

Historical and Cultural Values  
**Sites and Areas of Significance to Māori**

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**Section 32 Report for the Proposed Waitomo District Plan**

Section 32 Report – Sites and Areas of Significance to Māori

SUMMARY OF ISSUES	RESOURCE MANAGEMENT ACT 1991	NATIONAL DIRECTION	REGIONAL POLICY STATEMENTS	IWI MANAGEMENT PLANS CONT...
<p>Sites and areas of significance to Māori are places and features that are of historical, cultural and/or spiritual significance to Māori. They carry deep levels of meaning and association for mana whenua. The Resource Management Act 1991 (RMA) requires Council to recognise and provide for the relationship Māori and their culture and traditions have with their ancestral lands, water, sites, wāhi tapu, and other taonga, as a matter of national importance.</p> <p>Extensive consultation and engagement was undertaken with mana whenua (refer to appendix 1 of the introduction to the evaluation reports).</p> <p>The ODP identifies 129 sites of cultural importance and includes 5 wāhi tapu sites which are registered with Heritage New Zealand.</p> <p>The sites and areas of significance to Māori Chapter addresses the following issues:</p> <ul style="list-style-type: none"> <li>Tāngata whenua are hesitant about sharing the location and values of some sites.</li> <li>While there were some sites of significance identified in the ODP it is not clear what the values of the sites are.</li> <li>The location and extent of the sites identified on the ODP is problematic as it is not clear where the boundaries are.</li> <li>Inappropriate subdivision, use or development of a site can affect cultural values, such as degradation and loss of the site.</li> <li>Scheduling sites can place an administrative cost on landowners and occupiers.</li> <li>Some sites have been identified where areas have been closely subdivided and have a number of buildings located on them. Balancing protection of cultural values while enabling appropriate development where appropriate.</li> </ul>	<p><b>Section 5 RMA</b> Protecting historic heritage is important for people and communities social and cultural wellbeing. For Māori it is particularly important as it recognises the relationship Māori have with their whenua and provides a tangible link to tipuna and whakapapa. Protection of sites of significance is inherent to Te Ao Māori (the Māori world view).</p> <p><b>Section 6 RMA</b> Section 6(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.</p> <p>Section 6 matters are required to be recognised and provided for within plans. To carry out this responsibility the Council in preparing this plan must identify and protect the sites and areas of significance to Māori within its district from inappropriate subdivision, use and development.</p> <p><b>Section 7 RMA</b> Section 7 lists a range of other matters that particular regard is required to be given to.</p> <p><b>Section 7(a) Kaitiakitanga</b> Mana whenua are the kaitiaki or spiritual guardian of the sites. This matter requires regard to be given to providing for this relationship.</p> <p>Section 7(b) the efficient use and development of natural and physical resources.</p> <p>This matter includes the efficient use and development of land and buildings. The identification of sites and areas of significance to Māori will affect the way in which land can be developed. This matter provides direction to accurately identify heritage values.</p> <p>Section 7 (g) Any finite characteristics of natural and physical resources</p> <p>The scheduled sites carry deep level of meaning and association for mana whenua. When the site is altered or destroyed the tangible and intangible meaning and association can be lost. Subdivision use and development of the sites can result in permanent loss which does not recognise and provide for the outcomes in section 6(e) of the RMA.</p>	<p>There are six National Policy Statements (NPSs) currently in place:</p> <ul style="list-style-type: none"> <li>New Zealand Coastal Policy Statement 2010</li> <li>NPS for Electricity Transmission 2008</li> <li>NPS for Renewable Electricity Generation 2011</li> <li>NPS for Freshwater Management 2020</li> <li>NPS on Urban Development 2020</li> <li>NPS for Highly Productive Land 2022</li> </ul> <p>There are also 8 National Environmental Standards (NESs) currently in place:</p> <ul style="list-style-type: none"> <li>NES for Air Quality 2004</li> <li>NES for Sources of Human Drinking Water 2007</li> <li>NES for Telecommunication Facilities 2016</li> <li>NES for Electricity Transmission Activities 2009</li> <li>NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011</li> <li>NES for Plantation Forestry 2017</li> <li>NES for Freshwater 2020</li> <li>NES for Storing Tyres Outdoors 2021</li> </ul> <p>No NPS or NES specifically relate to this topic.