

Cultural Audit Impact Assessment  
Rotorua Lakes District Council  
Proposed Effluent Waste Disposal Plant  
&  
Haumingi 9B3B Ahu Whenua Trust



**Prepared by:**

Colleen Skerrett-White & Emily Skerrett  
(BA Maori Development) (BA Maori Studies)

2256 SH 30

RD 4

Rotorua

[taumanu@gmail.com](mailto:taumanu@gmail.com)

027 8202536

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## 1. INTRODUCTION & BACKGROUND

This Cultural Impact Assessment (“CIA”) Stage One, has been commissioned for the **Rotorua Lakes District Council** and **Hauling 9B3B Trust** who are the two parties involved in securing an area by way, of Lease of Trust Lands, for the development of a proposed MBR (membrane bioreactor) wastewater treatment plant;

In most cases the layout of a project is known beforehand and determining the impact on cultural values is relatively straightforward because the impact occurs where project and cultural detail intersect. For this project however the infrastructure layout such as the requirements for plant, roads, pipelines - have yet to be decided. Pipeline infrastructure will be the subject of a separate CIA.

The intention is that these decisions will be made once the important cultural and archaeological information has been assembled and the requirements of the project will be “fitted” around the cultural landscape in a way that does not intrude or impact on the cultural features of that landscape.

That being the case this CIA should be regarded as an initial Assessment, until such time as the infrastructure requirements are confirmed. At that time the CIA will need to be revisited and reviewed for the likely cultural impact of activities such as water abstraction and discharges, hard surface storm water run-off, sediment run off from earthworks and roadways and similar.

It should be noted that a confidential Project Development Agreement is in place for the project and this CIA will provide important detail such as how accidental discoveries of koiwi or taonga will be dealt with and the appointment and duties and responsibilities of a Project Cultural Advisor.

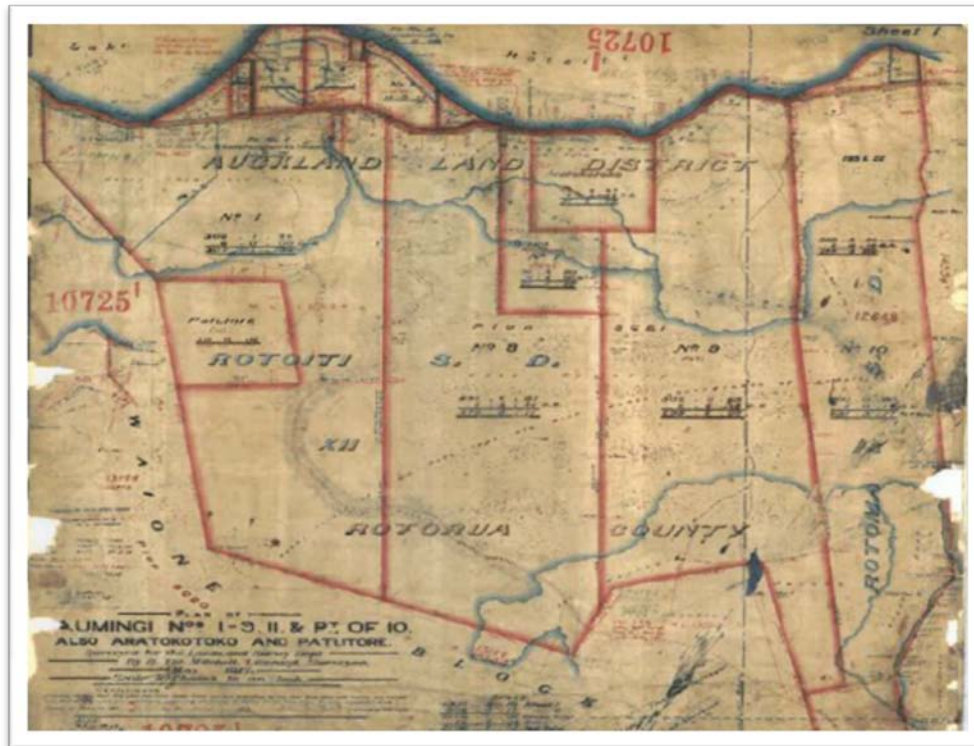
The recommendations of this assessment will address issues already identified by the Block Owners and any negative cultural or environmental impact will be avoided or mitigated provided:

- the project proceeds to plan and the any culturally significant sites as identified are avoided;
- that proper safeguards are put in place for any other cultural or environmental impacts arising from the project construction and future operations;
- that an on-going consultation regime is established to deal with cultural and related environmental issues that may arise in future;
- that the recommendations and findings of this CIA are given effect (RMA Sec 7 & 8, 1991)

This CIA document has been prepared following an examination of the relevant documentation including earlier reports, maps, court documents, whanau archives and similar. The exercise has been largely desk top in nature but there have been helpful discussions with Kaumatua and Haumingi 9B3B Owners (See appendix 1 Scoping Report).

Dr Kepa Morgan, a member of the Ngati Te Rangiunuora Hapu, has developed and trialled with Hapu members an innovative assessment tool called the Mauriometer which has been utilised for the purpose of assessing the proposed use of Haumingi 9B3B for the WWTP - (See Appendage 1 Scoping Report).

## 2. THE LAND HAUMINGI 9B3B



Haumingi 9B3B partitioned from Haumingi 9 in 1966



### 1.1 Natural Land Features

Haumingi 9B3B has a hilly terrain once covered by a Podocarp forest of Native flora and fauna which was initially cleared for farming (1909) and latterly until the current time planted in exotic species of trees e.g. Gum and Pine. The lands in this area were all affected by volcanic activity.



### 3. CULTURAL HERITAGE/VALUES

#### *I Mana Atua/ II Mana Whenua / III Mana Tangata*

##### I Mana Atua

The Maori world-view consists of a holistic approach to Resource Management. All the aspects of the resources, the physical, mental and spiritual are inextricably linked.

Nga Tangata	Iwi/Our People
Papatuanuku	Whenua/Land
Te Ha o Ranginui	Air/Atmosphere
Te Waipuna Ariki	Lake/Streams/Fisheries
Te Waonui o Tane	Ngāhere/Forests/Minerals
Te Wai Ariki -	Ngawha/Geothermal
Nga Tamariki a Tane	Flora/Fauna/Wildlife

The Ngati Te Rangiuuora hapu identify strongly with the physical elements of our environment, our land, mountains, streams and lakes.

The domains of the *Atua* (gods) provide the linkages across resources giving this holistic approach to our total environment

*Whakapapa* (genealogy) demonstrates the non-dualistic approach to the environment, because *Whakapapa* establishes *Tangata* (mankind) as an inseparable part of nature. This holistic approach demonstrates that no delineation exists between the spiritual and physical aspects of the environment.

The concept of the *Maurior 'life-force' principle* of resources reinforces these spiritual aspects. Through the creation process, divine forces descended into the domains of the *Atua*, giving them a *'life force principle'* or *mauri*.

*Mauri* is the binding force that relates resources to each other (including people) and to the spirituality of the gods.

There are *Atua* to guard sacred sites, malevolent and protective *Atua* in rivers and lakes and the *Atua* of the Ocean.

This system provides a series of formal relationships, which ensure physical and spiritual integrity of the environment for future generations.

The recognition of *Nga Atua* is achieved through the practice of:

*Karakia* (prayer), *Kawa* (protocol), *Tikanga* (beliefs/practices/procedures)

This regime of social controls maintains the integrity of our society in the practice of a sensitive environmental management system.

“Kei te tiaki, kei te manaaki hoki te mauri o nga taonga o Ngati Te Rangiuuora  
Mo nga uri whakatipu”

Preserve, protect the life force of all the resources of Ngati Te Rangiuuora for the generations yet to be born.

