naming conventions that erase or displace the cultural identity of the place.

Wāhi tapu, wāhi taonga, and archaeological values

- Disturbance, damage, or loss of any wāhi tapu or wāhi taonga present on or near the site.
- Disturbance of unrecorded archaeological values across the site.
- Failure to undertake archaeological assessment, in partnership with Manawhenua, prior to earthworks.
- Failure to provide for accidental discovery protocols, kōiwi tangata protocols, and tikanga-based stoppage and re-engagement procedures during construction.

Affordability, tenure, and the ability of Manawhenua to live here

- Production of a subdivision in which Manawhenua whānau cannot afford to buy or rent, with the result that cultural presence is symbolised in the landscape but not evidenced in the residents able to live there.
- Failure to provide for any meaningful proportion of housing tenure (affordable purchase, rental, community housing) that supports Manawhenua whānau to live in the development.
- Distortion of the local housing market that pushes Manawhenua whānau away from Cromwell and the wider rohe.
- Failure to engage Manawhenua entities (rūnaka housing initiatives, Ngāi Tahu Property, Manawhenua-led co-design partnerships) as potential parties to an affordability solution.

Built form, landscape, and design language

- Imposition of a built form, materials palette, and landscape language that has no relationship to the Cromwell terrace, the Te Wairere foreshore, or the cultural narrative of this place.
- Reliance on a parallel exotic landscape palette that visually dominates the public space and renders the indigenous taonga palette decorative.
- Inadequate Manawhenua contribution to the urban design code, the body corporate rules, and the CODC reserve management plans that will govern the operational lifetime of the subdivision.

Visibility, recognition, and ongoing presence

- Loss of visible recognition of Manawhenua status in the place, including through entry markers, public art, gathering places, and named features.
- Loss of the long-term opportunity for Manawhenua presence in the place through 50–100 years of residential operation.

5.10.2 What the updated technical reports say

Cultural presence is partly engaged through the May 2026 Reset Landscape Concept Report. The same set of applicant reports, however, contains internal contradictions and significant gaps which together are in conflict with this CIA.

Naming is the most visible point of conflict. Every park is numbered ('Neighbourhood Park 01' through 'Neighbourhood Park 07'). No te reo Māori naming convention for streets, parks, neighbourhoods, waypoints, or water features is proposed in any updated technical document. The naming convention is treated as a downstream operational matter rather than as a cultural design decision.

Wāhi tapu, wāhi taonga, and archaeological values are silent in the updated evidence base. The site is assumed to have been disturbed by historical quarrying and therefore not to require archaeological assessment in the previously disturbed footprint; this assumption is not appropriate where the wider Cromwell terrace and Te Wairere margin retain archaeological potential. No accidental discovery, kōiwi tangata, or tikanga-based stoppage protocols are proposed in any updated technical document.

Affordability is the most consequential point of conflict for cultural presence. The development at the price points modelled is likely to produce a place that Manawhenua whānau cannot afford to live in, and which therefore embodies cultural presence in landscape and naming only — not in residents.

The economic evidence does not engage with affordability at the level at which this CIA assesses it. The Insight Economics report treats the regional and national economy as an undifferentiated population and, in doing so, considers no economic impact on Manawhenua specifically. A macro-scale economic assessment of this kind cannot, by its own framing, identify whether the development will support or exclude Manawhenua whānau, because it does not disaggregate the population whose cultural presence is at issue. The absence of any Manawhenua-specific economic analysis is itself a gap in the assessment of effects.

The economic evidence is also silent on whether there are wider costs that fall on others. While the report identifies a net regional benefit, it does not canvass costs that may fall on parties beyond the developer — for example, the cost to the Central Otago District Council of supporting water and wastewater infrastructure for a development of this scale. Whether such costs arise, and on whom they fall, is a matter that bears on the affordability and equity of the proposal and that the assessment of effects has not yet addressed.

For Manawhenua, affordability is not only a question of housing economics. The actions of the Crown and of colonisation locked Kāi Tahu out of whenua across the Upper Clutha, and out of everything that connection to whenua carries culturally. Against that history, an unaffordable development is another barrier to Manawhenua re-establishing a physical presence in the rohe. Affordability is, in this sense, another brick in the wall standing between Manawhenua and a presence on this whenua — which is precisely why cultural presence cannot be regarded as satisfied by naming and landscape alone.

The broader housing context reinforces the concern. Statistics New Zealand has reported that, compared with 2013, the rate of severe housing deprivation in 2018 rose by 0.9 per 10,000 people, an increase of about 4,400 people overall; that severe housing deprivation was more prevalent among the young, with almost half of those severely housing-deprived being under 25 years of age; and that rates were highest among Pacific and Māori young people, with Māori and Pacific peoples overall experiencing severe housing deprivation at rates close to four and six times the European rate respectively.[5] While the position for Ngāi Tahu may differ from that of the general Māori population, many whānau — and in particular rangatahi and young whānau who come to Central Otago for work and other opportunities — would face housing affordability pressures of the kind this data describes. A development of approximately 989 lots that makes no provision for affordable purchase, rental, or community housing tenure does nothing to relieve those pressures for the very whānau whose presence would give effect to cultural presence in this place.

Built form, landscape, and design language are partly engaged. The Urban Design Memo continues to assert that there are 'no significant cultural features' on the site; the relationship between the Concept Report, the Urban Design Memo, the body corporate rules, and the CODC reserve management plans is not yet resolved. The Urban Design Memo is now in its Final version (19 June 2026), lodged for the substantive application, and still both asserts 'no significant cultural features' and carries an unresolved author query — 'check cultural / mana

[5] Statistics New Zealand, *Severe housing deprivation in Aotearoa New Zealand, 2018* (2021), Table 8.

whenua?' — in its cultural and heritage assessment; and the Landscape Concept (v7) and Crown Land Esplanade Concept (v6), both 24 July 2026, each record on their face that 'the cultural narrative is yet to be woven into this landscape concept'. The Reset documents are an inconsistent and not-yet-coherent application of cultural design principles. No long-term provision for Manawhenua presence through the operational lifetime of the subdivision is proposed.

Table 6 — Cultural presence: integrated assessment

Impact / Area	Findings from updated technical reports (July 2026)	Assessment
Naming convention — streets, parks, neighbourhoods, waypoints	All parks numbered 'Neighbourhood Park 01–07'. Streets and neighbourhoods English-generic in all updated documents. No te reo Māori naming convention proposed.	**POTENTIAL CONFLICT**
Cultural narrative in public space	Cultural Interpretation in Concept Report presented as one of three perspectives. No narrative panels, no wayfinding integration, no public art programme proposed. The Concept Report (v7, 24 July 2026) still records the cultural narrative as 'yet to be woven into this landscape concept'.	**PARTIALLY ADDRESSED**
Archaeological assessment in partnership with Manawhenua	The Landpro EMP (Appendix C) now includes an Accidental Discovery Protocol (the generic QLDC EMP Guidelines protocol, with human-remains referral to NZ Police) and recognises the Statutory Acknowledgement Area. No archaeological assessment in partnership with Manawhenua is undertaken; the EMP still records 'no known locations of cultural heritage significance' and assumes the previously disturbed footprint does not require assessment; and the protocol is generic rather than tikanga-based or developed with Manawhenua.	**POTENTIAL CONFLICT**
Wāhi tapu and wāhi taonga	Wāhi tapu and wāhi taonga across the site and at the lake margin not addressed in any updated technical document.	**SILENT**
Affordability — Manawhenua whānau	No provision for affordable purchase or rental. Manawhenua whānau likely to be excluded from the development. Economic assessment is macro-scale only and considers no economic impact on Manawhenua. Wider costs falling on others (e.g. CODC supporting infrastructure) not canvassed.	**POTENTIAL CONFLICT**
Engagement of Manawhenua housing entities	No engagement with rūnaka investment entities, Ngāi Tahu Property, or Manawhenua-led co-design partnerships proposed in updated evidence.	**SILENT**
Indigenous planting palette	38-species Ngāi Tahu Taonga Species palette introduced in Concept Report. Welcome. Parallel exotic palette dominates street renderings but is confined to road berms and the Northern Boundary Buffer, while indigenous Palettes A and B apply to the esplanade, reserves and greenway; both 24 July 2026 concepts note the cultural narrative is 'yet to be woven'. Palette presented as one design option rather than framework.	**PARTIALLY ADDRESSED**

