



Mt Cass Wind Farm Accidental Discovery Protocol Plan



Revision 7 – 30 April 2026

Revision History

Version	Description	Date	Prepared by	Approved By
Rev 1	Draft	03 Mar 2021	HW	SB
Rev 2	Draft – for Waitaha ki Waitaha and Ngāi Tūāhuriri input	20 Apr 2021	HL	SB
Rev 3	MCD Input	01Dec 2022	DK	MC
Rev 4	MCD – Issue post review feed Back	23 Feb 2023	DK	MC
Rev 5	Post CLG review, HDC Submission	23 Mar 2023	MC	GG
Rev 6	ADP and Site Sensitivity cultural Protocol Approved	15 May 2023	MC	GG
Rev 7	Annual Review	30 Apr 2026	LB	JC

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1. Introduction

1.1 Overview

This plan sets out Accidental Discovery risks and associated mitigations.

During construction, the Civil Contractor will be responsible for ensuring that this plan is correctly implemented and will review all documentation relating to this plan before it is finalised and issued. Site induction for all personnel must include a briefing on this plan including the main content of this plan and any SOP's relevant to the task being performed.

1.2 Existing site conditions

Ngāi Tahu iwi has established mana whenua in the South Island and Ngāi Tūāhuriri is one of the five primary hapū of Ngāi Tahu whānui, whose takiwā (territory) includes the Mount Cass. Te Rūnanga o Ngāi Tahu is the governing body that oversees Ngāi Tahu activities and is made up of elected representatives of the 18 Papatipu Rūnanga. Te Ngāi Tūāhuriri Rūnanga is an incorporated society representing one of the 18 Papatipu Rūnanga and their traditional rohe extends from Hakatere (Ashburton) and Waikirikiri (Selwyn) Rivers to the Hurunui.

Waitaha ki Waitaha also have a historical and cultural connection to the site separate from Ngāi Tahu, with reference to specific matters such as Matariki and the monitoring of braids of the Waimakariri river as it traversed the plains between Te Waihora and near to Amberley.

There are not any previously recorded Wāhi Taonga, Wāhi Tapu/Urupā or Ngāi Tahu Silent Files within the Project site. However, there are identified archaeological sites within the wider vicinity as identified in Figure 1. The archaeological sites identified include human burials and occupational rock shelters.

There is a possibility that unrecorded archaeological sites may be discovered as a result of construction activities and this Plan is proposed to ensure archaeological site or site of cultural significance uncovered during the construction process is appropriately managed and any effects mitigated.