## **II Take/Mana Whenua**

Ngati Te Rangiunuora hapu exercise *Mana Whenua* over our resources through *Take Toa* (conquest) and *Take Whenua* (right of occupation through whakapapa), both essential elements, to provide for the sustenance of our people. This establishes our 'ancestral connection' to our land, sea & foreshores, water-bodies, flora and fauna and of course all living creatures within our rohe.

*Mana* has been defined as a person or persons having 'authority, control, influence, prestige, power', that is 'effectual, binding and authoritative.'  
(Tikanga Maori. Hirini Moko Mead 2003 Pg 29)

## **III Mana Tangata**

### **Rangatiratanga**

*Mana Whenua* is maintained through '*Rangatiratanga*' (recognized authority to manage resources).

*Rangatiratanga* can be held collectively by Iwi, Hapu and Whanau or individually depending upon the type of resource involved and the context in which it is used.

### **Te Oranga**

Ngati Te Rangiunuora is committed to providing support for any initiatives that will provide for the good health and well-being of our people.

### **Te Kaitiakitanga**

(Guardianship)

Professor Hirini Moko Mead, in his book '**Tikanga Maori**', states, in reference to the relevance of tikanga Maori, "the customary system of land tenure was upheld as law in 1847, but Chief Justice Prendergast undermined the ruling. Only recently has the Privy Council confirmed that there is 'a body of law called native custom' in New Zealand and that it could develop and evolve over time."  
Tikanga Maori, Living by Maori Values 2003 Pg 281 (Williams 2000:5)

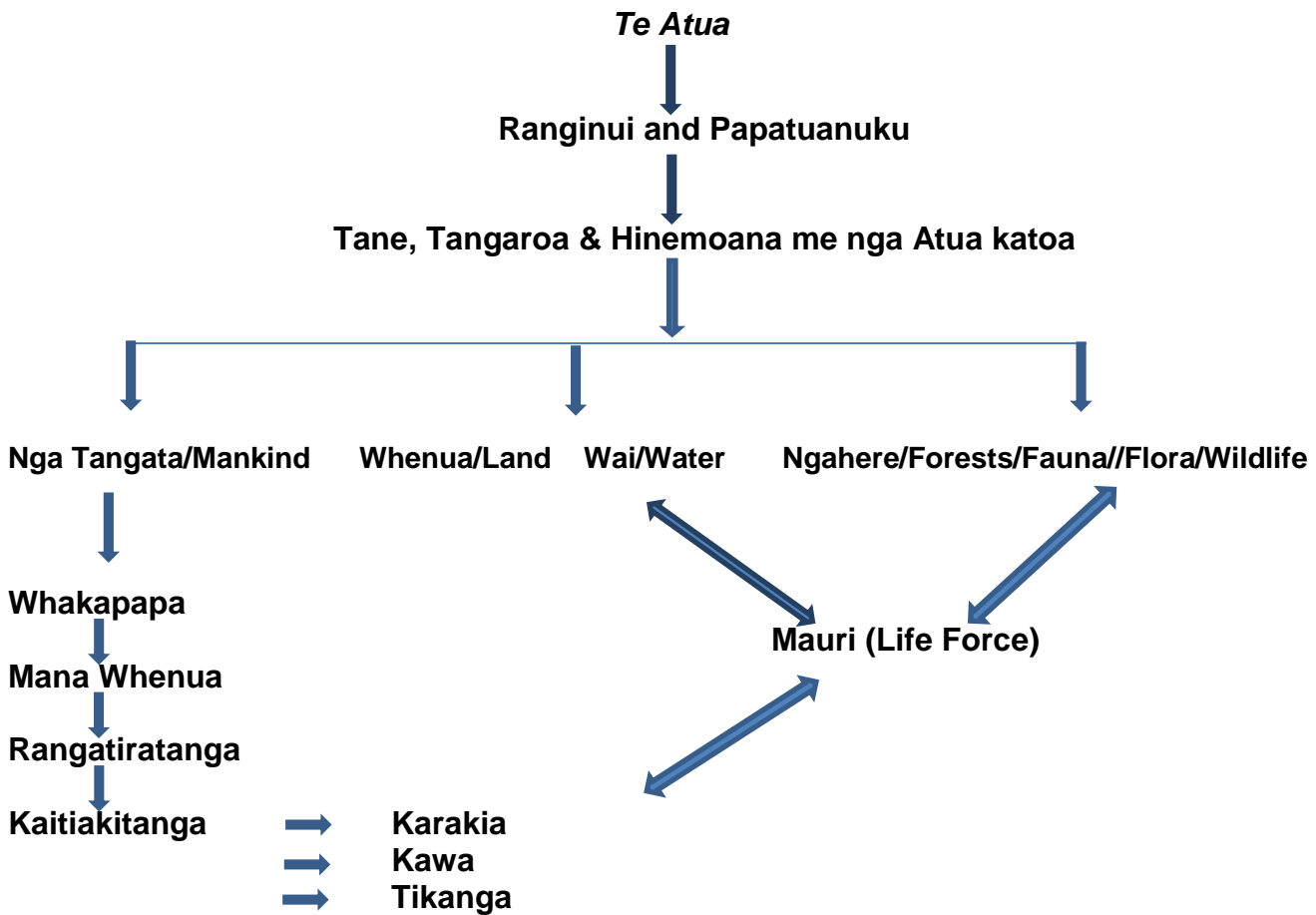
Tikanga Maori is being applied in land issues under Te Ture Whenua Maori Act 1993, but it has become increasingly difficult to separate tikanga Maori from western land laws.

Williams (2000:6) sets out examples where tikanga Maori applies in law:

1. land issues in Treaty of Waitangi claims
2. Identifying the traditional group for consultation purposes.
3. allocation of settlement resources
4. succession to land interests
5. environmental issues
6. child welfare
7. administration of Maori land
8. Establishing Treaty claims and mandates.

He argues that the principles of tikanga Maori – which he calls *values* – underpin the thinking today.

The full impact of tikanga Maori in rules and regulations in respect of Maori land is yet to be realised. The relevance and application of tikanga Maori is still evolving. It is true to say, however, that many Maori still hold dear to the heart the traditional values relating to their land. (Ibid 2003. Pg281)



**Spiritual and Cultural Values – Ngati Pikiao**

Our Ngati Pikiao tupuna attested to the traditional tikanga/processes for the protection of such taonga, as the whenua and wai in the Waitangi Tribunal WAI 12 Claim, Ngati Pikiao vs The Rotorua District Council Kaituna River Hearing (date) Report

: It was in this part of the case that we heard evidence that was highly charged with emotion and remarkably convincing. Witness after witness came forward to support the claimants in their assertion that to mix waters that had been contaminated by human waste with waters that were used for gathering food was deeply objectionable on Maori spiritual grounds. We were told of Maori custom that requires water used for the preparation of food to be kept strictly separate from any kind for other purposes. We were given examples at length of the cultural traditions that illustrate long-standing rules governing the preparation and consumption of food. Of our own knowledge we knew that these rules are projected to a far-reaching degree, even to the point that it is extremely bad manners in Maori terms for anyone even to sit on a table that is used for eating food. And it is quite unacceptable for anyone to wash clothing, even tea towels, in a sink or basin that is used for preparation of food.

Customs and traditions such as these have their origins in common sense and elementary hygiene but of course they assume much greater importance when it comes to the disposal of human waste. The Kaituna River and the Maketu Estuary have long been an important source of food as we have already pointed out, and on cultural grounds the elders of the Ngati Pikiao tribe made it clear beyond any doubt that if the pipeline is built they will have to declare the river tapu so long as the sewage effluent discharge continues. Such a declaration would make it impossible for

any food to be gathered from those waters and they would suffer a very serious loss as a result. This loss is not to be calculated solely in economic terms for the worth to them of the sea food and fish from the river is a valuable and important part of their sustenance. It would be a grave loss of tribal mana for the river and the estuary to be denied to them.