Built form and materials palette	No built form or materials palette response to Cromwell terrace, Te Wairere foreshore, or local cultural narrative proposed in any updated document.	**SILENT**
Urban design code, body corporate rules, CODC reserve management plans	Urban Design Memo retains 'no significant cultural features' finding and five-principle framework. Cultural design principle (Concept Report) and Urban Design Memo internally inconsistent. Body corporate rules and CODC reserve plans not engaged in updated evidence. The memo is now Final (19 June 2026), still with no cultural-lead principle and an unresolved 'check cultural / mana whenua?' query.	**POTENTIAL CONFLICT**
Entry markers, gathering places, public art programme	No proposal for entry markers, gathering places, or public art programme included in any updated technical document.	**SILENT**
Operational lifetime cultural presence (50–100 years)	Durability of cultural design intent through ownership change, body corporate rules, CODC reserve management, and residential lifetime not addressed.	**SILENT**
Manawhenua contribution to design code	Manawhenua contribution to urban design code, body corporate rules, and reserve management plans not proposed.	**SILENT**

5.11 Rangatiratanga

5.11.1 Impacts to be avoided

Rangatiratanga is the exercise of Manawhenua authority over the rohe and its taonga, arising from whakapapa and recognised, in a legal context, as a Treaty-guaranteed right. Rangatiratanga is not equivalent to participation; it is not equivalent to consultation; it is not equivalent to stakeholder engagement. Rangatiratanga is authority, exercised in partnership with the Crown and its delegates, over decisions about the rohe. The FTAA 2024 process under which this proposal is being advanced sits within the same Treaty framework as every other Crown decision-making process, and the assessment of the proposal must give effect to rangatiratanga in substantive terms. The proposed activity must therefore avoid the following impacts:

Authority over decisions and cultural conditions

- Reduction of Manawhenua participation to consultation, stakeholder status, or commentary on technical documents prepared largely without Manawhenua involvement.
- Failure to engage Manawhenua in the design of cultural conditions, in the drafting of consent conditions, and in the assessment of compliance.
- Reliance on the applicant, or the applicant's consultants, as the determining voice on cultural matters.
- Failure to recognise the Statutory Acknowledgement of Te Wairere and the Nohoanga entitlement at McNulty Inlet as exercises of rangatiratanga that are pre-existing to the application and binding on it.

Monitoring and adaptive management

- Reliance on technical monitoring frameworks (ANZECC 2000, NPS-FM bands, Permitted Activity rules) as the sole basis for assessing compliance, without cultural health indicators undertaken by or in partnership with Manawhenua.
- Failure to provide for Manawhenua design of cultural monitoring programmes, cultural health indicators, baseline establishment, and reporting cycles.
- Failure to provide for Manawhenua role in the interpretation of monitoring results and in the design of adaptive management responses.
- Failure to provide for Manawhenua role in stoppage, remediation, and escalation where adverse cultural effects are identified.

Value hierarchy

- Treatment of economic benefit as the determining assessment criterion of the proposal, against which cultural values are assessed as mitigations or as one consideration among many.
- Treatment of Treaty matters as 'no specific Treaty of Waitangi matters requiring consideration' where the proposal sits within a Statutory Acknowledgement Area, adjacent to a Nohoanga entitlement, in a Ngāi Tahu rohe.

Durability of cultural agreements

- Failure to embed cultural design principles, cultural conditions, and Manawhenua roles in the urban design code, the body corporate rules, the CODC reserve management plans, and the lot-by-lot consent conditions that will govern the operational lifetime of the subdivision.
- Failure to provide for the durability of cultural agreements through ownership change, body corporate change, council change, and through the 50–100 year operational lifetime of the subdivision.

Recognition and partnership

- Failure to recognise Manawhenua authority over decisions about the cultural conditions that protect the matters this CIA identifies.

5.11.2 What the updated technical reports say

Rangatiratanga is the area in which the May 2026 technical reports are most consistently in conflict with the CIA framework. The technical reports are framed, drafted, and proposed for adoption by the applicant and the applicant's consultants. Manawhenua have not been engaged in the development of those documents. The most recent additions follow the same pattern: the Marshall Day noise assessment (23 July 2026) was prepared without Manawhenua involvement, and the Construction Noise and Vibration Management Plan it recommends is to be certified by Council, with no Manawhenua role in its scope, triggers, or approval.

The Remedial Action Plan (Insight Engineering) illustrates both the progress made and the distance still to travel. The earlier draft RAP stated expressly that 'no specific Treaty of Waitangi matters requiring consideration' arise — a statement inconsistent with section 8 of the RMA, the NTCSA 1998, the Statutory Acknowledgement of Te Wairere, and failed to recognise the nohoanga entitlement at McNulty Inlet. The Updated Final RAP (16 July 2026) has removed that statement. It now has regard to section 8 of the RMA, records that Lake Dunstan / Te Wairere is a Statutory

Acknowledgement Area of significant cultural importance to mana whenua, and adopts the dual name. This is a genuine improvement in the framing of a document that governs the remediation of a site in direct hydraulic connectivity with a statutory acknowledgement area. It remains, however, an acknowledgement rather than an assessment: the RAP concludes that no section 6 matters are of relevance, engages mana whenua only in relation to the lake and not the nohoanga, proposes no cultural conditions or Manawhenua role, and was not developed in partnership with Manawhenua. Recognition has begun; partnership has not.

Monitoring frameworks are technical. Cultural health indicators undertaken by or in partnership with Manawhenua are not proposed in any updated technical document. Recognition and partnership are not engaged. The engineering basis of the updated reports has substantially improved. The recognition of cultural interests has begun to improve — most visibly in the updated RAP's adoption of the dual name and its regard to section 8 of the RMA — but the partnership relationship that must underlie that recognition has not yet been established.

Table 7 — Rangatiratanga: integrated assessment

Impact / Area	Findings from updated technical reports (July 2026)	Assessment
RAP statement on Treaty matters	Updated RAP (16 July 2026) has removed the 'no specific Treaty matters' statement. It now has regard to section 8 RMA, records Lake Dunstan / Te Wairere as a Statutory Acknowledgement Area, and uses the dual name. Remains an acknowledgement, not an assessment: no section 6 relevance found, nohoanga not engaged, no cultural conditions or Manawhenua role, not developed in partnership.	**PARTIALLY ADDRESSED**
Recognition of Statutory Acknowledgement of Te Wairere	The Statutory Acknowledgement Area is now recognised across the July 2026 Infrastructure Assessment — the EMP, the Woods report and the Insight RAP each record Lake Dunstan / Te Wairere as a Statutory Acknowledgement Area under the NTCSA 1998 and have regard to it. It is still not engaged as a binding cultural framework that drives design, and cove construction is proposed within the Area.	**PARTIALLY ADDRESSED**
Recognition of Nohoanga entitlement at McNulty Inlet	Now acknowledged as an entitlement (~7 km south) in the EMP, the Woods report and the Insight reports, but not assessed for effects or engaged in design.	**PARTIALLY ADDRESSED**
Cultural health indicators in monitoring	Monitoring frameworks reference ANZECC 2000, NPS-FM bands, Permitted Activity rules. No cultural health indicators proposed.	**SILENT**
Manawhenua role in monitoring design	No Manawhenua role in monitoring design, baseline establishment, or reporting cycles proposed.	**SILENT**
Manawhenua role in interpretation of monitoring results	No Manawhenua role in interpretation of monitoring results proposed.	**SILENT**
Manawhenua role in adaptive management	No Manawhenua role in adaptive management response design, triggers, or thresholds proposed.	**SILENT**
Manawhenua role in stoppage and escalation	No Manawhenua role in stoppage, remediation, or escalation where adverse cultural effects are identified proposed.	**SILENT**