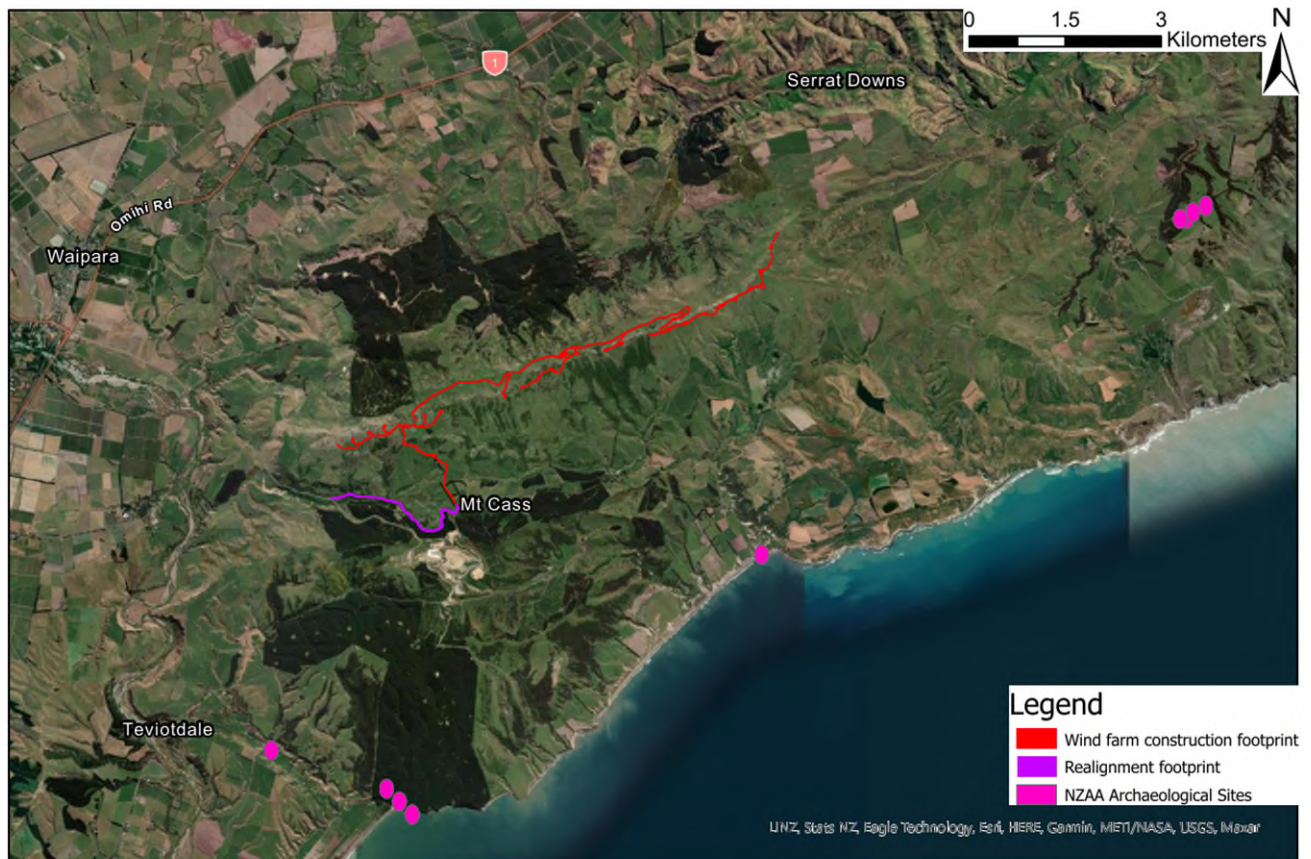


Figure 1 New Zealand Archaeological sites within the wider area of the Project Site (note the Realignment footprint identified is no longer part of the project)

2. Consent Conditions

Appendix C of the Construction Management Plan includes a matrix of all consent conditions that are included in the Construction Management Plan and Subplans. The following specific conditions relevant to this plan are set out below:

Consent Conditions (RC260077)	Control for Consent Conditions
Accidental Discovery Protocol	
122) In the event of the accidental discovery of any archaeological remains the following shall occur: a. All activity affecting the immediate area will cease and the New Zealand Historic Places Trust be notified. b. The site shall be secured to ensure the archaeological remains are not further disturbed. c. Works affecting the archaeological remains shall not recommence until the necessary authorities under the Historic Places Act 1993 are obtained. d. If human remains/koiwi tangata are located, in addition to the steps above the NZ Police shall be contacted. e. Wāhi Tapu, Wāhi Taonga and Urupā Protocol shall be implemented if relevant.	Refer Section 4.1 of this Plan.
123) The Consent Holder shall offer to enter into a Discovery Protocol for Wāhi Tapu, Wāhi Taonga and Urupā jointly with Te Runanga o Ngai Tahu and Te Ngai Tūāhuriri Runanga. The purpose of a “Discovery Protocol for Wāhi Tapu, Wāhi Taonga and Urupā shall be to: a. Manage and protect the integrity of known and unknown archaeological sites from damage and loss. b. Maximise the opportunity to retrieve physical and archaeological evidence from disturbed sites. c. Obtain quality information on the lives of people, their activities, food, resource use, trails and habitation areas of Ngai Tahu ancestors from archaeological sites; and d. Ensure Te Ngai Tūāhuriri Runanga is satisfied with the management of any koiwi tangata. e. The Protocol shall include the following requirements:	Refer Section 4.2 and Appendix A of this Plan.