Irirangi Tahuriorangi in his submission to the Hearing stated

**“In the old days the ablution blocks called Paepaeturua were built away in remote places from the Marae because of the tapu nature of those places.”**

<http://www.justice.govt.nz/tribunals/waitangi-tribunal/Reports/wai0004/doc007>





#### 4. TRADITIONAL HISTORY OF OCCUPATION OF HAUMINGI

The whenua known as Te Haumingi lies on the South Western shores of Lake Rotoiti (Te Rotoiti-i-kite-ai-a-Ihenga/Te Rotokite-a-Ihenga-ariki-ai-Kahu) and travels inland, bordered by Waione to the North and Haroharo to the South. (Stafford, Don. 1996. *Landmarks of Te Arawa Volume 2: Rotoiti, Rotoehu, Rotoma*)

It is an area that has been occupied for many generations by the Ngāti Te Rangiunuora hapū, with Pā Tūwatawata standing at Komuhumu, Ngamawhiti and Te Tuarae. There were several smaller settlements of a less permanent nature along the lake front from Komuhumu to Ngamata, Korakonui, Te Kapiti, Te Ngaio, Te Karamuramu, and Waiangarua.

The land once known as Aratokotoko lies to the south-east of Komuhumu. The name of the area was changed to Hamaria (biblical name Samson) after the introduction of Christianity. An area known as Te Tūāhu o Pahau (Te Tumu-a-Pahau) within Aratokotoko was occupied by the kuia Apikaira, however the land was gifted to Te Kirikau Morehu as payment for helping Apikaira through her land court dealings at that time. (Hohepa, T.T. 17 September 2015: Telephone conversation)

Haumingi 9B3B Block is situated behind the Marae known as Taurua Pa. It also lies between Aratokotoko/Parahika and Whenuakura. Te Tuarae, as mentioned, is a known Pa Site, but both Taurua and Te Tuarae are also the sites of a battle which occurred on the 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> April, 1864 between the Te Arawa peoples and those of the East Coast, Te Tairāwhiti. (Serjeant, E.R. 1964. Program for the Opening of Taurua Marae)

The Official Opening Ceremonies book of the carved meeting house Te Rangiunuora and the dining hall Wetenga-a-uru records the Arawa people as ‘... definitely ranged themselves on the side of the Queen as defenders of their territory against the Kingites’. Permission was not granted by the Arawa people for the Te Tairāwhiti contingent to pass through their lands on the way to join the Māori King movement in the Waikato and therefore saw the advancement of the Te Tairāwhiti contingent as a hostile threat against their own lands. (ibid)

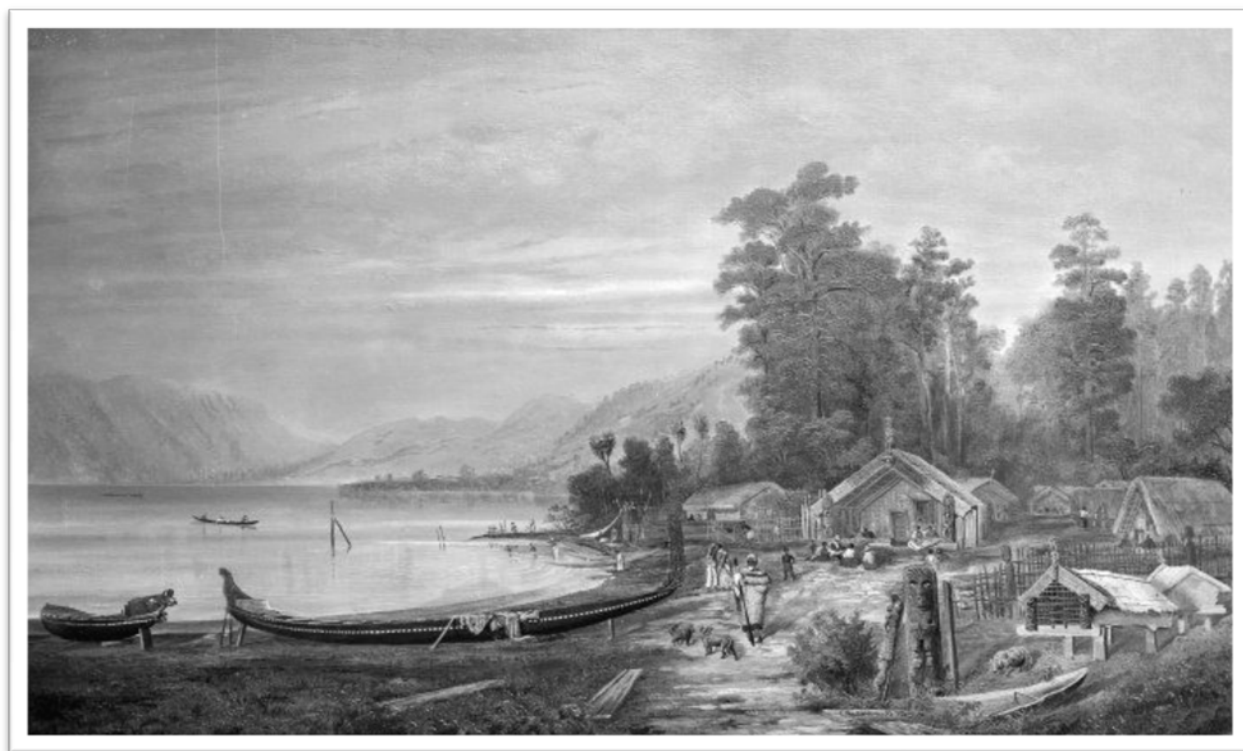
The Te Arawa peoples gathered together their own fighting contingent (known as the Te Arawa Flying Column) and set their headquarters at Komuhumu. Fighting began at Ngauhu (near Wai-iti stream) and on the second day a hot battle was fought on the Taurua ridge and lake edge between Komuhumu and Wai-iti. ‘... About twenty of the invaders were killed including the chief Apanui, who fell at Te Tu-arae, the wooded headland near Emery’s house at Taurua. ... The three days’ skirmishing ended in the complete repulse of the invaders.’ After this conflict Te Haimona and his wife Rahapa settled at Te Tuarae in an area named Te Haumona, naming their whare Muri-a-Te Ka Rere. (ibid)

Tahurangi, Wharetaingamoko, Punawhakareia, Manawahenua and Te Tuarae are all known pre-european and modern burial sites for the people of Ngāti Te Rangiunuora within the Te Haumingi block area. Manawahenua is described as a cave at the foot of the steep northern slopes of Te Haumingi. Among those whose remains were placed here were Te Rangikaheke, Te Tiari, Te Upokotarewa, Te Huruhuru and other important members of Ngāti Te Rangiunuora. Te Rangikaheke is well known as being the tohunga who recited ‘Te Kauai Runga’ and ‘Te Kauai Raro’; the writings of the sacred teachings from within the whare wānanga recorded by Sir George Grey (Governor of New Zealand at that time). (Stafford, Don. 1996. *Landmarks of Te Arawa Volume 2: Rotoiti, Rotoehu, Rotoma*)

Wharetaingamoko is both a pre-european and modern burial site, however due to its full capacity many members of the Te Rangiuuora hapū are now buried at Punawhakareia and Te Tuarae. Tahurangi is an old burial site; Tirangi being the last known person to be buried there, with her daughter Te Manuauete being the first to lie at the most recent established urupa at Punawhakareia Marae.