Economic frame — value hierarchy	Net benefit $256M NPV at 8% discount over 30 years. Use of 'Lake Dunstan / Te Wairere' dual name is welcome. Discount rate and time horizon frame intergenerational cultural values as economically insignificant within 30 years.	**POTENTIAL CONFLICT**
Legal compliance as substitute for cultural assessment	Permitted Activity rules, ANZECC 2000 limits, and NPS-FM bands used as compliance framework. Cultural assessment not engaged as substantive parallel framework.	**PARTIALLY ADDRESSED**
Durability — urban design code, body corporate rules, CODC reserves	Embedment of cultural design principles, cultural conditions, and Manawhenua roles in urban design code, body corporate rules, CODC reserve management plans, and lot-by-lot consent conditions not proposed.	**SILENT**
Durability — through ownership change and council change	Durability of cultural agreements through ownership change, body corporate change, council change, and 50–100 year operational lifetime not addressed.	**SILENT**
Adaptive evolution of cultural framework over time	Manawhenua role in adaptive evolution of cultural framework as practice, need, and understanding evolve not proposed.	**SILENT**
Internal coherence of applicant evidence on cultural matters	Reset Concept Report introduces 'Cultural' as first design principle. Reset Urban Design Memo retains 'no significant cultural features' finding and five-principle framework. Internal contradiction in applicant evidence unresolved. The contradiction persists into the latest documents: the Urban Design Memo (Final, 19 June 2026) still finds 'no significant cultural features' and retains an unresolved 'check cultural / mana whenua?' query, while the Landscape Concept (v7) and Crown Land Esplanade Concept (v6), both 24 July 2026, record that 'the cultural narrative is yet to be woven'. The July 2026 Infrastructure Assessment adds further internal inconsistencies: the development is described as 989, ~1,000 and ~1,020 lots in different parts of the same bundle; the wastewater pump station is located centrally within the subdivision in the Landpro assessment but at the lake-edge boat ramp in the appended Fluent report; and the irrigation intake is placed 'in the central cove' in one section and 'beside the boat ramp' in another.	**POTENTIAL CONFLICT**
Engineering basis vs cultural framework	Engineering basis of evidence base substantially improved since March 2026 and again in the July 2026 Infrastructure Assessment (consolidated three-waters and earthworks reporting, an Environmental Management Plan, and updated Woods stormwater/flood and Fluent water/wastewater reports). Recognition of cultural interests has improved further — the Statutory Acknowledgement Area is now recognised across the suite, the nohoanga is acknowledged, the Woods report engages the NPS-FM and Te Mana o te Wai, and an accidental discovery protocol is included — and the applicant states that mana whenua have been consulted. The Marshall Day noise assessment (23 July 2026), like the rest of the suite, was prepared without Manawhenua involvement, and the Construction Noise	**PARTIALLY ADDRESSED**

	and Vibration Management Plan it recommends provides no Manawhenua role. The partnership relationship, and the Manawhenua authority over cultural conditions, that must underlie that recognition have still not been established.	

5.12 Cross-cutting Concerns

The review of the May 2026 technical reports identifies several cross-cutting matters that compound the area-specific findings set out in sections 5.6–5.11. Each is summarised below with a cross-reference to the substantive analysis already provided.

5.12.1 Confirmed groundwater connectivity: the foundational risk pathway

The confirmed groundwater pathway from the development footprint to Te Wairere — south-easterly flow at approximately 1.5 m/day, aquifer transmissivity of approximately 2,000 m²/day, saturated thickness approximately 19 m (Environmental Associates, 6 May 2026) — is the foundation beneath all other cultural risks in this assessment. It is the pathway through which the legacy quarry, the 180,000 m³ cleanfill stockpile, the six HAIL activities, and the future residential population of 989 households are connected to the cultural integrity of Te Wairere, the Statutory Acknowledgement Area, the McNulty Inlet nohoanga, the Mata-au, and the safety of mahinga kai species harvested from those waters. The cultural significance of the hydrology report lies not in the specific cove nitrogen values (0.105–0.139 mg/L across the seasons, below ANZECC 2000) but in the confirmation of this pathway. Cultural conditions on the consent must give effect to this finding. See section 5.6.6, Table 2, and Chapter 6, Recommendation 2.

5.12.2 Cove construction and breach: the highest-risk single event

The proposed breach of the Te Wairere shoreline to form two coves — used as silt retention ponds during 3.15 million cubic metres of earthworks before being opened into the Statutory Acknowledgement Area — is one of the highest cultural risks in the application. The hydrology report's steady-state flushing assessment addresses one effects pathway; it does not address sediment quality at breach, cultural protocols for breaking through the shoreline, archaeological assessment of the breach footprint, or the durability of cove form and function through the subdivision's operational lifetime. See section 5.6.6 and Table 2.

5.12.3 Bioaccumulation and consumption safety: gap across the entire evidence base

No bioaccumulation pathway from soil and groundwater contaminants of potential concern (PAH, TPH, arsenic, lead, zinc) through sediment and water into mahinga kai species tissue — tuna, indigenous fish, watercress — is assessed in any of the six updated technical documents. No sediment quality sampling has been undertaken at the cove or along the shoreline towards McNulty Inlet; no tissue residue baseline sampling has been undertaken for any mahinga kai species at any gathering site. This gap has direct practical consequences for Manawhenua whānau actively harvesting mahinga kai along the lakeshore. See sections 5.7.2 and 5.8.2, and Tables 3 and 4.

5.12.4 McNulty Inlet nohoanga: acknowledged but not assessed

The McNulty Inlet nohoanga — a formal exercise of cultural redress under the NTCSA 1998 — is now acknowledged in the updated technical documents: the EMP, the Woods report and the Insight reports each reference the Nohoanga entitlement (~7 km south). It is acknowledged only as context, however, and is still not mapped in detail, modelled, sampled, or assessed for effects. It continues to compound directly across wai māori, mahinga kai, ara and kāika nohoanga, cultural presence, and rangatiratanga. See Tables 2, 4, 5, 6, and 7.

5.12.5 Operational-phase effects over 50–100 years

The assessment of effects across the May 2026 reports is concentrated in the construction phase. Operational-phase effects of 989 households over 50–100 years — predator pressure from cats, dogs, rats, and mustelids; recreational pressure on the lake margin; light spill and noise; stormwater contaminant loads accumulating at the cove; long-term durability of cultural design and conditions through ownership change; and cumulative effect on regional housing affordability — are not consistently addressed. The operational phase is when the most significant cultural impacts are likely to accumulate. The Marshall Day noise assessment (23 July 2026) addresses State Highway 6 traffic noise to new dwellings and civil construction noise at the Pisa Moorings interface, but it does not assess operational-phase noise radiating from 989 households to the lake margin and cultural receivers, nor noise disturbance to avifauna, so the operational noise gap identified here remains. See sections 5.7.2, 5.9.2, 5.10.2, and Tables 3, 5, and 6.