</p> <p><b>Relevant case law considered</b> Council has reviewed relevant Environment Court cases regarding heritage, specifically:</p> <ul style="list-style-type: none"> <li>Tainui Hapu v Waikato DC A075/96 (PT)</li> <li>Independent Māori Statutory Board v Auckland Council [2017] NZHC 356</li> <li>Blakeley Pacific Ltd v Western Bay of Plenty District Council [2011] NZEnvC 354</li> </ul> <p>This case law provides direction on the importance of identifying a site or area in a district plan to provide protection. In Tainui Hapu v Waikato District Council case the general area concerned was protected in the district plan. The fact the area was protected enabled the Environment Court to find in favour of protecting the cultural and spiritual values irrespective of the degree of effect of the activity. In the High Court decision of the Independent Māori Statutory Board v Auckland Council the High Court found the Independent Hearings Panel had not erred in law in withdrawing the SVMW overlay. The key outcome is to take care in identifying the sites and to have certainty regarding their values. In Blakeley the Court found the application on the site was not suitable for a number of reasons including the site was ancestral land containing water wāhi tapu site and other taonga some of which would have been destroyed by the development and others where access for tangata whenua would have been impeded. The Court decided to allow the appeal from tangata whenua and cancelled the consent.</p>	<p><b>Waikato Regional Policy Statement</b> Objective 3.9 and Section 10 is relevant. Objective 3.9 aims to recognise and provide for the relationship tāngata whenua have with the environment including the role of tāngata whenua as kaitiaki. Policy 10.1 seeks to provide for the collaborative, consistent and integrated management of historic and cultural heritage. Policy 10.2 seeks to recognise and provide for the relationship tāngata whenua have with their culture, traditions and ancestral lands, water, sites, wāhi tapu and other taonga.</p> <p>Implementation methods associated with Policy 10.1 refer to the Waikato Regional Council facilitating the establishment of a regional heritage forum and a regional heritage inventory. The forum has been established and Waitomo District Council have participated in it. A regional heritage inventory is yet to be established. However, the sites included within the Plan have been placed into 12 categories and have values statement associated with them similar to Table 10-2. Consequently, in collaboration with tāngata whenua the work completed for this district plan could be included within a regional heritage inventory when it is established.</p> <p>Implementation methods associated with Policy 10.2 of particular relevance include 10.2.3 which states local authorities should work with tāngata whenua to identify opportunities to maintain or enhance their relationship within their rohe through the recognition, protection, or maintenance of cultural landscapes. Through the development of the plan in collaboration with tāngata whenua sites of significance rather than landscapes have been developed. Consequently, the district plan does not include cultural landscapes rather specific sites have been identified. Some of the sites overlap with other values including natural landscape values and outstanding natural features.</p> <p><b>Manawatu-Whanganui One Plan</b> Objective 2-1 requires kaitiakitanga to be given particular regard to and for relationship of hapū and iwi with their ancestral lands, water, sites, wāhi tapu and other taonga (including wāhi tūpuna) to be recognised and provided for through resource management processes. Policy 2-2 requires district plans to identify wāhi tapu, wāhi tūpuna and other sites of significance to Māori and protect those sites from inappropriate, subdivision, use and development. This outcome has been achieved through the development of the district plan and the identification of sites in SCHED3, SCHED4 and SCHED5 and shown on the planning maps and the provisions in the sites and areas of significance to Māori chapter.