- i). An offer to engage a representative of Te Ngai Tūāhuriri Runanga trained in the discovery and recognition of archaeological sites to advise, oversee and where necessary be present during site preparation, excavation and construction, to act as advisor to the Consent Holder on identification of Wāhi Tapu, Wāhi Taonga, Urupa or historic cultural sites. - ii). The Consent Holder shall consult with Te Runanga o Ngāi Tahu and Te Ngai Tūāhuriri Runanga to determine in accordance with tikanga Maori if there are any matters of protocol which tangata whenua wish to undertake in relation to the commencement of any development works, significant events or the commissioning of the completed works. - iii). The Consent Holder shall ensure that contractors involved with earthmoving activities have received appropriate training and are aware of the requirement to undertake and monitor earthmoving activities in a way that enables the identification of Wāhi Tapu, Wāhi Taonga, Urupā or historic cultural sites. Te Runanga o Ngai Tahu and Te Ngai Tūāhuriri Runanga shall be offered a contract to provide appropriate training to contractors. - iv). Immediately it becomes apparent that a Wāhi Tapu, Wāhi Taonga, Urupā or historic cultural site has been discovered, earthmoving activities shall stop in the location of the discovery. The contractor shall shut down all machinery or activity immediately, leave the location and advise the Consent Holder of the occurrence. - v). In cases other than where suspected Koiwi Tangata (human remains) are suspected: 1. The representative of Te Ngai Tūāhuriri Runanga shall be consulted by the Consent Holder of the site to determine what further actions are required to safeguard the site or its contents, and to avoid, remedy or mitigate any damage to the site. 2. Work in the area of the discovery may only continue once all the necessary authorities under the Historic Places Act 1993 are obtained. vi) Where Koiwi Tangata (human remains) are suspected: 1. The Consent Holder shall take steps immediately to secure the site of the Koiwi Tangata in a way that ensures the koiwi tangata are untouched. 2. The Consent Holder shall be responsible for notifying the Te Ngāi Tūāhuriri Runanga, the Police and the Historic Places Trust that suspected Koiwi Tangata have been uncovered. 3. The Consent Holder of the site shall make its staff available to meet and guide Kaumatua, the Police and Historic Places Trust staff to the site, assisting with, any requests that they may make. 4. Earthmoving operations in the vicinity of the Koiwi Tangata shall remain halted until the Kaumatua; Police and Historic Places Trust staff have marked off the area around the affected area and given approval for earthmoving operations to begin.	
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vii). Work in the affected area may only continue once: 1. if the Koiwi Tangata are not of Maori origins, all the necessary legal authorisations are obtained. 2. if the Koiwi Tangata are of Maori origins, all the necessary legal authorisations are obtained and with the express agreement of the Kaumatua.	
124) The Consent Holder shall comply with any Discovery Protocol for Wāhi Tapu, Wāhi Taonga and Urupā jointly entered into with Te Runanga o Ngai Tahu and Te Ngai Tūāhuriri Runanga, to the extent necessary to give effect to the mandatory requirements in the above condition	Refer Section 4.3 and Appendix A of this Plan.
125) The Consent Holder shall provide Te Runanga o Ngai Tahu, Te Ngai Tūāhuriri Runanga and the Historic Places Trust with the following information no less than 10 working days prior to any earthmoving activities: a. A schedule of the dates of all significant earthmoving events, their sequence and duration. b. The Consent Holder shall invite Te Runanga o Ngai Tahu and Te Ngai Tūāhuriri Runanga to attend any episode of significant earthmoving activity.	Refer Section 4.4 of this Plan.
126) Prior to commencing construction, the Consent Holder shall consult with the three Hapu of Waitaha to ensure that up to six Kaumatua representatives are provided with sufficient opportunity to visit the site at a mutually agreed time to Inspect: a. All areas of the site that have been identified for excavation; and b. Any other locations of interest to Waitaha ki Waitaha within the wider outline area.	Refer Section 4.3 of this Plan.
127) Following the visit to the site by the Kaumatua representatives under condition [126] the Consent Holder shall prepare a Site Cultural Sensitivity Protocol (SCSP) to be included in the Construction Management Plan. The SCSP shall: a. Be prepared in consultation with Waitaha ki Waitaha. b. Include protocols and process for dealing in a culturally safe manner with all sites identified under condition [126] as being of potential cultural concern or significance to Waitaha ki Waitaha. c. Provide for a procedure whereby a nominated representative of Waitaha ki Waitaha is able to receive regular updates of the construction programme and the implementation of the SCSP. d. Require the Consent Holder, in consultation with Waitaha ki Waitaha, to place interpretative Panels (signs) on all sites or features of cultural significance to ensure that the cultural and historical significance of each site can be recognised and understood; and e. Include an appropriate procedure whereby:	Refer Section 4.3 and Appendix B of this Plan.