Te Ahiinanga is part of a track where the rock known as Te Pohue-o-Tawaki is located. It is said that Nawenawe, mother of Ema Te Kirikau, placed the skull of Tuteurupuhi, the former chief of Ngāti Kawiiti, on the rock in full view for all to see. It was meant as a warning against those of Ngāti Kawiti who thought they could lay claim to lands belonging to Ngāti Te Rangiuuora. The claims by Ngāti Kawiti ceased apparently due to this incident. (ibid)

## Komuhumu Pa



Charles, 1848-1926 (Pa on edge of Lake Rotoiti ca 1880)  
Reference Number: NON-ATL-0010

## 5. HAUMINGI – AN HISTORICAL RESOURCE

Te Haumingi was a land of great resource for the Ngāti Te Rangiuuora people, and several noted houses were built from the giant Totara timbers provided from this land.

Among these prestigious houses were:

- **Manuhaia** (erected at Maketu, shifted to Mourea and finally to Whenuakura where it stood until it fell into disrepair and was demolished during the late 1950's or early 1960's);
- **Taukapua** (erected at Ngahuapiri near Kaikaitahuna, Rotorua no longer standing);
- **Uenukumairarotonga** (erected at Maketu, placed into swamp then resurrected by Ngāti Te Rangiuuora members and moved to Punawhakareia, Rotoiti);
- **Tauwhito** (belonging to Te Ahiwaro at Ohinemutu);
- **Te Rangiuuora** (belonging to Te Rangikaheke stood on Mokoia, no longer standing).

However, it is unclear whether Tauwhito and Te Rangiuuora actually stood at Haumingi or whether it was just the timber that was sourced from that area. (Stafford, Don. 1996. *Landmarks of Te Arawa Volume 2: Rotoiti, Rotoehu, Rotoma*)

In the 1840's Eruera Manuhaia having taken to the Christian faith was seen as the Christian leader amongst his people and so too erected a raupo whare for worship at Te Mapou, Tapuaekura. It was then decided that a 'proper' church was necessary and timber was sought from Te Haumingi. However, before the church could be completed a dispute erupted over ownership of the trees and building ceased. Although the church had no floor they still carried out a grand opening ceremony with those from as far as the Waikato attending. Sometime after this the church was dismantled and moved to Komuhumu and there it remained until sometime after the Tairawhiti invasion of 1864.

Timber from Te Haumingi was also supplied for a second church at Tapuaekura, and a church for the Ngāti Te Roro-o-te-rangi peoples on Mokoia Island.

Te Haumingi lands also supplied rākau for a number of waka including Papawhea, Kaiatehunu and Hamama. Hamama was ultimately procured by Pokai and in 1870 was cut up to provide timber for the new Tamatekapua Wharenuī at Ohinemutu. That same year saw totara posts being supplied from Te Haumingi for the telegraph line between Taupo and Rotorua, and the Ngāti Pīkiao flour mill at Pukeko being built mainly from the totara timbers of the Te Haumingi Block. (ibid)

Around 1909 Samuel Horouta Emery, gaining lease agreements to the lands behind where the current whare tupuna Te Rangiuuora stands, set about clearing away the remaining trees to create good pasture for farming. He then stocked the land with sheep and cattle. As business grew more land was leased and in addition to dry stock he introduced a 20-head milking herd to the now 300-acre property at Rotoiti.

Te Haumingi has seen a transition of use over the many years from battle ground to providing highly prized timber to farming. It is a land rich in mana, providing for the Ngāti Te Rangiuuora people in various ways.



## NGA MARAE O NGATI TE RANGIUNUORA

### Punawhakareia Marae

Te Punawhakareia o Rakeiao, located on the shores of Lake Rotoiti, is the name of the area that the principle Whare Tupuna of Ngati Te Rangiunuora sits.

The whare 'Uenuku mai Rarotonga' is the oldest meeting house in Te Arawa that is still in use. The whare originally stood at Maketu and was carved approximately 300 years ago. The whare belonged to Matene Te Huaki, a Rangatira of Ngati Te Rangiunuora and was transported by horse and cart through the Pongakawa valley to Rotoiti in 1909 and re-erected at Punawhakareia.

The whare kai is 'Te Ao Kapurangi' wife of Uenuku.

The original Pa in the area was located at Komuhumu (Gisborne Point) an area adjacent to the current location of the marae.



Uenuku mai Rarotonga



Te Ao Kapurangi

## Taurua Marae

Te Rangiuuora is the Whare Runanga that is located at Whenua Kura Taurua on the shores of Lake Rotoiti above Emery's store.

Our tupuna Haukeka is the tekoteko of this whare.

Te Wetengaauru is the name of the whare kai.

The original "Te Rangiuuora" stood at Okataina near the Makatiti dome, which is also the burial place of Te Wetengaauru, and houses of the same name also stood at Mokoia, Te Komuhumu and later on the Waitangi block at Rotoehu



Te Rangiuuora



Te Wetengaauru

## 6. CONSULTATION AND TANGATA WHENUA

In the normal course of events the consultation hierarchy would be as follows:

- Trustees
- Landowner
- Local hapu
- Local iwi

Through hui that were held with the owners of Haumingi 9B3 the following issues and recommendations have been identified by several landowners and hapu members and need to be addressed to progress development of the scheme and plant.

- I. That the need for increased capacity be considered now to **future-proof** the treatment plant and disposal field for the benefit of the community and ongoing hapu and iwi housing by:
  - Ensuring the design of the plant and disposal field allow for cost effective expansion
  - That Resource Consent nutrient limits provide adequate provision for future community and housing growth
  - Plans for the access road, plant and disposal field, boundary, surrounding buffers, sewer pipeline and services to the site consider feasible future use on the surrounding lands - such as Papakainga. The owners should be confident that the proposed activity will align with future land use aspirations
  
- II. The concept of sustainability is embedded in the fabric of Te Ao Māori (the Māori world view). To this affect, it is requested that some of the treated effluent be used for surface and subsurface irrigation of crops on the adjacent lands. As an example, the treated effluent may be applied to the current forestry block, or used in commercial or research applications for planting of:
  - Manuka, stock feed crops (grasses), harakeke, flowers, landscaping plants and Rongoa/Traditonal Medicinal plants

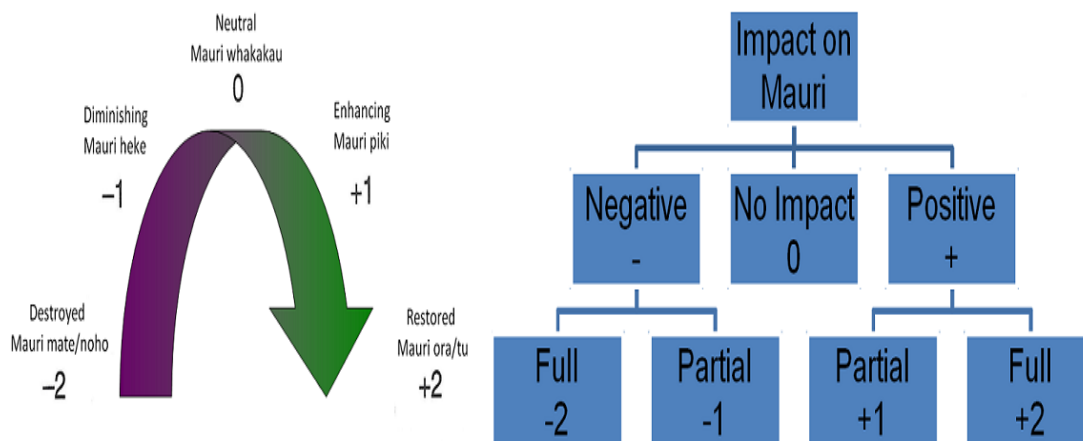
It is understood this request may sit outside the scope of the Resource Consent Application, however, iwi request:

  - That RLC support a resource consent application by the Haumingi 9B3B Trust for this activity
  - Adequate mechanisms are provided at the plant to allow for this activity
  
- III. That every effort is made to ensure the maximum number of properties outside of Rotoma connect to the scheme with a pretreatment system to:
  - Respect iwi's cultural concessions in agreeing to the use of LPGP units in Rotoma and the transfer of para from Rotoma to Rotoiti
  - Minimise the overall transfer of para from houses within the Rotoiti part of the scheme
  - Provide maximum resilience in the reticulation network
  - Minimise odour issues in the scheme
  - To minimise solids waste being pumped to the wastewater treatment plant on the Haumingi 9B3B block
  
- IV. That relevant environmental impacts and metrics are presented to the Trust, including:
  - The N and P nutrient loads discharged from the treatment plant each year shall be reported annually by RLC
  - Updates on emerging contaminants

- Any concerns around the distribution of the discharge plume - such as discharges impacting directly on local lands, housing, urupa, streams and puna etc
- The discharge of low-quality treated effluent
- Concerns relating to odour emissions from the treatment plant

As mentioned above, the hierarchy consultation here also sets the order as to whose views should take priority. In this particular case all the landowners have a dual role as tangata whenua reinforced by the fact that some are also still resident on the land and therefore have to take precedence in all matters in respect of their land.