</p>	<p>A summary of the provisions in the Waikato Tainui Environment Management Plan 2018 (WTEMP) relevant to the protection of Historic Heritage are as follows: Section 16, Objective 16.3.1 requires site management protocols to be in place in the event wāhi tapu and other tāonga tuku iho are discovered. The accidental discovery protocol included within the plan assists as it provides a basis for site specific management protocols which can be worked through at the time of resource consent. Objective 16.3.3 seeks for Waikato -Tainui to manage and/or own all identified wāhi tapu and wāhi tūpuna. Policy 16.3.3.1 and Policy 16.3.3.2 require the development of protocols to share information and store data and that marae are actively engaged in the appropriate management of wāhi tapu and wāhi tūpuna. Representatives from Waikato Tainui have been involved in the identification of sites of significance and the development of the Plan provisions. Policy 16.3.3.2 also seek for the delegation of powers and the pathways for the transfer of ownership. SASM-P10 and SASM-P11 take into account this direction by seeking to promote formal arrangements of access / management agreements and also investigating options for Māori and by Māori solutions including the transfer of powers. No amendments to the accidental discovery protocol included within the plan were requested during the pre-notification process.</p> <p>The proposed Sites and Areas of Significance to Māori Chapter takes into account the relevant provisions in the WTEMP, as sites have been identified with the information to be made public being written and developed by tāngata whenua. It has been agreed any additional information will be held by tāngata whenua and made available through the consultation process in the event of an application affecting a site. Additionally, a process for accidental discovery has been provided for. Furthermore, policy provisions seek to take account the outcomes expressed in Policy 16.3.3.2.</p> <p>Mana whenua representatives of Tainui were consulted and provided input into the identification of sites.</p>
<p><b>OPERATIVE WAITOMO DISTRICT PLAN</b></p> <ul style="list-style-type: none"> <li>The list of regulatory methods in Chapter 21 explains in (d) that additional heritage sites are shown on the planning maps being sites of cultural importance to Māori, natural features, bush remnants, and individual trees.</li> <li>Rule 21.6.2.3 requires resource consent for a Discretionary Activity when any identified Heritage Site on the Planning Maps is altered or destroyed.</li> </ul>	<p><b>Section 8 RMA</b> Section 8 requires all people exercising functions and powers under the RMA to take into account the principles of Te Tiriti o Waitangi. Over time the principles have been developed by the Courts and Waitangi Tribunal and are:</p> <ul style="list-style-type: none"> <li>The principles of partnership</li> <li>The principle of active protection</li> <li>The principle of redress</li> </ul> <p>These principles are inherently important for this section of the proposed plan. The principles of partnership is the duty to make informed decisions. This includes acting in good faith and will in most cases require consultation. The principle of active protection requires positive steps to be taken to</p>		<p><b>IWI MANAGEMENT PLANS</b></p> <p>The Council is required to take into account planning documents recognised by an iwi authority and lodged with the territorial authority (section 74(2A)).</p> <p>A summary of the provisions in the Maniapoto Iwi Environment Management Plan 2018 (MEMP) relevant to the protection of Historic Heritage are as follows: Maniapoto seek to participate at the highest levels of decision making for matters that affect cultural heritage (Objective 10.3.1). Policy 10.3.1.1 seeks to protect wāhi tapu and sites of significance through district plans and access to sites. Maniapoto representatives have been partners in the approach taken to identify sites and areas of significance to Māori. This process has resulted in the identification of 165 sites. Ngati Maniapoto and the Council</p>	<p><b>OTHER RELEVANT PLANS OR LEGISLATION</b></p> <p>The Heritage New Zealand Pouhere Taonga Act (HNZPT) 2014 is directly relevant to this section of the Plan. This Act establishes:</p> <ul style="list-style-type: none"> <li>a framework to recognise places of historical, cultural and ancestral significance and provides criteria for places to be included on Heritage List / Rārangi korero; and</li> <li>overarching protection and a regulatory process for land occupied pre-1900.</li> </ul> <p>The places included on the Heritage List do not automatically have protection from alteration or destruction. The rules within resource management plans provide for protection from such activities. Within the ODP there are 5 wāhi tapu areas as well as</p>