- i). The representative described in condition [127.c] and up to six Kaumatua are able to visit the site during the construction period to inspect all of the sites described in condition [126] as required by Waitaha Ki Waitaha; and - ii). All of Waitaha Ki Waitaha and its associates are, after construction, able to access the site to observe and celebrate significant cultural events and occurrences on an ongoing basis.	
128) The Consent Holder shall prepare an Accidental Discovery Protocol (ADP) as part of the Construction Management Plan prior to construction of the wind farm. The ADP shall be prepared in consultation with Waitaha ki Waitaha and the New Zealand Historic Places Trust, the ADP shall be put in place for any earthmoving or ground modification that occurs during the construction and operation of the wind farm: a. The ADP shall set out the steps to take should any prehistoric (Maori) or historic archaeological site be found as a result of any earthmoving or ground modification that occurs during the construction and operation of the wind farm at any time. b. In the event that koiwl tangata (human skeletal remains), taonga or artefact material are discovered during site construction, the Consent Holder shall, without delay: - i). Cease all work within the immediate vicinity of the discovery. - ii). Notify their nominated Archaeologist, the Consent Authority, Waitaha ki Waitaha and the New Zealand Historic Places Trust. - iii). Enable a site inspection by, Waitaha ki Waitaha and their advisors, and the New Zealand Historic Places Trust who shall determine the nature of the discovery and the further action required, including whether an Archaeological Authority is required under the Historic Places Act 1993. - iv). In the case of accidental discovery of an archaeological site a programme of archaeological site investigation shah be carried out by the Consent Holder Any such site shall be properly excavated, recorded, analysed and reported upon under the supervision of an appropriately qualified archaeologist. All archaeological work shall be carried out to the best professional standards. - v). Any koiwi tangata or taonga shall be handled and removed by Waitaha ki Waitaha responsible for the tikanga (custom) appropriate to its removal and preservation. c. Upon completion of tasks [128.b.i] to [128.b.v] above, and provided all statutory permissions have been obtained, the Consent Holder may recommence site construction following consultation with the Consent Authority, Waitaha ki Waitaha, and the New Zealand Historic Places Trust.	Refer Section 4.1 of this Plan.

3. General Control Measures

Under the Heritage New Zealand Pouhere Taonga Act 2014 an archaeological site is defined as any place associated with pre-1900 human activity, where there is material evidence relating to the history of New Zealand. For sites solely of Māori origin, this evidence may be in the form of accumulations of shell, bone, charcoal, burnt stones, etc. In later sites, artefacts such as bottles or broken glass, ceramics, metals, etc, may be found or evidence of old foundations, wells, drains, tailings, races or other structures. Human remains/kōiwi may date to any historic period.

It is unlawful for any person to destroy, damage, or modify the whole or any part of an archaeological site without the prior authority of Heritage New Zealand Pouhere Taonga. This is the case regardless of the legal status of the land on which the site is located, whether the activity is permitted under the District or Regional Plan or whether a resource or building consent has been granted. The Heritage New Zealand Pouhere Taonga Act 2014 provides for substantial penalties for unauthorised damage or destruction.

Should any unrecorded archaeological sites be found during the construction process the provisions of the Heritage New Zealand Pouhere Taonga Act 2014 will apply.

4. Specific Control Measures

4.1 Accidental Discovery Protocol - General

In the event of the accidental discovery of any archaeological remains the following shall occur:

- All activity affecting the immediate area will cease and the following organisations notified:
 - Heritage New Zealand Pouhere Taonga
 - Hurunui District Council (HDC)
 - Canterbury Regional Council (Environment Canterbury)
 - Ngāi Tūāhuriri Rūnanga and Waitaha ki Waitaha if the site or material is determined to be Kōiwi Tangata (human bones) or taonga (treasured artefacts)
 - New Zealand Police if the archaeological material is determined to be Kōiwi Tangata (human bones)
- The site shall be secured to ensure the archaeological remains are not further disturbed.
- Works affecting the archaeological remains shall not recommence until the necessary confirmation or authority from Heritage New Zealand Pouhere Taonga is obtained.
- Wāhi Tapu, Wāhi Taonga and Urupā Protocol shall be implemented if relevant.

In accordance with condition an ADP is also to be prepared in consultation with Waitaha ki Waitaha and Heritage New Zealand Pouhere Taonga. The final protocol will be included in this section.

4.2 Accidental Discovery Protocol for Wāhi Tapu, Wāhi Taonga and Urupā - Ngāi Tūāhuriri

The joint development of a Project site specific ADP for Wāhi Tapu, Wāhi Taonga and Urupā is to be offered to Te Runanga o Ngāi Tahu and Te Ngāi Tūāhuriri Runanga. Where this is agreed to by Ngāi Tahu and Ngāi Tūāhuriri Runanga the details of the protocol will be included in this section and the full protocol included in Appendix A.