For the purpose of assessment we have utilised the “Mauriometer” a model that was developed by a member of Ngati Te Rangiunuora, Dr Kepa Morgan. The mauri model is based on four circles that represent these interactive aspects of our ecosystem. These have been redefined as the impacts on the mauri of the family/whanau (economic), the community (social), the clan/hapu (cultural), and the ecosystem/taiao (environment) respectively. The relative importance of these aspects can be addressed independently by all users by choosing a weighting that is applied to each aspect before scoring is completed. The Tangata Whenua evaluation is based on whether the option is identified as enhancing, diminishing, or neutral for the mauri of the aspect being considered. As mauri is a measure of the life-force in a particular living thing, then how the mauri is effected is a direct indication of the long-term viability and hence sustainability of a particular option from the Tangata Whenua perspective. The impact on the mauri is assessed independently from the weighting applied to each particular aspect.



Morgan, K. 2003. (The Sustainable Evaluation of the Provision of Urban Infrastructure Alternatives using the Tangata Whenua Mauri Model within the SmartGrowth Sub-Region. Technical report, Mahi Maioro Professional)



Te Tuarae Haumingi

## RECOMMENDATIONS:

### 7. ACKNOWLEDGEMENT OF CULTURAL AFFILIATION

All Contractors and Rotorua Lakes Council must actively acknowledge and adhere to the cultural norms associated with:

- The Rangatiratanga of the Haumingi 9B3B Trust over its land and assets;
- The historical and cultural significance of the Haumingi 9B3B Trust land to Ngati Te Rangiunuora hapu and Ngati Pikiāo iwi; and
- The traditional kaitiaki role of the Haumingi 9B3B Trust over all things that are Taonga of the Haumingi 9B3B Trust and its beneficial owners.
- The whanaungatanga/extended whanau relationships between all the whanau, hapu and Iwi who identify as belonging to the Ngati Pikiāo Confederation to provide for all our Marae.

### 8. PROTECTION OF CULTURAL VALUES

All Contractors agree to work with the Haumingi 9B3B Trust to ensure the protection of all cultural sites identified as excluded lands including Taonga, Urupa and Waahi Tapu identified on Trust Land. The cultural sites include:-

- Taurua & Tuarāe Ridge
- Taurua Marae & Urupa
- Tuarāe Papakainga (housing area)
- All Marae and Urupa belonging to Ngati Pikiāo, Ngati Rongomai and Ngati Tarawhai

### 9. TRUST CULTURAL ADVISOR

The Haumingi 9B3B Trust will appoint a Trust Cultural Advisor to advise RLC and the Project Contractors on cultural matters relevant to the project. The Trust Cultural Advisor shall liaise with the representative of the Haumingi 9B3B Trust and, where necessary, the landowners

The Trust Cultural Advisor has an integral role with all works planned and undertaken on the Haumingi 9B3B site. The position will be part time and cover the entire term of the project (planning through to completion of commissioning activity). Key objectives of the role include:

- Providing a first point of contact for RLC and contractors
- Minimising potential for cultural offense and negative sentiment
- Advising on cultural matters and providing foresight on potential cultural impacts
- Planning and/or undertaking/managing relevant cultural processes, induction, protocols, activities, and remediation activities
- Connect all relevant project activity with Haumingi 9B3B Trust, its representatives and the landowners



## 10. TRUST TECHNICAL ADVISOR

The Haumingi 9B3B Trust will appoint a Trust Technical Advisor to liaise between RLC, the Project Contractors and Haumingi 9B3B Trust on the development and progress of the MBR WTP Project. The Technical Advisor is solely accountable to the Trust's representative(s). This role has been proposed to ensure:

- Those involved in the specification, design, construction, commissioning, operation maintenance and servicing activities understand and take into account the relevant cultural risk factors, requirements and expectations of the Trust
- Adequate means are provided across technical aspects to avoid, mitigate and manage cultural impacts (including remediation)
- The plant and disposal field design meets the minimum expectations of the Trust and landowners in relation to robustness and potential impacts on surrounding lands and properties
- Plant management and operation is sufficient to address perceived risk factors
- Adequate consideration is given in the design and procurement process to ensure solutions meet the overall affordability expectations of the landowners and wider Iwi
- Risk planning and management meets the expectations of the Trust
- All activities comply with the minimum requirements of the Health and Safety at Work Act
- All activities meet the minimum requirements of the Trust's Health and Safety Policy and Health and Safety Plan
- Adequate provisions are put in place to prevent vandalism and destruction of Trust property
- Adequate provisions are put in place to prevent vandalism and destruction of contractors property and constructed works
- Site planning takes into consideration opportunities for future land use
- Solutions for the access road, sewer pipeline, water supply and electrical supply meet the expectations of the Trust and consider potential future activities on the land block – such as papakainga
- Site and plant design take into consideration aspirations for sustainable reuse of effluent for a mix of approved research and planting activities
- Adequate consideration for avoidance and mitigation of cultural impacts is provisioned for in all relevant aspects of work
- Adequate baseline environmental monitoring is provided
- An acceptable environmental monitoring programme is developed

## **11. INDEPENDENT ENVIRONMENTAL MONITORING - WAIKATO UNIVERSITY**

Iwi request RLC provide a putea for the independent environmental monitoring of the site, neighbouring lands, streams and puna, and, areas of the lake likely to be impacted directly by the discharge plume. It is expected that the monitoring will be carried out by Waikato University starting with a base-line study prior to operation of the treatment plant.

At a minimum, monitoring is to be carried out at regular intervals over the full life of treatment plant (4-5 yearly). This is to support future decision making regarding expansion of the plant to meet a growing community and provision of the land for continuing this activity beyond the proposed 50-year term. It is envisaged monitoring will consider:

- Impacts of inadequate treatment – monitoring low-performance treatment
- Water quality monitoring of local streams and puna that are likely to be impacted by the discharge plume
- Impacts on the adjacent areas of the lake
- Impacts from emerging contaminants

## **12. ARCHAEOLOGICAL RESPONSIBILITY**

An initial archaeological assessment was performed by Ken Phillips prior to the drilling of test wells in March 2016. Dr Des Kahotea has since been on the site (August 2016) and has provided a preliminary report. It is essential that archaeological scrutiny is applied across all civil works including roading or easements required for the scheme, therefore Dr Des Kahotea must be retained to meet the requirements of the Heritage New Zealand Pouhere Taonga Act 2014.

## **13. ADDITIONAL CONSULTATION OR ASSISTANCE**

If there is any on-going consultation or assistance required. (Please see appendix 4–Budget)

## **14. RLDC& CONTRACTOR ON-SITE COMPLIANCE**

- Adherence to Health & Safety Legislation
- Trust Induction for all Contractors and Sub-Contractors
- Must provide own Contractor Ablutions

**(Appendix 3 Induction Policy/Protocol)**

## **15. MARAE SCHEME SERVICE**

All Marae belonging to Ngati Pikiao, Ngati Rongomai and Ngati Tarawhai are provided the Scheme Service Free of Charge.