5.12.6 Naming, narrative, and cultural identity

All parks are numbered in English-generic form. No te reo Māori naming convention is proposed for streets, parks, neighbourhoods, waypoints, or water features. The Urban Design Memo retains a 'no significant cultural features' finding. The Cultural Interpretation in the Concept Report is presented as one of three perspectives to be selected from. The Landscape Concept (v7) and Crown Land Esplanade Concept (v6), both dated 24 July 2026, each note that 'the cultural narrative is yet to be woven into this landscape concept', and the Urban Design Memo is now in its Final version (19 June 2026) with the 'no significant cultural features' finding unchanged. These matters cumulatively risk producing, in a Ngāi Tahu rohe, in a Statutory Acknowledgement Area, adjacent to a Nohoanga entitlement, a built environment in which cultural identity is not visible. See sections 5.9.2 and 5.10.2, and Tables 5 and 6.

5.12.7 Affordability and the embodiment of cultural presence

With a Cromwell Ward median dwelling price of $946,000, a price-to-income ratio of 9.2x, mortgage servicing at 54% of gross earnings, and a deposit savings period of 12.2 years (Insight Economics, May 2026), the development is likely to produce a place that Manawhenua whānau cannot afford to live in. Cultural presence symbolised in landscape and naming but not embodied in residents is not cultural presence as Manawhenua understand it. The economic assessment compounds this by operating only at a macro scale — treating the economy as an undifferentiated population and considering no economic impact on Manawhenua — and by leaving unexamined whether wider costs (for example, supporting infrastructure costs to CODC) fall on others. Set against the dispossession of Kāi Tahu from whenua across the Upper Clutha, and against severe housing deprivation rates for Māori running close to four times the European rate, an unaffordable development is a further barrier to Manawhenua re-establishing presence in the rohe, with particular consequences for

rangatahi and young whānau who come to Central Otago for work. See section 5.10.2 and Table 6.

5.12.8 Internal coherence of the applicant's cultural evidence

The Reset landscape and urban-design documents (April to July 2026) are internally contradictory: the Landscape Concept Report introduces 'Cultural' as the first of six design principles, presents the 38-species Ngāi Tahu Taonga Species planting palette, and identifies Cultural Interpretation as a designed element; the Urban Design Memo, produced by the same firm, in its Final version (19 June 2026), retains a five-principle framework without a cultural lead and finds 'no significant cultural features' on the site. The cultural design principle has no operational mechanism in the Urban Design Memo, the body corporate rules, or the CODC reserve management plans that would embed it in the subdivision's operational lifetime. See sections 5.7.2, 5.9.2, 5.10.2, and 5.11.2.

5.12.9 The staging mechanism — a hook for cultural conditions

The staging mechanism — under which lot release is phased against infrastructure delivery, including the 710 and 875 lot transport thresholds in the economic and engineering documents — is in principle available to phase development against cultural conditions and triggers. This is one of the very few areas of substantive alignment between the applicant's evidence and this CIA framework. Cultural conditions on the consent should make full use of it. See section 5.9.2, Table 5, and Chapter 6, Recommendation 5.

5.12.10 Engineering basis has improved; response to the cultural framework has not

The May 2026 technical reports have substantially improved the engineering foundation: the geotechnical report identifies three Remediation Areas and demonstrates pea gravel re-engineering; the hydrology evidence base is new; the contamination evidence now includes an updated PSI/DSI and an Updated Final RAP that adopts the dual name Lake Dunstan / Te Wairere and has regard to section 8 of the RMA; the ecology report includes a Schedule 97 taonga species table and a Lizard Management Plan; the Landscape Concept Report introduces cultural design content; the Crown Land Esplanade Concept and its Landscape Management Plan add indigenous revegetation zones, eco-sourced planting, crack-willow removal and pest management 'in coordination with Iwi and Ecologist'; a Marshall Day noise assessment (23 July 2026) addresses State Highway 6 traffic noise and civil construction noise at the residential interface, though it does not reach cultural or ecological receivers; the latest Landscape Concept (v7) and Crown Land Esplanade Concept (v6), both 24 July 2026, nonetheless still record that 'the cultural narrative is yet to be woven'; and the economic report recalibrates net benefits to $256 million NPV. In each case the technical basis is stronger than the March 2026 baseline. The cultural conditions on any consent, and the partnership relationship between Manawhenua and the applicant that the recommendations in Chapter 6 establish, are the principal means by which the cultural framework will be given effect.

5.13 Consolidated Assessment Tally

Table 8 below presents the consolidated tally of impacts across the six areas assessed in sections 5.6–5.11, drawn from the updated technical reports, including the July 2026 Infrastructure Assessment. The tally provides a single comparable view of the alignment, partial addressing, conflict, or silence of the applicant's reports across the cultural assessment as a whole, and directs

attention to the areas in which the cultural assessment is most significantly unresolved. The tally is indicative; the substantive assessment is set out in Tables 2–7 above.

Table 8 — Consolidated tally across six areas

Area	Likely to be addressed	Partially addressed	Potential Conflict	Silent	Overall
Wai Māori (section 5.6)	0	8	3	3	**43% SILENT OR POTENTIAL CONFLICT**
Taonga Species (section 5.7)	1	6	2	8	**59% SILENT OR POTENTIAL CONFLICT**
Mahinga Kai (section 5.8)	0	7	3	8	**61% SILENT OR POTENTIAL CONFLICT**
Ara and Kāika Nohoanga (section 5.9)	2	2	2	10	**75% SILENT OR POTENTIAL CONFLICT**
Cultural Presence (section 5.10)	0	2	4	6	**83%SILENT OR POTENTIAL CONFLICT**
Rangatiratanga (section 5.11)	0	5	2	8	**67% SILENT OR POTENTIAL CONFLICT**
TOTAL	3	30	16	43	**SILENT OR POTENTIAL CONFLICT**

The tally above is not a scorecard against which the application can be marked 'pass' or 'fail'. It is a starting position: following the July 2026 Infrastructure Assessment, a materially larger share sits in the 'partially addressed' band rather than in conflict or silence. That shift reflects the recognition of the Statutory Acknowledgement Area across the suite, the acknowledgement of the Nohoanga entitlement, the engagement of the NPS-FM and Te Mana o te Wai in the Woods report, the detailed cove in-water works methodology and the accidental discovery protocol in the Environmental Management Plan, and the stated consultation with mana whenua. The three areas of substantive alignment — the McCann's skink Lizard Management Plan, the lakeshore trail continuity in the Concept Report, and the staging mechanism — represent genuine progress over the March 2026 baseline. Sadly, while recognition has improved; the substantive assessment of cultural effects, and the partnership relationship through which Manawhenua would exercise authority over the cultural conditions, have not. The updated evidence is not, therefore, sufficient to constitute an application that recognises and is consistent with rangatiratanga, the Statutory Acknowledgement of Te Wairere, the Nohoanga entitlement at McNulty Inlet, or the Treaty obligations of the Crown.

CHAPTER 6 — CONSOLIDATED RECOMMENDATIONS

The following thirteen recommendations integrate the findings of the six areas assessed (sections 5.6–5.11), and the cross-cutting concerns (section 5.12). They are presented in priority order. They are intended to serve as the framework for discussion as the partnership relationship between Manawhenua and the applicant develops through the design, construction, and operational lifetime of the subdivision. Each recommendation responds to one or more of the cross-cutting concerns and to the matters identified as silent, partially addressed, or in conflict in the area assessment tables.

6.1 Recommendation 1 — Establish Manawhenua–FHLD Partnership

Establish, prior to the issue of any consent, a formal relationship between the four Papatipu Rūnaka and Fulton Hogan Land Development that gives effect to rangatiratanga and that provides the mechanism for the design, drafting, review, monitoring, and adaptive management of cultural conditions through the lifetime of the subdivision. The partnership framework should be a binding document that describes provision for ownership change, body corporate change, and the 50–100 year operational lifetime of the subdivision. The partnership framework should build on the section 8 acknowledgement now included in the Updated Final Insight Engineering Remedial Action Plan, developing it into a substantive cultural assessment prepared with Manawhenua.