MCWFL has consulted with Whitiara Centre representing Te Ngai Tūāhuriri Runanga and Waitaha ki Waitaha in relation to consent conditions 123, 124, and 125. The ADP contained in Appendix A was agreed through this consultation.

4.3 Site Cultural Sensitivity Protocol (SCSP)

A SCSP has been developed in consultation with Waitaha ki Waitaha in accordance with Condition 127 and is included in Appendix B.

5. Training – On-site Personnel

Whitiara Centre delivered a cultural induction to contractors and MCWFL staff in February 2026. The induction covered the cultural history of Mt Cass, examples of items that could be discovered during earthworks and why they are culturally important and the ADP.

Additionally, all site personnel will undertake a site induction, covering the consent conditions and requirements in relation to both the ADP and SCSP.

6. Appendices

Appendix	Description
A	Accidental Discovery Protocol
B	Site Cultural Sensitivity Protocol

Appendix A - Accidental Discovery Protocol

Appendix A: Accidental Discovery Protocol - Rev 3 dated 15 Mar 2023

PRIOR TO COMMENCEMENT OF ANY WORKS, A COPY OF THIS ADP SHOULD BE MADE AVAILABLE TO ALL CONTRACTORS WORKING ON SITE.



Purpose

This Accidental Discovery Protocol (ADP) sets out the procedures that must be followed in the event that taonga (Māori artefacts), burial sites/kōiwi (human remains), or Māori archaeological sites are accidentally discovered.

The Protocol is provided by the Nation of Waitaha in recognition of the significance of Mt Cass known traditionally as Te Whariu O Te Huringa.

Background

Land use activities involving earthworks have the potential to disturb material of cultural significance to tangata whenua. In all cases such material will be a taonga, and in some cases such material will also be tapu. Accidental discoveries may be indicators of additional sites in the area. They require appropriate care and protection, including being retrieved and handled with the correct Māoritikanga (protocol).

Under the *Heritage New Zealand Pouhere Taonga Act 2014*, an archaeological site is defined as any place associated with pre-1900 human activity, where there is material evidence relating to the history of New Zealand. It is unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site (known or unknown) without the prior authority of the NZ Historic Places Trust (NZHPT). This is the case regardless of the legal status of the land on which the site is located, whether the activity is permitted under the District or Regional Plan or whether a resource or building consent has been granted. The NZHPT is the statutory authority for archaeology in New Zealand.

Note that this ADP does not fulfill legal obligations under the Heritage New Zealand Pouhere Taonga Act 2014 regarding non-Māori archaeology. Please contact the Historic Places Trust for further advice.

Immediately following the discovery of material suspected to be a taonga, kōiwi or Māori archaeological site, the following steps shall be taken:

1. All work on the site will cease immediately.
2. Immediate steps will be taken to secure the site to ensure the archaeological material is not further disturbed.
3. The contractor/ works supervisor/ owner will notify Waitaha together with Ngai Tuahuriri Runanga and the Area Archaeologist of Heritage NZ. In the case of kōiwi (human remains), the New Zealand Police must be notified.
4. Waitaha, Ngai Tuahuriri and Heritage New Zealand will jointly appoint/ advise a qualified archaeologist who will confirm the nature of the accidentally discovered material.
5. If the material is confirmed as being archaeological, the contractor/works supervisor/owner will ensure that an archaeological assessment is carried out by a qualified archaeologist, and if appropriate, an archaeological authority is obtained from NZHPT before work resumes (as per the Heritage New Zealand Pouhere Taonga Act 2014).
6. The contractor/works supervisor/owner will also consult Waitaha on any matters of tikanga (protocol) that are required in relation to the discovery and prior to the commencement of any investigation.
7. If kōiwi (human remains) are uncovered, in addition to the steps above, the area must be treated with utmost discretion and respect, and the kōiwi dealt with according to both law and tikanga, as guided by Ngai Tuahuriri Runanga and Waitaha.
8. Works in the site area shall not recommence until authorised by the Ngai Tuahuriri Rūnanga, Waitaha, Heritage New Zealand (and the NZ Police in the case of kōiwi) and any other authority with statutory responsibility, to ensure that all statutory and cultural requirements have been met.
9. All parties will work towards work recommencing in the shortest possible time frame while ensuring that any archaeological sites discovered are protected until as much information as practicable is gained and a decision regarding their appropriate management is made, including obtaining an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 if necessary. Appropriate management may include recording or removal of archaeological material.
10. Although bound to uphold the requirements of the Protected Objects Act 1975, the contractor/ works supervisor/ owner recognises the relationship between Waitaha and Ngai Tahu and any taonga (Māori artefacts) that may be discovered.