## **16. ACCESS AND SECURITY**

Site Civil works for road access and security infrastructure be completed as soon as possible (Appendix 3 Induction Policy/Protocol).

## 17. CULTURAL INDUCTION PROTOCOL/PROCESS

The purpose of this protocol is to ensure that the cultural requirements 'tikanga' as identified by the beneficial owners of the Haumingi 9B3B block are clearly communicated to all parties assisting with (the Project).

Additionally all activities that are to be undertaken by contractors and sub-contractors for Haumingi 9B3B as part of any works for the Project, adhere to this protocol and respect the 'mana whenua' and 'tikanga' cultural values of the land owners.

## 18. PRESERVATION, PROTECTION AND CONSERVATION

The resources within our rohe have always been our food basket and have sustained the generations of our people who have co-existed and cared for this environment since before the arrival of the Te Arawa Waka. These resources are the foundation for our identity, mana and associated kaitiakitanga responsibilities.

*For tangata whenua "kaitiakitanga" reflects the preservation, the protection and the appreciation, of all its resources.....*

Iwi are extremely passionate about preserving, protecting and conserving its natural resources for current and future generations. Approval for the treatment plant and disposal field on Haumingi 9B3B was given under the premise that the level of treatment achieved and discharge of treated effluent into the receiving environment would:

1. Be environmentally acceptable
2. Reflect best industry practice
3. Meet cultural expectations and align with the principles of Kaitiakitanga
4. Provide the best overall solution for Iwi and the wider community (when considering a wide set of relevant factors such as affordability, provision for growth, public health objectives and environmental benefits over the status quo)

The Trust would like to understand the impact of this activity in more detail and be assured these assumptions are correct. This is essential when considering the importance of future decisions relating to the scheme such as provision for growth and continuation of the treatment plant and disposal field beyond the initial 50 year lease agreement.

In conclusion this cultural impact assessment process could find no significant impediments that would impact negatively on the integrity of the kawa or tikanga/cultural values of the Land Owners for the sighting of the MBR WWTP on the chosen sight on Haumingi 9B3B provided the issues raised are adequately addressed.

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Hohepa, T.T. 17 September 2015: *Telephone conversation*

Mead, Hirini Moko. 2003: *Tikanga Maori, Living by Maori Values*

<http://www.justice.govt.nz/tribunals/waitangi-tribunal/Reports/wai0004/doc007>

Morgan, K. 2003: *The Sustainable Evaluation of the Provision of Urban Infrastructure Alternatives using the Tangata Whenua Mauri Model within the Smart Growth Sub-Region. Technical Report, Mahi Maioro Professionals*

Rotorua District Council 2015: *Rotoiti-Rotoma WWTP & LDS Concept Design*

Serjeant, E.R. 1960: *Official Opening Ceremonies of the Carved Meeting House Te Rangiunuora and also the Dining Hall Wetenga-a-uru at Taurua Pa on the Eastern Shores of Lake Rotoiti by the Right Honourable Walter Nash Prime Minister of New Zealand*

Serjeant-Skerrett Whanau. 2015: *Family Archives*

Stafford, Don. 1996: *Landmarks of Te Arawa Volume 2: Rotoiti, Rotoehu, And Rotoma*

<http://www.heritage.org.nz/protecting-heritage/archaeology/archaeological-guidelines-and-templates>

## Appendices:

1. Scoping Report
2. Owners Consultation
3. Haumingi 9B3B Ahu Whenua Trust Cultural Protocol
4. Haumingi 9B3B Trust Participation Budget/Costs

**APPENDIX 1**

Haumingi 9B3B

**SCOPING REPORT**

**For**

**Cultural Audit Impact Assessment**

**Of**

Rotorua Lakes District Council

**Proposed Effluent Waste Disposal Plant**

**Prepared by:**

**Colleen Skerrett**

**BA Maori Development**

**2256 SH 30**

**RD 4**

**Rotorua**

**[taumanu@gmail.com](mailto:taumanu@gmail.com)**

**027 8202536**

## METHODOLOGY

### Stage II Cultural Audit/Impact Assessment

- Remediate the cultural impacts identified at Stage I in preparation for application/inclusion and compliance for the resource consents sought
- Ensure that any potential negative cultural issues are identified and dealt with appropriately.
- Provide and present Cultural Impact Assessment
- Facilitate the production of an Archaeological Report to comply with Heritage NZ and RMA criteria. (Ken Phillips – Costs to be determined and invoiced separately)

As stipulated in the Rotoiti-Rotoma WWTP and Land Disposal System: Concept Design Report, the following are the recommendations sought to allow Rotorua Lakes Council to progress with this project:

1. Collect additional geological information and undertake infiltration tests;
2. Install groundwater monitoring bores to establish a groundwater baseline and undertake hydrogeological analysis;
3. Undertake an assessment of environmental effects and obtain regional council agreements for the concept design;
4. Develop preliminary design including receiving proposals from MBR suppliers and update capital and operating cost estimates;
5. Prepare consent applications;
6. Throughout this process undertake stakeholder consultation.

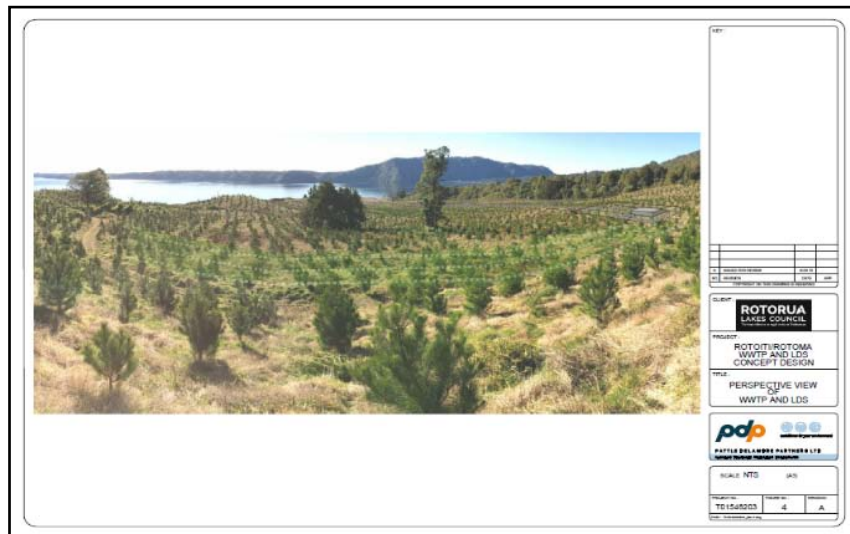
### Stage II Tasks:

1. Review – Geotech, Stage II Hydrological, Archaeological, Other Design Criteria Reports (20 hrs)
2. Identify any further issues re: Project (20 hrs)
3. Additional Research History/Land Use (if required) (10 hrs)
4. Consultation with Cultural Advisor (Timi Te Po Hohepa) (20 hrs)
5. Preparation Draft CIA (10 hrs)
6. Review Draft –Tangata Whenua for content and accuracy (04 hrs)
7. Final Document (40 hrs)
8. Power Point Presentation of CIA to Owners/Trustees Haumingi 9B3B
9. Developer (06 hrs)

## APPENDIX 2

### OWNERS CONSULTATION

Issues as identified by Block Owners at Owners Hui (Date)



Proposed Site & Project Footprint

#### 13.1 Location

- Proximity to Housing
- Proximity to Marae and Urupa

#### 13.2 Access

- Restriction of access to traditional and recreational hunting grounds

#### 13.3 Odour

- Proximity to Marae and Housing

#### 13.4 Environmental Impact

- Leaching to water aquafer that provides drinking water
- Leaching into water table and runoff to Lake water

#### 13.5 Affordability

- Recognise that affordability is a key part of the decision making process around the preferred option.
- The acceptance of an MBR plant by Iwi was based solely on the potential for a low-cost MBR plant as presented by Apex Environmental.

