

**WAITAHA RAUPATU TRUST, NGATI MAKINO HERITAGE TRUST, KOMITI O NGATI
PIKAO (KI MAKETU), NGATI TUNOHOPU**

**ACCIDENTAL DISCOVERY PROTOCOLS & INSTRUCTIONS FOR THE MANAGEMENT
OF THE KAITUNA REDIVERSION & WETLAND CREATION PROJECT IN MAKETU**

HISTORICAL BACKGROUND:

Waitaha, Ngati Makino, Ngati Pikiāo and Ngati Tunohopu are iwi who are closely connected through whakapapa and intermarriage. The iwi have different histories pertaining to Maketu and are able to demonstrate active kaitiakitanga over their respective taonga within their respective rohe, in particular the Maketu environs. Waitaha, Ngati Makino & Ngati Pikiāo have achieved Treaty of Waitangi Settlements with the Crown and through that process have had their histories and mana whenua status recognized. The rohe or areas of interest for all the iwi have a high degree of overlap. The Maketu area (including the taonga Kaituna and Ongatoro) is one of these places of overlap which is recognised in statute.

THE PURPOSE OF THE ACCIDENTAL DISCOVERY PROTOCOL IS TO FACILITATE:

- The management of the Kaituna Rediversion & Wetland Creation Project in a manner which recognises and provides for the relationship of Waitaha, Ngati Makino, Ngati Pikiāo and Ngati Tunohopu with their ancestral lands, water, sites, waahi tapu and other taonga;
- To enable Waitaha, Ngati Makino, Ngati Pikiāo & Ngati Tunohopu kaitiakitanga
- To recognise the Treaty of Waitangi partnership obligations that exist between Waitaha, Ngati Makino, Ngati Pikiāo & Ngati Tunohopu with the BOP Regional Council and the NZ Historic Places Trust and to facilitate the implementation of the particular provisions for taonga tuturu and koiwi in accordance the deeds of settlements for each iwi;
- To manage and protect the integrity of 'known' and 'unknown' archaeological, waahi tapu, sites of significance and other cultural sites from damage and loss;
- To maximize the opportunity to retrieve cultural, physical and archaeological evidence from disturbed sites;
- To obtain quality information on the lives, activities, food and resource use, trails and campsites of resource use, trails and campsites of Waitaha, Ngati Makino, Ngati Pikiāo, Ngati Tunohopu tupuna from archaeological and/or cultural sites.
- To ensure Waitaha Raupatu Trust, Ngati Makino Heritage Trust, Komiti o Ngati Pikiāo ki Maketu & Ngati Tunohopu are satisfied with the process and management of, if any koiwi, taonga (or other) are discovered.

PROCESS FOR DISCOVERY OF ARCHAEOLOGICAL SITES

The Authority Holder ("BOPRC") shall consult with Waitaha, Ngati Makino, Ngati Pikiāo ki Maketu and Ngati Tunohopu persons identified in this protocol to determine, in accordance with tikanga Māori, if there are any matters of protocol which either iwi wish to undertake in relation to the commencement of any development works, significant events or the commissioning of completed works or any other type of activity associated with the project now or in the future.

In the event of any discovery of suspected cultural remains (e.g. shells, charcoal or charcoal-stained soil, fire-fractured stone, or bones) the contractor / workman shall take the following action:

1. Cease all works immediately
2. Advise the site supervisor of a find.
3. The site supervisor shall contact the Waitaha point of contact (Maru Tapsell), Ngati Makino point of contact (Jimi McLean), Ngati Pikiāo point of contact (Raewyn Bennett) & Ngati Tunohopu point of contact (Blackie McRae) who shall contact their respective experts to advise on the significance of the find.
4. If the 'experts' believe the find is of potential significance to Waitaha, Ngati Makino, Ngati Pikiāo & Ngati Tunohopu contact person(s) from each iwi must be advised.