6.2 Recommendation 2 —Set Receiving- Environment Standards for Te Wairere

Require the applicant, in partnership with Manawhenua

- set receiving-environment and cultural performance standards for Te Wairere and the Park Burn — including for the lakefront precinct (Zone B) and the eastern zone (Zone D) that discharge directly to the Statutory Acknowledgement Area and its tributary — in place of a generic minimum 75% TSS-removal target;
- model the residual contaminant loads reaching the lake, including metals, hydrocarbons, and contaminants of emerging concern, and the groundwater-borne pathway to Te Wairere under present and climate-adjusted (RCP8.5) scenarios; and
- establish, with Manawhenua, the culturally meaningful indicators against which those standards are set and measured.

This recommendation gives effect to the confirmed groundwater connectivity identified as the foundational risk pathway (section 5.12.1) and takes up the freshwater cultural work that the applicant's stormwater report has deferred to this assessment.

6.3 Recommendation 3 — Sediment Quality & Tissue Residue Baseline Programme

Undertake, prior to any cove construction or earthworks within an agreed distance of the shore of Te Wairere, a sediment quality and tissue residue baseline sampling programme designed with Manawhenua. The programme should sample sediments at the proposed cove footprint, at the cove–lake interface, at multiple points towards McNulty Inlet, at the Park Burn mouth,

and should sample tissue residues for tuna, indigenous fish, and watercress. The programme should test for an agreed set of contaminants of potential concern and should establish the baseline against which operational-phase monitoring is calibrated.

6.4 Recommendation 4 — McNulty Inlet Nohoanga Cultural Effects Assessment

Prepare, prior to the issue of any consent and in partnership with Manawhenua, a scope of work that addresses the matters that the updated technical documents acknowledge but do not assess: baseline water quality between subdivision and nohoanga; sediment quality at the nohoanga; hydrology modelling of the effects downstream to the nohoanga under construction and operational scenarios; access to and from the nohoanga along customary corridors; amenity effects on the nohoanga and the lakeshore ara — which the Marshall Day noise assessment (23 July 2026) does not reach, even though the multi-year civil works commence at the southern boundary adjoining the Te Wairere foreshore; and adaptive management provisions over the 50–100 year operational lifetime.

6.5 Recommendation 5 — Cultural Conditions triggered to Staging

Use the existing staging mechanism (lot release phased against infrastructure delivery, including the 710 and 875 lot transport thresholds) to phase cultural conditions, and monitoring milestones. Cultural triggers could include: sediment quality re-sampling at defined lot thresholds; cultural monitoring reporting at defined milestones; Manawhenua participation in adaptive management review at defined intervals; and provision for cultural-cause re-engagement where adverse effects are identified. The staging mechanism is one of the only areas of substantive alignment; the cultural conditions should make full use of it.

6.6 Recommendation 6 — Cove Cultural Design Review

Undertake, in partnership with Manawhenua, a cove cultural design review that addresses: archaeological assessment of the breach footprint and the cove edge; cultural protocols for breach of the shoreline; sediment quality at the breach point; design of the cove edge, form, planting, and naming consistent with the Cromwell terrace and Te Wairere shoreline; and provision for cove form durability and adaptive management. To reiterate, the cove is one of the highest risks in the application; an agreed cove design should produce a binding document referenced in the consent.

6.7 Recommendation 7 — Mahinga Kai Restoration Plan

Develop, in partnership with Manawhenua, a Mahinga Kai Restoration Plan that addresses all five components of mahinga kai (abundance, access, safety, practice, governance). The Plan should include: Park Burn restoration design integrated with culvert removal already proposed; multi-point access along the Park Burn and at the unnamed gully drainage; gathering-day infrastructure (shelter, appropriate gathering points) at the lake margin and at Park Burn; cultural health indicators on mahinga kai species; and co-design of monitoring and adaptive management.

6.8 Recommendation 8 — Operational-Phase Predator and Lake Margin Management Programme

Establish, in partnership with Manawhenua, an operational-phase predator and lake margin management programme that addresses the operational-phase effects of 989 households on indigenous birds, lizards, plants, and mahinga kai species, including cats, dogs, rats, mustelids, recreational pressure, light spill, noise, and stormwater contaminant loads. The programme should be embedded in the body corporate rules, in covenants attached to titles, in the CODC reserve management plans, and in the consent conditions. Specific operational-phase predator-management mechanisms should be addressed. The Construction Noise and Vibration Management Plan foreshadowed in the Marshall Day noise assessment should be developed with, and provide a defined role for, Manawhenua where works occur near the Te Wairere foreshore, the coves, and other cultural receivers.

6.9 Recommendation 9 — Cultural Monitoring & Adaptive Management Programme

Establish, in partnership with Manawhenua, a Cultural Health Monitoring and Adaptive Management Programme that runs parallel to and integrates with the technical monitoring frameworks; provide for Manawhenua role in interpretation of monitoring results; provide for adaptive management response triggers and thresholds; provide for stoppage and escalation where adverse cultural effects are identified; and provide for Manawhenua review and adaptation.

6.10 Recommendation 10 — Affordability and Tenure Mix Response

Require a meaningful affordability and tenure-mix response, not a market-supply argument alone. The Insight Economics assessment operates only at a macro scale and considers no economic impact on Manawhenua. Any provision should be durable through ownership change and the operational lifetime of the subdivision, embedded in consent conditions rather than left to the market.

6.11 Recommendation 11 — Naming, Narrative, and Cultural Interpretation Programme

Develop, in partnership with Manawhenua, a Naming, Narrative, and Cultural Interpretation Programme. The Cultural Interpretation in three perspectives proposed in the Concept Report should be integrated into the Programme as one component rather than as a stand-alone option.

6.12 Recommendation 12 — Archaeological Assessment in Partnership with Manawhenua

Undertake, prior to any earthworks, an archaeological assessment that addresses the Park Burn corridor, the proposed cove footprint, the Te Wairere shoreline within the application area, and the unnamed gully drainage. The assessment should be designed in partnership with Manawhenua. The Landpro Environmental Management Plan now includes a generic Accidental Discovery Protocol (the QLDC template, with human-remains referral to Police); this should be developed into a tikanga-based protocol incorporating kōiwi tangata provisions

and stoppage and re-engagement procedures, with a defined Manawhenua role in implementation through the construction phase.

6.13 Recommendation 13 — Internal Coherence of the Cultural Framework in Applicant Documents

Require the applicant, prior to the issue of any consent, to resolve the internal contradiction between the Reset Concept Report (which introduces 'Cultural' as the first of six design principles, the 38-species Ngāi Tahu Taonga Species palette, and Cultural Interpretation in three perspectives) and the Reset Urban Design Memo (which retains a five-principle framework and the 'no significant cultural features' finding) by adopting the cultural design principle as the framework for the whole landscape and urban design package, embedded in the urban design code, the body corporate rules, the CODC reserve management plans, and the lot-by-lot consent conditions.

Chapter 7 — Conclusion

The four Papatipu Rūnaka — Hokonui, Te Rūnanga o Ōtākou, Kāti Huirapa ki Puketeraki, and Te Rūnanga o Moeraki — have, through this Cultural Impact Assessment, set out the cultural values, interests and practices against which the proposed Parkburn subdivision must be assessed. The framework is grounded in whakapapa, in the Treaty of Waitangi, in the Ngāi Tahu Claims Settlement Act 1998 (in particular the Statutory Acknowledgement of Te Wairere, in the Nohoanga entitlement at McNulty Inlet, and in the active and continuous exercise of rangatiratanga by Manawhenua over the rohe).