#### 13.6 Aesthetic Value – Landscape

#### 13.7 Risk Management

#### 13.8 Piping Infrastructure to Site

## Assessment of Issues

### (13.1) Location

Proximity to Housing  
Proximity to Marae and Urupa

As one can ascertain the Project footprint does not impact on the Waahi Rahui (Battle Site) and will not be able to be seen from the Marae or housing areas

Mauriometer assessment – Neutral (mauri whakakau)

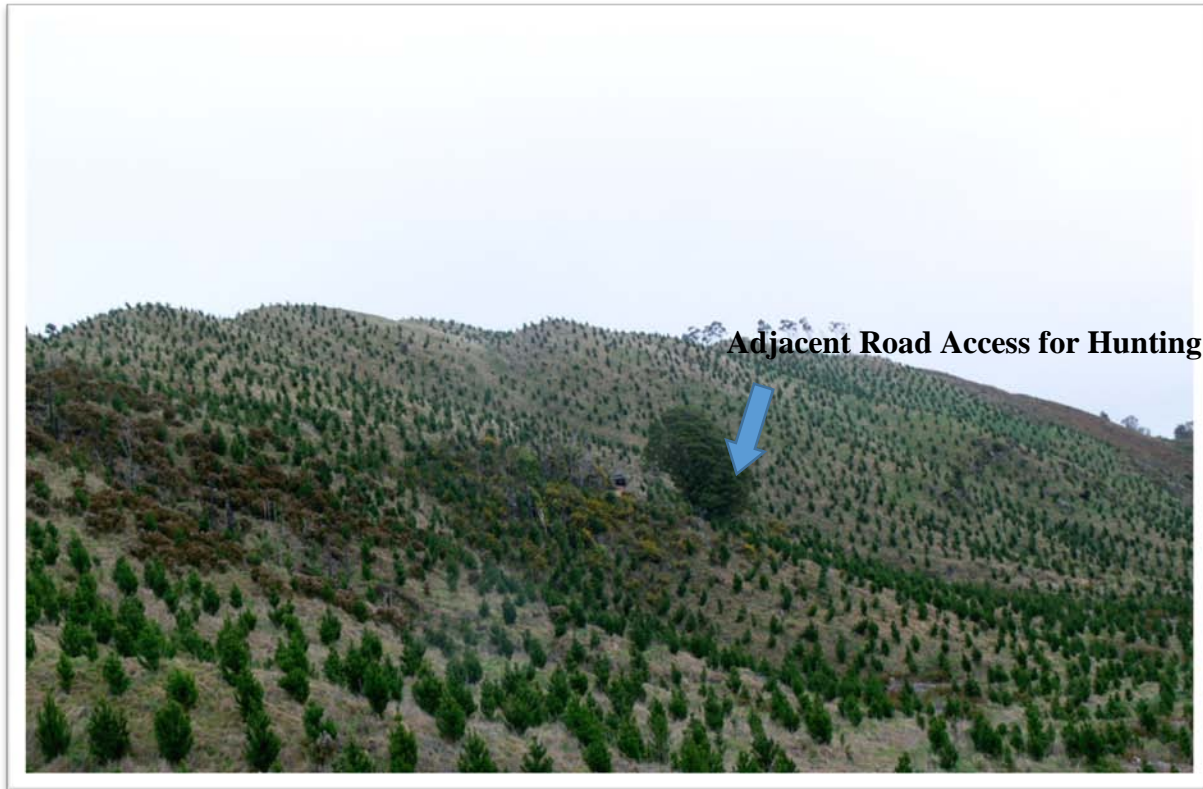


**Mauriometer - Neutral (mauri whakakau)**



### (13.2) Access

Restriction of access to traditional and recreational hunting ground



**Mauriometer - Neutral (mauri whakakau)**

### 13.3 & 4 Odour & Water Quality Environmental Impact

Proximity to Marae and Housing perceived as a problem



## Mauriometer - Neutral (mauri whakakau)



## Mauriometer - Diminishing (mauri Heke -1)

**Odour and water quality** – On Trustees and Owners visit to both Tirau and **Turangi** MBR Plants we were able to ascertain for ourselves that there was no odour emitting from the Plants. Water quality was also discussed stating the end filtered water from the plant was good enough to drink (above right photo showing Te Rangiuuora member testing the water).

Environmental Impact – Leaching to water aquifer that provides drinking water  
Leaching and runoff to Lake Water

The environmental impact is the priority for land owners and the most important consideration in terms of keeping the 'mauri' of the land and waterways intact and in fulfilling our kaitiakitanga responsibilities through identifying the modern tikanga/processes and procedures that will allow land owners to be fully satisfied with the proposed scheme.

### 13.5 Affordability:

Affordability is also a priority for Haumingi 9B3B landowners and played a key part of the decision making process around the preferred option. The acceptance of an MBR treatment by Iwi was based solely on the potential for a low-cost MBR plant as presented by Apex Environmental. The Apex proposal presented a solution that was cost-comparable with the carbon trench discharge solution of Option 5a.

Land owners would like to see information that validated the Apex design approach confirming it provides the robustness desired of a commercial solution. Currently, some owners see this low cost option as a potentially "cheap and nasty". There is a risk of accepting a substantially higher cost solution (as scoped by PDP Ltd) based on non-professional perception.

Further, it is important to get confirmation regarding the scope for growth in Rotoiti and Rotoma. Reticulation is an expensive option that will present a serious financial burden to landowners, other Iwi and the wider community. Across the country, there are many examples where new reticulation schemes have provided growth and increased land values and have played a significant role in offsetting initial capital costs.

Growth allows for a larger and more vibrant community. It also allows the cost of the scheme to be shared amongst more people. Additionally, growth has potential benefits for Landowner's who are looking at options for subdividing land parcels for housing and commercial activity. From this perspective it seems essential that RLC ensure this is a key consideration for the scheme. Landowners would like RLC to present options where significant growth can be achieved in a financially sensible way? – I.e. larger pipes in key areas, plant design and layout to accommodate for expansion, and establishing land reserves for the larger discharge field.

### **13.6 Aesthetic Value**

The potentially intrusive aesthetic value of the proposed scheme and plant must be mitigated by the enclosure or fencing of the plant and the planting of native species shrubs/trees around the parameters.

This would also ensure that the plant is kept secure against animal damage and vandalism

**APPENDIX 3**

**Haumingi 9B3B Ahu Whenua Trust**

**Cultural Protocol**

**April 2016**



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## **Purpose**

The Haumingi 9B3B Ahu Whenua Trust is the owner of the Haumingi 9B3B Block (CT: 310500) and an equity partner in the Haumingi 9B3B Ahu Whenua Trust (RLDC).

The 9B3B Trust holds mana whenua over the Haumingi 9B3B land and the purpose of this protocol is to ensure that activities that are undertaken by contractors and sub-contractors (Contractors) to RLDC as part of the construction of the proposed Effluent Waste Water Disposal Plant (the Project) are done in a way that respects the Trust's mana whenua and cultural values.

## **Cultural Resources**

### **Acknowledgement of Cultural Affiliation**

All Contractors to RLDC recognise:

1. The historical and cultural significance of the 9B3B Trust land;
2. The Rangatiratanga of the 9B3B Trust over its land and assets; and
3. The traditional kaitiaki role of the 9B3B Trust over all things that are Taonga of the 9B3B Trust and its beneficial owners.

### **Protection of Cultural Values**

All Contractors agree to work with RLDC and the Trust to ensure the protection of all cultural sites, and Taonga including Urupa and Waahi Tapu identified on Trust Land.