IF IN DOUBT, STOP AND ASK; TAKE A PHOTO AND SEND IT TO THE HNZ ARCHAEOLOGIST

Contact Details

Waitaha ki Waitaha Cultural Consultancy	027 5780145	pakauwaka@gmail.com
NZHPT Archaeologist	03 357 9615	archaeologistcw@historic.org.nz
NZHPT Southern Regional Office	03 357 9629	infosouthern@historic.org.nz
NZHPT Māori Heritage Advisor	03 357 9620	mhadvisorcw@historic.org.nz
NZ Police	111	

Appendix B - Site Cultural Sensitivity Protocol

Appendix B: Site Cultural Sensitivity Protocol



Site Cultural Sensitivity Protocol for inclusion in Construction Management Plan- Rev 3 Dated 15/05/23

Background

1. Condition 126 of Resource Consent RC070250 requires preparation of a Site Cultural Sensitivity Protocol to be included in the Construction Management Plan for the Mt Cass Wind Farm. A copy of conditions 126-128 is attached to this document as Appendix 1.
2. Following a tangi on 12 March 2020 a letter was prepared setting out the expectations of Waitaha. These expectations have been incorporated into this protocol.
3. Prior to the inspection of sites, and the laying down of protocols of our tikanga and ritenga, for all the Tower sites chosen, by the Mt Cass Wind Farm Ltd, a ceremony was held in the **Atea of Te Whariu**, whereby our Grandmother Councilors Kathleen Tuhiwai-Wharemate, and Meretaka Taylor – Rakete, ceremonially conducted a Tangi Powhiri, on the 12th March 2020 site visit, Danny Te Rakai Watson and Te Porohau Ruka Te Korako did the blessings and whaikorero to pay tribute to our ancient ancestors who are entombed in the limestone caves, by way of our ancient funerary practices.
4. This tangi powhiri ceremonial was to open the overall site for the commencement of the first stages of site preparation and for the laying down of the preparation and initial buildup of gear and cover for the machines and men who will be working on the site.
5. This stage of ceremony has now cleared the way for all preparatory work to begin during this late summer early autumn of 2020.

The Accidental Discovery Of Archaeological Materials, Or Skeletal Remnant

6. The Waitaha Nation, registered its Interests and ownership of the funerary remnants, the archeological fragments and instruments of our ancestors, before the Hurunui District Council and the Environment Court, our vested, Cultural, Traditional and Environmental ties and interests, to our ancient and present day Te Whariu o Te Huringa o Waitaha (Mt Cass).
7. That during any preparatory construction work and or maintenance of the Wind Farm, any accidental discoveries of archeological artefacts, must be dealt with under the attached Accidental Discovery Protocol including immediate notification to the office of:

WAITAHA CULTURAL CONSULTANTS,
Te Porohau Ruka Te Korakora, Kaikohe, +64 27 578 0145, akauwaka@gmail.com
Kenneth McAnergney, Christchurch. Ken.mcanergney@outlook.com