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	<p>ensure Māori interests are protected. In respect of the matters in this chapter this includes identifying sites and areas of significance and managing effects on these values through the resource consent process.</p>		<p>have also agreed that the work of identifying sites is ongoing and there will be future plan changes to incorporate additional sites in the future. Maniapoto representatives have also been involved in the drafting of the provisions that seek to protect the sites from inappropriate, subdivision, use or development. In deciding what development is appropriate or not the provisions recognise that a marae complex or papakāinga development may be appropriate within a scheduled site as it provides for the relationship of tāngata whenua with their cultures and traditions to ancestral lands, water, sites and other taonga (section 6(e)). Access to some identified sites is sometimes problematic as over time the sites have become landlocked and mana whenua have to rely on the goodwill of landowners. For this reason, the proposed plan promotes the provision of access to mana whenua for scheduled sites (SASM-P10). One way the proposed plan seeks to promote this outcome is through the benefits lot provisions in the subdivision section of the proposed plan. Policy has also been included (SASM-P11) which seeks to investigate opportunities for Māori and by Māori, which facilitates improved management of scheduled sites, including the transfer of powers to mana whenua to manage cultural heritage resources.</p> <p>The MEMP also seeks for appropriate protocols to be in place in respect of accidental discovery (Objective 10.3.3 and Policy 10.3.3.1). The sites and areas of significance to Māori chapter an accidental discovery protocol. The purpose of the protocol is to make people aware of their responsibilities under the Heritage New Zealand Pouhere Taonga Act 2014. It contains the steps to be followed in the event of an accidental discovery. The steps include notifying the appropriate iwi groups or kaitiaki who have authority over the process. No amendments to the accidental discovery protocol were requested during the pre-notification process.</p> <p>Note. The proposed plan has not included a list of current archaeological sites and has not identified archaeological sites on the planning maps. The reason for this is that information on the NZAA database is constantly changing. The Council instead has chosen to display archaeological site information on the Council's online maps accessed from their website. The data layer will be updated monthly. In this way people have access to updated information, reducing risks associated with accidental or unintended destruction. Reference to the Council's website is made within the Sites and Areas of Significance to Māori and Historic Heritage chapters of the proposed plan.</p> <p>It is considered the proposed provisions have taken into account the provisions in the MEMP, as sites have been identified and provisions have been drafted to provide for the sites' protection from inappropriate, subdivision use or development. Furthermore, the provisions of the Plan seek to enhance access to identified sites and also seek to investigate options for Māori and by Māori management options. In addition, an accidental discovery protocol is also included</p>	<p>heritage buildings on the list. In terms of overarching protection some registered archaeological sites are also identified sites or areas of significance to Māori In these situations, an authority from Heritage New Zealand and a resource consent under the provisions of this chapter of the Plan may be required.</p> <p>Section 74(2)(b)(iia) of the RMA requires in undertaking a plan review a territorial authority shall have regard to any relevant entry on the New Zealand Heritage List/Rārangi Kōrero required by the HNZPT Act. Regard has been had to the list in the preparation of this plan. The wāhi tapu areas have been included in SCHED4 and identified on the planning maps where there is possible. For some sites the area identified on the planning maps is different than the HNZPT listing. The reason for this is that, on the advice of mana whenua, the boundaries of some sites have been revised through the district plan process Refer to Section 32 for Historic Heritage in respect of Heritage buildings and structures on the HNZPT List.</p>
<p><b>SCALE &amp; SIGNIFICANCE</b> s32(1)(c)</p>				
<p>The assessment is based on eight factors outlined in Ministry for the Environment's guidance on Section 32 reports. Each factor is scored in terms of its scale and significance (where 1 is low and 5 is high).</p> <p>Reason for Change: 2          Problem / Issue: 2          Degree of Shift from Status Quo: 2          Who and How Many Affected, Geographic Scale of Effects: 3          Degree of Impact on or Interest from Māori: 5          Timing and Duration of Effects: 3          Type of Effect: 3          Degree of Risk or Uncertainty:3</p> <p><b>Total (out of 40): 23</b></p>				
<p><b>STRATEGIC DIRECTION</b></p>				
<p>The following objective from the Strategic Directions Chapter of the plan is relevant to this topic:</p>				
<ul style="list-style-type: none"> <li>• <b>SD-01:</b> Uphold the partnership principles inherent within Te Tiriti o Waitangi by ensuring mana whenua are enabled to maintain and enhance the well-being (mauri) and health (hauora) of both people and the environment and empowered in the expression and application of kaitiakitanga.</li> <li>• <b>SD-03:</b> Mana whenua are able to exercise customary activities, protect, develop and use Māori land in a way that is consistent with their culture and traditions and provides for their social and economic aspirations.</li> <li>• <b>SD-018:</b> Consider the transfer of functions, powers or duties to Iwi Authorities under section 33 of the RMA where this provides for improved efficiencies, environmental and social benefits.</li> </ul>				
<p><b>UNCERTAINTIES AND RISKS</b> s32(2)(c)</p>				
<p>The degree of risk and uncertainty is low-medium. The risk is low for the sites that have been identified as their location is certain. There are sites that have not been identified in the plan as notified and the risk of sites being modified or destroyed in this situation is higher. In order to manage this risk work on identifying sites is ongoing and the plan encourages applicants to consult with tāngata whenua early in the development process. The most up to date information on archaeological sites is also available on the Council's website which may assist in some situations.</p>				