The updated technical reports contain substantive engineering progress. The geotechnical evidence has been superseded by an updated Insight Engineering report identifying three Remediation Areas and proposing pea gravel re-engineering and settling pond removal. The hydrology evidence base is new and confirms the single most consequential cultural finding of the application: a continuous groundwater pathway from the development footprint to Te Wairere at approximately 1.5 m/day. The contamination evidence base now includes a PSI/DSI identifying six HAIL activities and the proposed encapsulation of approximately 180,000 m³ of cleanfill stockpile, accompanied by a Remedial Action Plan. The ecology evidence base now includes a Schedule 97 taonga species table and a Lizard Management Plan addressing McCann's skink. The landscape evidence base now introduces 'Cultural' as the first of six design principles, a 38-species Ngāi Tahu Taonga Species planting palette, and Cultural Interpretation in three perspectives. The latest landscape and esplanade concepts (both 24 July 2026) nonetheless still record that 'the cultural narrative is yet to be woven into this landscape concept', and the Urban Design Memo (Final, 19 June 2026) continues to find 'no significant cultural features' on the site. The economic evidence base has been recalibrated to a net benefit of approximately $256 million NPV with a refined lot mix of 989 lots and uses 'Lake Dunstan / Te Wairere' as the dual name.

Of 92 impacts assessed across the six cultural areas of wai māori, taonga species, mahinga kai, ara and kāika nohoanga, cultural presence, and rangatiratanga, three are substantively aligned with the CIA framework (the McCann's skink Lizard Management Plan, the lakeshore trail continuity, and the staging mechanism); thirty are partly aligned; sixteen are in potential conflict; and forty-three are silent. The Insight Engineering Remedial Action Plan, in its Updated Final version (16 July 2026), has removed its earlier statement that 'no specific Treaty of Waitangi matters requiring consideration' arise, and now has regard to section 8 of the Resource Management Act 1991 and acknowledges Lake Dunstan / Te Wairere as a Statutory Acknowledgement Area. This is a welcome improvement, but it remains an acknowledgement rather than a substantive cultural assessment: it does not engage the Nohoanga entitlement at McNulty Inlet and was not developed in partnership with Manawhenua. The McNulty Inlet nohoanga is now acknowledged in the updated technical documents, but is not assessed for effects. No sediment quality sampling has been undertaken at the cove or at McNulty Inlet. No tissue residue baseline sampling has been undertaken for any mahinga kai species at any gathering site. No te reo Māori naming convention is proposed. No cultural health indicators are proposed in any monitoring framework. No provision is made for affordable purchase, papakāinga, rental, kaumātua housing, or Manawhenua-owned community housing for the Manawhenua whānau who are the cultural subjects of the place.

The May 2026 technical reports represent, in summary, a strengthened engineering case. The cultural framework that this CIA, integrated with analyses of the technical reports, is intended

to complement the technical reports and highlight gaps to be addressed. The thirteen consolidated recommendations at Chapter 6, the cultural conditions that should attach to any consent, and the partnership relationship between Manawhenua and the applicant that those recommendations and conditions require, are the principal means by which the framework could be given effect.

Manawhenua have a continuing and active relationship to Central Otago. Te Wairere — known to others as Lake Dunstan — is, and will remain, a body of water of central cultural significance to Ngāi Tahu. The cove that is proposed sits within a Statutory Acknowledgement Area. McNulty Inlet, immediately downstream, is the site of a Nohoanga entitlement. Mata-au, into which Te Wairere flows, is another awa that is subject to a Statutory Acknowledgement.

The cultural conditions that ultimately attach to any consent will be the product of that engagement, discussions with the applicant and their advisers, and of the partnership relationship that this CIA recommends establishing. Manawhenua look forward to that engagement in good faith and from a foundation of rangatiratanga.

Glossary

Selected te reo Māori terms used in this Cultural Impact Assessment. The glossary is indicative and is not intended to displace the meanings carried by Manawhenua in the rohe.

ahi kā	literally 'burning fires'; the maintenance of continuous occupation and presence in a place, signifying ongoing rights and authority.
ara	a path, trail, or corridor; the journeys of customary movement through the rohe.
Aoraki Mātāwaka	Ngāi Tahu whānau of Aoraki and the wider rohe who whakapapa to the iwi but live outside the takiwā of Papatipu Rūnaka.
awa	river.
hapū	sub-tribe.
iwi	tribe.
kāika nohoanga	places of customary occupation, gathering, and shelter.
kaitiakitanga	exercise of guardianship and stewardship by Manawhenua over the natural and cultural resources of the rohe.
kanakana	lamprey (Geotria australis), a taonga species.
kaumātua	elder(s).
Kāi Tahu / Ngāi Tahu	the iwi of Te Waipounamu/South Island; the cultural authority over this rohe.
Kāti Huirapa ki Puketeraki	one of four Papatipu Rūnaka party to this CIA.
kōiwi tangata	human remains.
kōrero	story, narrative, account.
mahinga kai	the practice and place of gathering food, fibre, materials, and rongoā from the natural environment.
mana	authority, status, prestige.
Manawhenua	those who hold authority over the land through whakapapa, ahi kā, and ongoing relationships with the rohe.
manaakitanga	the active expression of care, hospitality, and generosity to manuhiri and to all.
manuhiri	visitors.
Mata-au	Clutha River; one of the great tūpuna awa of Ngāi Tahu, into which Te Wairere flows.
mauri	the life force, the binding energy, of a place, person, or thing.
mātauranga Māori	Māori knowledge, including knowledge held by Manawhenua about the rohe.
McNulty Inlet	site of a Nohoanga entitlement under the Ngāi Tahu Claims Settlement Act 1998, immediately downstream of the application area.
Moeraki (Te Rūnanga o Moeraki)	one of four Papatipu Rūnaka party to this CIA.
NPS-FM	National Policy Statement for Freshwater Management 2020 (and amendments); the national policy framework giving effect to Te Mana o te Wai.

nohoanga	a customary camping or stopping place; under the NTCSA 1998, a formal entitlement to occupy specified sites for the purposes of customary food gathering.
NTCSA 1998	Ngāi Tahu Claims Settlement Act 1998.
Ōtākou (Te Rūnanga o Ōtākou)	one of four Papatipu Rūnaka party to this CIA.
papakāinga	communal cultural housing, on customary land or in customary tenure forms.
Papatipu Rūnaka	the local council of a hapū or whānau cluster, holding cultural authority for a specific takiwā.
rangatiratanga	chiefly authority; the Treaty-guaranteed authority of Manawhenua over the rohe and its taonga.
rangatahi	young people.
rohe	the territory or area of cultural authority of a hapū or iwi.
rongoā	traditional medicines and healing practices.
rūnaka / rūnanga	council; the formal institutional structure of a Papatipu Rūnaka.
Schedule 97	schedule of the NTCSA 1998 listing taonga species of Ngāi Tahu.
Statutory Acknowledgement	formal recognition under the NTCSA 1998 of the cultural, spiritual, historical, and traditional association of Ngāi Tahu with a specified area or resource; Te Wairere is the subject of one such Acknowledgement.
takiwā	the area of cultural authority of a Papatipu Rūnaka.
tamariki	children.
taonga	treasure, valued thing; including species, places, and concepts of cultural significance.
taonga species	species listed in Schedule 97 of the NTCSA 1998 and the wider whakapapa of indigenous species over which Manawhenua holds a cultural interest.
Te Mana o te Wai	the framework guiding all freshwater management in Aotearoa New Zealand; a hierarchy of obligations prioritising the health and well-being of water itself.
te reo Māori	the Māori language.
Te Wairere	Lake Dunstan; the body of water within which the application area is located; subject of a Statutory Acknowledgement under the NTCSA 1998.
tikanga	the customary practice, procedure, and norms of Māori, including Ngāi Tahu specifically.
tuna	eel (longfin: Anguilla dieffenbachii; shortfin: Anguilla australis); a primary mahinga kai species and taonga.
tūpuna awa	ancestor river.
wai māori	freshwater.
wāhi tapu	sacred place.
wāhi taonga	place of cultural significance and value (broader category than wāhi tapu).
whakapapa	genealogy; the network of relationships connecting people, places, species, and atua.
whānau	extended family.
whānau ora	the wellbeing of the family/extended family across multiple dimensions.