8. Waitaha ki Waitaha Cultural Consultancy, will notify those Government Agencies, deemed necessary under the Traditional and Cultural knowledge and tikanga held in The Waitaha Wananga of Kohatutakanga, For avoidance of doubt this is additional to any obligations Mt Cass Wind Farm Limited has to notify either Heritage New Zealand or the New Zealand Police under any resource consent or accidental discovery protocol. The information contained in the Wananga Schools of Learning of Waitaha, every village and bone deposit is known and catalogued, for our Waitaha Nation Families who lived in these ancient and recent past histories of our villages in all our Islands of New Zealand.
9. In accordance with the Accidental Discovery Protocol a qualified archaeologist will be engaged and the archaeologist will engage with the Waitaha representatives on any matters of protocol prior to undertaking any investigation:
 - TE POROHAU RUKA TE KORAKORA,
 - ROBERT KENNETH McANERGNEY,
 - TUWHARERANGI RUKA TE KORAKORA,
 - DANNY TE RAKAI WATSON, AND OUR LEGACY HOLDER
 - MICHAEL GIBBS
10. If practicable, taking into account health and safety requirements, TE POROHAU RUKA TE KORAKORA, ROBERT KENNETH McANERGNEY, TUWHARERANGI RUKA TE KORAKORA, DANNY TE RAKAI WATSON, AND OUR LEGACY HOLDER MICHAEL GIBBS will be able to visit the site of the accidental discovery of archeological material, as soon as is practically possible after any investigation to enact ceremonial matters to be conducted in the ritual tikanga and ritenga of Waitaha.
11. The artefacts will be photographed in situ, carefully with reverence, bound and protected and placed in appropriate plaited kete, or containers, where they will be carefully removed into known Tomo, already housing many of our ancient ancestors.
12. There may be a need for a Huihuinga to reinter, but for ease of working and timing, a case by case format can and will be considered by the Tohunga,, either, to place in tomo, or even to be catalogued and photographed for the future records of our Waitaha Museum. That will bear its mana, tapu, ihi, wana, wairua and wheirua, in its own magic and difference from the many other streams of Polynesia, and importantly so for those new arrivals into our landscape treasury.
13. An appropriate budget for Financial and Practical support, transport, food and accommodation costs, will be set aside and paid on Invoice, by the Mt Cass Wind Farm Ltd, to the Waitaha ki Waitaha Consultancy to enable Elders to participate in Site Visits in accordance with condition 126 of Resource Consent RC070250, and, those chosen Waitaha Elders, will help in the production of reports for the Hapu and Whanau, and for the implementation of required protocols of behavior and support activities for the future.

14. These written reports are to be registered, with The Mt Cass Wind Farm Ltd, and Waitaha ki Waitaha Cultural Consultancy (1986).
15. It is the understanding of Waitaha ki Waitaha Cultural Consultancy, that the Project Director of the Mt Cass Wind Farm and the Waitaha Executive Council comprising of Te Porohau Ruka Te Korakora, Kenneth McAnergney, Junko Nakatani, Tuwharerangi Ruka Te Korakora, Kathleen Tuhiwai-Wharemate, Meretaka Taylor-Rakete, and Geoffrey Rakete, will answer any of the questions and queries arising from the day to day running of this accord. Also present in this understanding will be Michelle Kingi and Solomon Tohu who are the representatives of our Waitaha Legacy of Leadership.
16. SITE INSPECTIONS, SITE PREPARATION AND ANY LAND FORMING AND MOVING ACTIVITIES, EITHER FOR THE CONSTRUCTION OF THE CONCRETE TOWER BASES, OR REFORMING OF ANY SITE WORKS WILL BE REPORTED TO EACH PARTY, AND THAT DUE CARE AND ATTENTION WILL BE AT ALL TIMES EXERCISED.

Inspections and future engagement

17. The inspections in the future, if ever needed, must be well resourced and will be carried out under the tikanga and ritenga of The Wananga of Kohatutakanga. Whereby all matters of ceremonial will be applied in the Ancient forms, relevant to the Te Whariu o Te Huringa o Waitaha, and our Ancestors who are interred therein in situ.
18. The Agreement in Principle, signed by and on behalf of The Nation of Waitaha, by Te Porohau Ruka Te Korako, in the immediate future, will be the accord that will enable The Mt Cass Wind Farm Ltd, to construct and maintain, unimpeded the Wind Farm to be located, in and around our Waitaha Sacred sites of Te Whariu o Te Huringa o Waitaha.
19. Mt Cass Wind Farm Limited and Waitaha ki Waitaha Cultural Consultancy (1986), using its access to prior knowledge of the entire site, will write scoping reports, to be presented to the three major hapu of Waitaha and interested parties attached to this and other sites in the future developments in the overall project of the Mount Cass Wind Farm Ltd.
20. Notwithstanding these matters, the continued building and site preparations will be ongoing after ceremonial karakia and ritenga for the individual sites are completed under the due care and diligence of Te Wananga o Te Kohatutakanga are completed under guidance of the Tohunga.

Background

21. Condition 126 of Resource Consent RC070250 requires preparation of a Site Cultural Sensitivity Protocol to be included in the Construction Management Plan for the Mt

Cass Wind Farm. A copy of conditions 126-128 is attached to this document as Appendix 1.