IN CASES OF SUSPECTED KOIWI TANGATA

1. The site supervisor shall take steps to immediately stop work, shut down all machinery or activity, and secure the area to ensure that the remains are not touched.
2. The Authority Holder shall notify the nominated Iwi Authority representatives immediately.
3. The Authority Holder shall consult with the Historic Places Trust for advice of any requirements under the HPA 1993.
4. The site supervisor must ensure that staff are available to meet and guide Kaumatua, experts and Historic Places staff to the site and to assist with any requests made. The area shall be marked off and if the remains are of Māori origin, onsite Kaumatua will decide what will happen to the remains and advise the Police and other parties of their decision.
5. Work may only recommence in the area with the approval of the onsite Kaumatua and/or the Iwi Authority representative(s).

IN CASES OF WAAHI TAONGA AND WAAHI TAPU

1. The appointed experts and site supervisor will consult with the nominated Iwi representatives to determine further actions to avoid, reduce, remedy or mitigate any damage to waahi taonga and waahi tapu.
2. The Authority Holder shall consult with Iwi Authorities on any matters of protocol, which they may wish to undertake in relation to the find and prior to the commencement of any investigation.
3. The Authority Holder shall consult with the Historic Places Trust for advice of any requirements under the HPT 1993.

KEY RESPONSIBILITIES

WAITAHA, NGATI MAKINO, NGATI PIKIAO (KI MAKETU) & NGATI TUNOHOPU

1. To inform the applicant of the position of any known sites prior to earth disturbance.
2. To inform the applicant in accordance with tikanga Maori, if there are any matters of protocol which tangata whenua wish to undertake in relation to the commencement of work or significant events.
3. To provide a list of contact persons and phone, fax and mobile numbers to the applicant.
4. To adopt a policy of guaranteeing response to notification of a site find, within a 24-hour time frame.
 - This will consist of contacting appropriate people and organizations depending on the nature of the find;
 - Arranging a time for inspection of the site;
 - Coordination of the appropriate action to remove or otherwise any archaeological material from the site.

THE AUTHORITY HOLDER

1. To ensure staff and contractors are aware of the applicant's responsibilities under this protocol
2. To implement a reporting procedure in the instance of a 'find' of any archaeological material and other taonga.
3. To ensure that all statutory obligations under the Historic Places Act 1993 are met.

4. To provide the following reports to Waitaha, Ngati Makino Ngati Pikiāo ki Maketu & Ngati Tunohopu no less than 25 working days prior to any earth moving works:
 - A schedule of the dates of all significant earthmoving events, their sequence and duration.
 - A summary of all measures being undertaken to ensure that adverse effects on archaeological and cultural landscape values (including waahi tapu, waahi hirahira) are avoided, remedied or mitigated.
5. In accordance with tikanga, offer to employ a suitable Waitaha, Ngati Makino, Ngati Pikiāo ki Maketu, Ngati Tunohopu nominated and approved Cultural Monitor(s) for the term of the project or a term as otherwise satisfactory to and agreed by the iwi involved. A suitable cultural monitor will be selected by the iwi under this protocol.
6. Where appropriate, the iwi under this protocol would be accepting of a cultural monitoring regime that recognises the interests of other iwi outside this protocol to the area concerned. In the likelihood of this circumstance, Waitaha, Ngati Makino, Ngati Pikiāo ki Maketu & Ngati Tunohopu shall be consulted and must approve of the regime in the first instance prior to any appointment(s) being made and/or activities commencing.

CONTACT DETAILS:

WAITAHA

Mr Maru Tapsell
164 Matapihi Road
(07) 5770112

NGATI MAKINO

Miss Pia Bennett
Environmental Officer
Ngati Makino Heritage Trust
0276400077 / 075332499 (A/H)
taiao@ngatimakino.co.nz

Mr Jimi McLean
General Manager
Ngati Makino Heritage Trust
0276400057 // 075733370
jimi@ngatimakino.co.nz

NGATI PIKIAO ki MAKETU

Mrs Raewyn Bennett
Ngati Pikiaio ki Maketu
(07) 5332373 / 027 5332372
raewynbennett@actrix.co.nz

NGATI TUNOHOPU

Mr Blackie McRae
Maketu Road