<p><b>OBJECTIVE(S)</b> s32(1)(a)</p>
<p><b>Relevance</b> – The proposed objectives recognise and provide for the protection of sites and areas of significance to Māori. The objectives are directly relevant to section 6(e) of the RMA a matter of national importance, and directly addresses the issues above</p>
<p><b>Usefulness</b> – The objectives provide clarity as to what is to be achieved under section 104 when considering a resource consent application for any site included within SCHED3, SCHED4, or SCHED5. The objectives also make it clear that work is ongoing and additional sites may be added to the district plan over time. the objectives are also useful as they emphasize key matters that need to be taken into account from the principles of the Treaty of Waitangi. The objectives provide an overall framework that identifies key matters which need to be managed through the provisions. The provisions provide guidance as to what is appropriate / inappropriate subdivision, use or development.</p>

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**Reasonableness** – The objectives do not create unjustifiably high costs for the community. The proposed list of sites in SCHED3, SCHED4 and SCHED5 identify sites and areas of cultural importance, many of which were not identified on the planning maps in the ODP. The SCHEDs and maps in the proposed plan are a lot clearer than what was provided in the ODP, as they define the boundaries of the site. Identifying the boundaries of the sites provides more certainty for landowners. SCHED5 cultural alert layer areas contain the sites that have been developed and have a number of buildings on them (Appendix 2 sets out the requirements for preparing a cultural impact assessment, which will enable landowners and developers to clearly understand the information that must be submitted when preparing an assessment). By placing these sites in SCHED5 it recognises the values of the site as well as the development that has occurred. The information in the proposed plan schedules also explain the values of each site and that information was not included in the ODP. During the draft district plan consultation process landowners were notified, some of whom provided feedback to the Council. Through this process some sites have been removed and the boundaries of other sites have been amended. It is envisaged that this process will continue through the submissions and hearing phase of the proposed plan.

**Achievability** – The objectives are achievable as they place importance on protection of sites and areas of significance to Māori consistent with section 6(e) and section 8 and the provisions specify how the objective is to be achieved.

**Are the objectives the most appropriate way to achieve the Purpose of the Act?**

The proposed objectives are considered to meet the tests of relevance, usefulness, reasonableness and achievability. The objectives are the most appropriate way to achieve the purpose of the RMA because they:

- Will provide for the protection of natural and physical resources in this case land that has cultural values. In doing so it will enable people and communities to provide for their cultural wellbeing (section 5) and promote the protection of cultural values for present and future generations (section 5(2)(c)); and
- Will address the requirement of section 6(e) to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga; and
- Is within the jurisdiction of the Council and can be achieved within the exercise of its functions; and
- The objectives will address the key resource management issues identified above.

**PROVISIONS s32(1)(b)**

**EFFICIENCY & EFFECTIVENESS s32(1)(b)(ii), 32(2)(a)(i), s32(2)(a)(ii)**

**ALTERNATIVES s32(1)(b)(i)**

**Benefits Anticipated**

Environmental

- The environmental benefits are inherent in the holistic Māori world view of environment, as by protecting sites and areas of significance, the wairua of the environment will be maintained.

Economic

- The definition of sites and their boundaries will have administrative benefits over and above the provisions of the ODP and in that regard will be more efficient.
- By including sites within a cultural alert layer that already have high to reasonably high levels of development, it means that people who live in these locations are made aware of the significance of the area but are not subject to additional resource consent requirements.
- By providing guidelines for preparing cultural impact assessments, this should aid in ensuring consistency in the assessments, and cost efficiency, as the requirements for what is required in the assessment have been specified.
- Removal of the blanket discretionary activity rule in the ODP for all Heritage Sites, with a list of permitted activities will reduce the level of regulatory control making it clear what activity is permitted and what requires consent. This approach is more administratively efficient and effective than the provisions in the ODP.

Social and Cultural

- The identified sites have deep levels of meaning and association for tāngata whenua. The protection of these sites is important for the cultural wellbeing of present and future generations.
- The identification of sites is an efficient and effective way to promote the reconnection of mana whenua to ancestral lands, sites and other taonga (section 6(e)). The protection of these sites is also important for kaitiakitanga.
- The protection of sites of significance also takes into account the principles of the Treaty of Waitangi, particularly the principle of active protection.
- By including the accidental discovery protocol in the Plan, it makes it clear what processes need to be followed in the event an accidental discovery is made.
- The provisions also provide mana whenua with authority over how the sites are developed by making marae complexes and papakāinga housing developments a permitted activity.

**Costs Anticipated**

Environmental

- It is unlikely there will be any environmental costs from these provisions.