22. Following a tangi on 12 March 2020 a letter was prepared setting out the expectations of Waitaha. These expectations have been incorporated into this protocol.
23. Prior to the inspection of sites, and the laying down of protocols of our tikanga and ritenga, for all the Tower sites chosen, by the Mt Cass Wind Farm Ltd, a ceremony was held in the **Atea of Te Whariu**, whereby our Grandmother Councilors Kathleen Tuhiwai-Wharemate, and Meretaka Taylor – Rakete, ceremonially conducted a Tangi Powhiri, on the 12th March 2020 site visit, Danny Te Rakai Watson and Te Porohau Ruka Te Korako did the blessings and whaikorero to pay tribute to our ancient ancestors who are entombed in the limestone caves, by way of our ancient funerary practices.
24. This tangi powhiri ceremonial was to open the overall site for the commencement of the first stages of site preparation and for the laying down of the preparation and initial buildup of gear and cover for the machines and men who will be working on the site.
25. This stage of ceremony has now cleared the way for all preparatory work to begin during this late summer early autumn of 2020.

126. Prior to commencing construction, the Consent Holder shall consult with the three Hapu of Waitaha to ensure that up to six Kaumatua representatives are provided with sufficient opportunity to visit the site at a mutually agreed time to Inspect:
- a. All areas of the site that have been identified for excavation; and
 - b. Any other locations of interest to Waitaha ki Waitaha within the wider outline area.
127. Following the visit to the site by the Kaumatua representatives under condition **[126]** the Consent Holder shall prepare a *Site Cultural Sensitivity Protocol* (SCSP) to be included in the Construction Management Plan. The SCSP shall:
- a. Be prepared in consultation with Waitaha ki Waitaha.

- b. Include protocols and process for dealing in a culturally safe manner with all sites identified under condition [126] as being of potential cultural concern or significance to Waitaha ki Waitaha;
 - c. Provide for a procedure whereby a nominated representative of Waitaha ki Waitaha is able to receive regular updates of the construction programme and the implementation of the SCSP;
 - d. Require the Consent Holder, in consultation with Waitaha ki Waitaha, to place Interpretative Panels (signs) on all sites or features of cultural significance to ensure that the cultural and historical significance of each site can be recognised and understood; and
 - e. Include an appropriate procedure whereby:
 - i. The representative described in condition [127.c] and up to six Kaumatua are able to visit the site during the construction period to inspect all of the sites described in condition [126] as required by Waitaha Ki Waitaha; and
 - ii. All of Waitaha Ki Waitaha and Its associates are, after construction, able to access the site to observe and celebrate significant cultural events and occurrences on an ongoing basis.
128. The Consent Holder shall prepare an Accidental Discovery Protocol (ADP) as part of the Construction Management Plan prior to construction of the wind farm. The ADP shall be prepared in consultation with Waitaha ki Waitaha and the New Zealand Historic Places Trust, the ADP shall be put in place for any earthmoving or ground modification that occurs during the construction and operation of the wind farm:
- a. The ADP shall set out the steps to take should any prehistoric (Māori) or historic archaeological site be found as a result of any earthmoving or ground modification that occurs during the construction and operation of the wind farm at any time.
 - b. In the event that koiwi tangata (human skeletal remains), taonga or artefact material are discovered during site construction, the Consent Holder shall, without delay:
 - i. Cease all work within the immediate vicinity of the discovery;
 - ii. Notify their nominated Archaeologist, the Consent Authority, Waitaha ki Waitaha and the New Zealand Historic Places Trust;

- iii. Enable a site inspection by, Waitaha ki Waitaha and their advisors, and the New Zealand Historic Places Trust who shall determine the nature of the discovery and the further action required, including whether an Archaeological Authority is required under the Historic Places Act 1993.
 - iv. In the case of accidental discovery of an archaeological site a programme of archaeological site investigation shall be carried out by the Consent Holder Any such site shall be properly excavated, recorded, analysed and reported upon under the supervision of an appropriately qualified archaeologist. All archaeological work shall be carried out to the best professional standards.
 - v. Any koiwi ~~tangata~~ or taonga shall be handled and removed by Waitaha ki Waitaha responsible for the tikanga (custom) appropriate to its removal and preservation.
- c. Upon completion of tasks **[128.b.i]** to **[128.b.v]** above, and provided all statutory permissions have been obtained, the Consent Holder may recommence site construction following consultation with the Consent Authority, Waitaha ki Waitaha, and the New Zealand Historic Places Trust.