## **Trust Cultural Advisor**

### **Appointment**

The 9B3B Trust has appointed a Trust Cultural Advisor to advise RLDC and the Project Governance Board on cultural matters relating to the development of the Project and will act as the representative of the Trust in respect of the procedures contemplated in this Protocol. The contact details for the Trust Cultural Advisor are shown in Appendix 1.

### **The Trust Cultural Advisor Role**

The Trust Cultural Advisor will be given access to all of the Project development activities and will provide advice to RLDC and the Project Governance Board on all activities with an actual or potential cultural impact.

## **Avoiding Accidental Discovery**

### **Excluded Land**

The 9B3B Trust has identified areas of land on the 9B3B block which hold significant cultural and historic significance to the beneficial owners and to the wider Ngati Te Rangiuora and Pikiāo Iwi

These areas have been defined by the Project as Excluded Lands and are shown in Appendix 2. No Project construction or development activities may occur upon the Excluded Lands areas without the authorisation of the 9B3B Trust. No Contractor may enter the Excluded Land areas without authorisation from the 9B3B Trust.

## **Avoidance and Mitigation**

All Contractors agree to avoid significant cultural, archaeological and historical areas when conducting activities on Trust land. Where avoidance is infeasible the Trust may identify an appropriate means for mitigating the effects of the activity.

## **Accidental Discovery**

Upon the discovery of actual or suspect Koiwi, Toanga or Waahi Tapu, RLDC and the associated Contractors will follow the most recent Archaeological Guidelines on Koiwi Tangata/Human Remains set by the New Zealand Historic Places Trust<sup>1</sup>

In accordance with Section 14(1) of the Coroners Act 2006 any person that finds a body in New Zealand must report that finding to a member of the police as soon as practicable. Upon discovery of koiwi the Parties will therefore contact the local Iwi Liaison Officer, who can be contacted at:

Iwi Liaison Officer  
Rotorua Central Police Station  
1190-1214 Fenton Street  
Rotorua  
Phone: (07) 348 0099  
Fax: (07) 343 1604

## **Procedure for managing accidental discovery**

The following procedure will be adopted if Koiwi, Taonga or Waahi Tapu or archaeological sites of significance are discovered or are reasonably suspected to have been discovered on the land during any construction on the 9B3B Land.

Contact details for relevant parties are in Appendix 1.

### **Cease Work**

- a) The Trust's Cultural Advisor shall be on site during any and all earthworks on Trust lands.
- b) Should the Trust Cultural Advisor observe potential archaeological site/artefact he shall alert the employees/contractors to cease work.
- c) The Contractor's Site Supervisor is then alerted and called to the location of the find.
- d) The Contractor's Site Supervisor and/or the Trust Cultural Advisor shall notify the RLDC Project Manager immediately.
- e) Construction work at the site will cease in the area of the discovery, for a reasonable period of time, to allow a site inspection by the Trust Cultural Advisor and relevant personnel of RLDC.

### **Contact the relevant parties**

- a) If required by the Historic Places Act 1993, New Zealand Historic Places Trust shall be contacted by the RLDC Project Manager.
- b) The nominated contact persons for the 9B3B Trust will be contacted in the first instance by the Trust Cultural Advisor, the Contractor Site Supervisor or the RLDC Project Manager, or other nominated representative.

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<sup>1</sup><http://www.heritage.org.nz/protecting-heritage/archaeology/archaeological-guidelines-and-templates>

- c) If an archaeologist is not present and deposits suspected to be archaeological in nature are encountered, then the RLDC Project Manager will engage an archaeologist to determine whether or not the deposits are archaeological in nature. The cost of an archaeologist appointed under this clause shall be borne by RLDC. The Trust's Cultural Advisor will be invited to be involved in any archaeological investigation.
- d) In the case of Koiwi, the RLDC Project Manager shall also contact the New Zealand Police.

**Secure the site**

- a) The site will be secured in a way that protects the object or objects as far as possible in the circumstances from further damage.
- b) Kaumatua nominated by the 9B3B Trust will be given the opportunity to conduct karakia and such other religious or cultural ceremonies, as required.
- c) The conditions of any permission under the Historic Places Act 1993, or under the Resource Management Act 1991 will be observed by both parties.

**Re-commence works**

Earthworks activity on-site can recommence as soon as the appropriate cultural processes have been implemented and the New Zealand Historic Places Trust has given its approval (if required) and additionally in the case of Koiwi/human remains, the New Zealand Police have given their approval.

**Control of any discovered sites and or Taonga**

For the avoidance of doubt subject to any laws of New Zealand any Koiwi or Taonga found on the Land shall be the property of the 9B3B Trust who shall hold and use those articles (including the return of them should that be possible to Whanau) as they in their sole discretion see fit.

**Glossary**

Koiwi – human remains

Taonga - all treasured possessions both animate and inanimate

Waahi Tapu - sacred, restricted and/or protected sites of significance

Urupa - burial grounds

Mana Whenua - power associated with possession and occupation of tribal land

**Contact List**

Role	Name	Phone Number	Mobile
Trust Cultural Adviser	Emily Skerrett	073620075	02102887323
RLDC Project Manager			
Archaeologist	Des Kahotea		
	Rakeiao Skerrett	073620075	0220656199
Author CIA	Colleen Skerrett	073620717	0278202536



## Excluded Land Plan



### Land Access Protocol

#### 1.1 Application of protocol

This protocol applies to all parties who require access to the Trust Land to undertake business associated with the Project. This includes, but is not limited to:

- All contractors, consultants and tradesmen and their employees and sub-contractors;

This Protocol does not automatically grant any further Access or Easement right across/through the Haumingi 9B3B Block.

While this protocol does not directly apply to tangata whenua, the Trustees of the Trust, the shareholders or beneficiaries of the Trust or their wider whanau, it is expected that they continue to access the identified Excluded Areas of the Land for cultural purposes.

As the project develops and the construction and commissioning phases are undertaken, site specific protocols will be developed, for example the control of access into work areas and these protocols will extend to tangata whenua as necessary.

## **1.2 Term**

This protocol will remain in force throughout the term of Lease, unless terminated earlier by the agreement. In consultation with the Trustees of Haumingi 9B3B Trust, the RLDC may also vary the terms of this protocol from time to time.

## **1.3 Access Protocol**

### **1.3.1 Access Register**

Generally, all contractors, consultants and tradespeople accessing the land will have been engaged by RLDC to undertake work on the project. From time to time, other third parties may also require access to the land to undertake scoping/pricing required for tendering or other project tasks.

While this protocol will make up part any works contracts, the Project Manager will maintain an Access/Induction Register of all parties who are seeking access to the Land. As the Project develops, the Project Manager will advise the Trust Cultural Advisor. The Access Register will contain the names, contact details, vehicle registrations and the dates and description of the works to be undertaken by those seeking access.

An Access Agreement/Road Order will also be in place with the Trustees of Haumingi 9B3B to allow vehicle access over Haumingi 9B3B.

This Protocol does not automatically grant any further Access or Easement right across/through Haumingi 9B3B.

## **APPENDIX 4**

### **Proposed cost estimate**

#### **HAUMINGI 9B3B TRUST FOR THE PROPOSED EFFLUENT WASTEWATER TREATMENT PLANT**

<b>Koha (kaumatua) per visit on site</b>	<b>\$100.00</b>
<b>Induction (each induction process)</b>	<b>\$100.00</b>
<b>Kai (catering if required per induction)</b>	<b>\$ 50.00</b>
<b>Cultural Advisor (per site visit)</b>	<b>\$250.00</b>
<b>Additional Consultation or Assistance (as per negotiation)</b>	
<b>Technical Advisor (as per individual contract with RLDC)</b>	
<b>Archaeologist (Des Kahotea as per Contract invoice)</b>	