References

Please note that for convenience of whanau we have listed reports reviewed under a subject heading and not followed conventional referencing layout

Applicant technical reports (updated / current suite)

Geotechnical — Insight Engineering Ltd, Updated Geotechnical Assessment for the Proposed Parkburn Subdivision, Final V4, 16 July 2026 (supersedes the Geotago Ltd preliminary assessment, 2022).

Hydrology — Environmental Associates Ltd, Parkburn Hydrology Assessment, 6 May 2026 (a final version dated June 2026 is also referenced in the body).

Remediation / contaminated land — Insight Engineering, Remediation Action Plan for the Parkburn Quarry at 922 Luggate-Cromwell Road, Updated Final, 16 July 2026; and the Preliminary and Detailed Environmental Investigation appended to it, 16 July 2026.

Soil contaminants — e3Scientific Ltd, Soil Contaminants Preliminary Site Investigation — Parkburn Quarry, Project 21085, December 2021.

Infrastructure (consolidated) — Landpro Ltd, Infrastructure Assessment for Parkburn Subdivision, lodged July 2026 (supersedes the Tim James Consultants Ltd Infrastructure Memo, September 2025). This bundle appends: the updated Insight Engineering geotechnical and contaminated-land reports; a Fluent Solutions water and wastewater report; a Woods Stormwater & Flood Management report; a Fluent Solutions irrigation report; a Carriageway Consulting transportation assessment; and a Landpro Environmental Management Plan.

Water and wastewater — Fluent Infrastructure Solutions Ltd, Water Supply and Wastewater Flow Estimates and Other Associated Works — Parkburn Development, ref GL-260127ACS-980, 27 January 2026; with the Statement of Evidence of Anthony Steel, 24 June 2026; and the Irrigation Infrastructure Planning summary report, ref RP-260504PD-980, 14 May 2026.

Stormwater and flood — Woods, Stormwater & Flood Management report — Parkburn Development, P24-487, V3 Final, 23 July 2026 (Appendix G of the Infrastructure Assessment; supersedes the Woods Parkburn Stormwater Treatment and Disposal Options memo, 29 August 2025).

Ecology — Viridis Limited, Ecological Impact Assessment — Parkburn Subdivision, Draft B, 1 May 2026; incorporating the LizardExpertNZ Desktop Assessment, December 2023, and the Beale Consultants Ecological Significance Assessment, December 2023.

Landscape and urban design — Reset Urban Design / Landscape With Linda: Landscape Assessment Report v7, 24 July 2026 (supersedes Draft v3, 24 April 2026); Landscape Concept Report v7, 24 July 2026; Crown Land Esplanade Landscape Concept v6, 24 July 2026 (with appended Landscape Management Plan); and Urban Design Memo, Final, 19 June 2026 (supersedes Draft v2, 29 April 2026).

Transportation — Carriageway Consulting, Transportation Assessment — Proposed Mixed Use Subdivision, 922 Luggate-Cromwell Road, CCL Ref 15090, Final, 15 July 2026 (supersedes the Update of Transportation Matters letter, 31 October 2025).

Noise — Marshall Day Acoustics, Noise Assessment — Parkburn Residential Development, Rp 001 20260193, 23 July 2026 (with appended Carriageway Consulting traffic advice).

Economics — Insight Economics Ltd, Economic Assessment of the Proposed Parkburn Development, 7 May 2026 (updates the earlier draft, 1 October 2025).

Fast-track Approvals Act process documents

The FTAA referral application form, 26 October 2025 (Town Planning Group (NZ) Ltd, Daniel Thorne, for FHLD);

Ministry for Environment Stage 1 Briefing BRF-7108, 12 November 2025;

Ministry for Environment Stage 2 Briefing BRF-00309, 13 February 2026;

Landpro Subdivision Scheme Plans, sheets 1–5, issued for FTA 17 October 2025; and

Woods Illustrative Masterplan (1:5000 / 1:2500), October 2025.

Other cultural, contextual and policy sources

The 2000 Kāi Tahu Cultural Impact Assessment prepared for the Contact Energy Clutha system consents

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Kai Tahu Ki Otago Ltd (2005) *Kai Tahu Ki Otago Natural Resource Management Plan.*

Ruckstuhl, K., Thompson-Fawcett, M., and H. Rae (2014). Māori and mining: Indigenous perspectives on reconceptualising and contextualising the social license to operate. Impact Assessment and Project Appraisal 32(4): 304-314.

Waitangi Tribunal (1991) *Kai Tahu Report.* Brooker & Friend, Wellington

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Resource Management Act 1991

Te Runanga o Ngai Tahu Act 1996

Ngāti Kuku Hapū Trust v Environmental Protection Agency [2025]

NZHC 2046.[2001] ELHNZ 428 at [453].

Fast-track Approvals Act 2024 *Panel Conveners Practice and Procedure Guidance* (22 July 2025)

Appendix 1 — Statutory Acknowledgement of Te Wairere

The following is a summary of the Statutory Acknowledgement of Te Wairere (Lake Dunstan) under Schedule 61 of the Ngāi Tahu Claims Settlement Act 1998. The original schedule is the authoritative text; the summary below is provided for context.

Statutory area

The statutory area to which this acknowledgement applies is Te Wairere (Lake Dunstan), as defined in Schedule 61 of the Ngāi Tahu Claims Settlement Act 1998.

Acknowledgement of association

The Crown acknowledges the statement made by Te Rūnanga o Ngāi Tahu of the particular cultural, spiritual, historical, and traditional association of Ngāi Tahu with Te Wairere. Te Wairere is an impoundment of Mata-au, a tūpuna awa of Ngāi Tahu. Mata-au flows from the alpine country to the sea, and Te Wairere is part of that flow. The lake is, and was, an important source of mahinga kai for Ngāi Tahu, including tuna and indigenous fish.

Ngāi Tahu values

The cultural, spiritual, historical, and traditional values of Ngāi Tahu in relation to Te Wairere include: the connection to Mata-au and its whakapapa; the connection to the wider takiwā of the Papatipu Rūnaka of the rohe; the connection to mahinga kai gathered from the lake and its tributaries; the connection to the cultural landscape of the Cromwell terrace and the Te Wairere shoreline; and the continuing exercise of kaitiakitanga over the lake and its taonga.

Purposes of the acknowledgement

The Statutory Acknowledgement requires consent authorities to have regard to the acknowledgement when determining whether Ngāi Tahu is an affected party in relation to applications under the Resource Management Act 1991. It requires the Environment Court to have regard to the acknowledgement in relevant proceedings, and the Heritage New Zealand Pouhere Taonga to have regard to the acknowledgement in relevant decisions. It does not give Ngāi Tahu a veto or a right of ownership over the lake, but it does formally recognise the cultural authority of Ngāi Tahu over the statutory area.

Application to the Parkburn proposal

The proposed Parkburn subdivision includes a cove construction within the statutory acknowledgement area. The cove proposal is therefore, in legal terms, a development within an area subject to a Statutory Acknowledgement, and one to which the consent authority must have regard. The cove, McNulty Inlet (immediately downstream), the Te Wairere foreshore within the application area, and any associated structures and discharges fall within the cultural scope of the acknowledgement, and the cultural conditions on any consent must give effect to it.

This appendix is for context only. The original Schedule 61 of the Ngāi Tahu Claims Settlement Act 1998 is the authoritative text; readers should refer to it directly for any matter requiring legal precision.