Economic

- There is the potential lost opportunity cost for landowners where a site or area of significance has been identified. It will depend on individual circumstances, for instance if the site is also an archaeological site, then the site could not be developed anyway. The Council where appropriate will offset some of these costs by preparing cultural impact assessments for some sites particularly where there are a number of landowners involved.
- There will be consenting costs where applicants wish to undertake activities that do not meet the rules, including permitted standards.

Social and cultural

- It is unlikely there will be social and cultural costs from these provisions there is likely to be benefits.

**Economic growth and employment opportunities**

These provisions will likely have a nil impact on economic growth and employment opportunities.

For the purpose of this evaluation, the Council has considered the following potential options:  
 1. The proposed provisions; and  
 2. The status quo.

For the reasons included in this evaluation the ODP provisions are not considered to be efficient or effective in achieving the objectives.

In order to identify other reasonably practicable options, the Council has undertaken the following:

- Reviewed other relevant district plan provisions for sites and areas of significance to Māori.
- Discussed options for provisions with mana whenua representatives.
- Sought feedback from staff at HNZPT on the provisions in the sites and areas of significance to Māori chapter.
- Consulted on a draft district plan and engaged directly with landowners affected by the sites and areas of significance to Māori provisions and overlays.

**Quantification of benefits and costs**

Section 32(2)(b) requires that, where practicable, the benefits and costs of a proposal are to be quantified. Given the assessment of the scale and significance of the proposed provisions, specific quantification of the benefits and costs in this report is considered neither necessary, beneficial nor practicable in relation to this topic.

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<b>EFFICIENCY &amp; EFFECTIVENESS</b> s32(1)(b)(ii)	<b>REASONS FOR PROVISIONS</b> s32(1)(b)(iii)
<p>Section 32(1)(b)(ii) requires assessing the efficiency and effectiveness of the provisions in achieving the objectives:</p> <p><u>Efficiency</u> The proposed provisions have considerably more benefits, and clearly set out the acceptable activities with no or minimal effects as well as those which require closer assessment through the consenting process. The package of provisions will be efficient in achieving the objectives. Landowners that have a site or area of significance to Māori on their property have also been notified. The majority of queries had been addressed at the time of the proposed plan’s notification.</p> <p><u>Effectiveness</u> The proposed provisions are the most effective in achieving the objectives as they directly address the resource management issues and the outcomes sought through the objectives. The provisions are consistent with the purpose and principles of the RMA and recognise and provide for section 6(e). The proposed provisions are considered to be the most effective means of achieving the objectives as together they will:</p> <ul style="list-style-type: none"> <li>• give effect to both the RPS’s objectives and policies; and</li> <li>• take into account direction in iwi management plans; and</li> <li>• assist in implementing Strategic Direction SDO1, SDO3, and SDO18 in the proposed plan; and</li> <li>• enable the Council to fulfil its statutory obligations, including section 6(e), 7(a), 7(b), and 7(g) and is consistent with its functions under section 31 of the RMA; and</li> <li>• ensure adverse effects on sites and areas of significance to Māori are managed appropriately by clearly stating the activities that are permitted being those that will have minimal effect on the identified site and areas, and requiring consent for activities that could cause adverse effects; and</li> <li>• enable the Council to effectively administer its district plan and to monitor the outcomes of the proposed provisions in a clear and consistent manner.</li> <li>• Appendix 2 contains a Cultural Impact Assessment Process which provides guidance for applicants applying for resource consents where this type of evaluation is required.</li> </ul>	<p>Section 32(1)(b)(iii) requires a summary of the reasons for deciding on the provisions:</p> <p>The proposed provisions are the most appropriate approach to achieve the objectives of this Chapter. The provisions appropriately give effect to higher order policy documents, including being consistent with the purpose and principles of the RMA. The provisions also take into account the principles of the Treaty of Waitangi and the two iwi management plans. It is a function of the Council to recognise and provide for the matters in section 6 of the RMA. These matters include recognising and providing for the relationship of Māori with their ancestral lands, water wāhi tapu and other taonga (section 6(e)). The provisions are consistent with the higher order policy documents for this matter to be investigated during the life of this Plan. The cultural and social benefits of protecting sites and areas of significance to Māori, while controlling potential adverse effects will effectively achieve the objective.</p> <p>The recommended policies and rule requirements assessed in this report are the most appropriate to achieve the objectives for the proposed plan, having considered other reasonably practicable options and having assessed the efficiency and effectiveness of the provisions.</p>