Appendix 2 — Nohoanga at McNulty Inlet Management (Te Runanga o Ngai Tahu)

Nohoanga Site Information Sheet

McNulty Arm, Cromwell



Nohoanga Site Information Sheet

McNulty Arm, Cromwell



McNaulty Arm, Cromwell nohoanga site

Getting there

- From Queenstown or Wānaka, exit State Highway 6 onto State Highway 8B at the roundabout. Head straight at the next roundabout towards Cromwell town centre. Take the first left after the roundabout onto Shortcut Road. Keep following this road until you reach the Lake Dunstan Boat Club. Turn left onto the gravel road which heads up the slope.
- From Clyde, turn left off State Highway 8 (Cromwell-Clyde Road) onto State Highway 8B and drive towards Cromwell town centre. Turn right onto Shortcut Road just past the Cromwell Golf Course.
- And we'll retain this text under the heading 'Vehicle Access and Parking'
- The access road is unsealed and sloped. Access to the site may prove difficult for large vehicles such as buses.
- There is plenty of parking on site.





Site Information

- The McNulty Arm nohoanga is located on a rise looking over Lake Dunstan.
- This nohoanga is gated and padlocked. The gate code will be given to users as part of the authorisation emailed when booking has been made.
- Please close and lock the gate behind you.
- The Lake Dunstan Cycle Trail passes the nohoanga. Please be aware of cyclists.
- Dotterels nest in this area.

Physical Appearance

- The nohoanga is approximately 1 hectare in size and fenced around the perimeter.
- This is a stoney area with undulating ground. The nohoanga is better suited for campervans than tents.
- There are some mature trees which provide shelter, but this can be a windy site.

Vehicle access and parking

- From Queenstown or Wānaka, exit State Highway 6 onto State Highway 8B at the roundabout. Head straight at the next roundabout towards Cromwell town centre. Take the first left after the roundabout onto Shortcut Road. Keep following this road until you reach the Lake Dunstan Boat Club. Turn left onto the gravel road which heads up the slope.
- From Clyde, turn left off State Highway 8 (Cromwell-Clyde Road) onto State Highway 8B and drive towards Cromwell town centre. Turn right onto Shortcut Road just past the Cromwell Golf Course.

Facilities and services

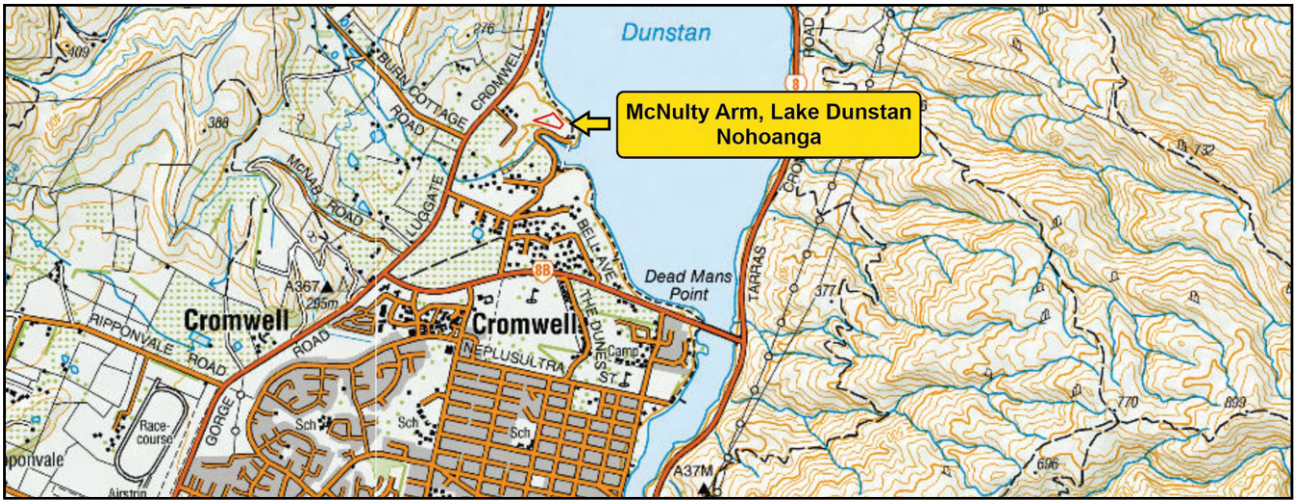
- There is no water supply on site. Users must bring their own.
- There are public toilets located a short distance from the nohoanga.
- A public boat ramp gives access to the lake via McNulty Inlet.
- All rubbish and waste must be removed on departure. See key contacts below for details of refuse and rubbish stations.













Site restrictions

- Occupation of the nohoanga is limited to 30 consecutive days with an authorisation from Te Rūnanga o Ngāi Tahu.
- Fires are not permitted.
- No dogs permitted during December and January. At all other times dogs must be kept on a lead and campers will be required to obtain and produce on demand certificate certifying that any dog on site is free of all diseases.
- **NOTE by using the McNulty Arm nohoanga site you are agreeing to these conditions**

Hazards

- Some rivers, lakes or waterways may have health warnings applied to them throughout the year for toxic algae and bacteria such as benthic cyanobacteria. Regional and District Councils will have up to date information on their websites regarding any waterway health warnings in place.
- Visit the Ngāi Tahu website Hazard Information | Te Rūnanga o Ngāi Tahu for information regarding hazards.

Key contacts

Emergency Services	– **Phone 111 (Police, Fire, Ambulance)**
Police Station	– **Cromwell Police Station** 157 Waenga Dr Cromwell 9310 03 4451999 – **Queenstown Police Station** 11 Camp St Queenstown 9300 03 4411600 – **Alexandra Police Station** 2 Kelman St Alexandra 9320 03 4402500
Te Rūnanga o Ngāi Tahu	– **Te Whare o Te Waipounamu** 15 Show Place, Addington PO Box 13-046 Christchurch 8024 – 0800 NOHOANGA nohoanga@ngaitahu.iwi.nz
Department of Conservation	– **Kā Moana Haehae / Alexandra Office** 43 Dunstan Road Alexandra 9320 0800 275 362 alexandra@doc.govt.nz – **Whakatipu-wai-Māori / Queenstown Office** Cavells Building 1 Arthurs Point Road Queenstown 9371 0800 275 362 queenstown@doc.govt.nz
Fish and Game (fishing licence outlets)	– **Otago Fish & Game** Corner of Hanover and Harrow Streets, Dunedin 03 477-9076 – **Central South Island Fish & Game** 32 Richard Pearse Drive, Temuka 03 615-8400 https://Fishandgame.org.nz
Hospital	– **Dunedin Hospital** 201 Great King Street Dunedin 9016 03 4740999
Refuse station	– **110 Glenda Drive, Frankton, Queenstown** 03 451 0106 – **Corner Ballantyne and Riverbanks Road, Wanaka** 03 443 6063

Dumping Stations	– **Albion Cricket Club** SH6, Main Rd, Luggate. – **Arrowtown Public D/S** Ramshaw Lane. – **Caltex Alexandra** 50 Centennial Ave. – **Caltex Cromwell** 9 Murray Tce. – **Cromwell Public D/S** BP Service Station, Sargood Drive. – **Lawrence Public D/S Rest area, SH8.** – **Omakau Public D/S** Omakau Recreation Reserve 13 Alton St – **Queenstown BP Connect Public D/S Frankton Rd.** Crnr SH 6 and Frankton Road. – **Queenstown Public D/S Cemetery Rd.**
Transfer station	– **79 Barry Ave Cromwell** EFTPOS only 10am-5pm 7 days Christmas Day, New Year's Day, Good Friday Anzac Day (until 1pm


SH 6
Lake Dunstan Cycle Trail
McNulty Inlet
Scott Terrace
Luggate-Cromwell Road
Luggate-Cromwell Road
6
McNulty Inlet
Shortcut Road
Partridge Road
Lakeview Terrace
Ash Lane
Roberts Drive
Bell Avenue
State Highway 8B
State Highway 8B
8B
8B
The Dunes
Cromwell
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