

A Terms of Reference sets out key aspects of the project, including background, objectives, scope, deliverables, timelines and cost. The Terms must be agreed upon by the iwi/hapū involved, any person who may be preparing the Cultural Impact Assessment (CIA) on behalf of the iwi/hapu, and the person or company who is commissioning the report.

The following example may be used as a template for developing a Terms of Reference for the preparation a CIA report.

## **SAMPLE TERMS OF REFERENCE**

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For the preparation of a Cultural Impact Assessment (CIA) Report for activities associated with a proposed limestone quarry.<sup>1</sup>

**Date:** April 2006

**Prepared for:** Springfern Quarries Ltd.

**Prepared by:** Ngāti Kaitiaki

### **Background**

Springfern Quarries Ltd. is applying for resource consent for works associated with establishing a limestone quarry at Springfern farm. The activity involves the removal and off site transportation of limestone on an as-required basis, predominately for the surfacing of farm tracks. As the supply is for local use, it is likely that only a small area of the quarry will be worked on at any given time.

As part of applying for consent, Springfern Quarries Ltd. has requested a Cultural Impact Assessment (CIA) from Ngāti Kaitiaki, as tangata whenua of the area that the proposed project occurs in.

This 'Terms of Reference' (TOR) outlines the objectives, methodology, and costs associated with the preparation of this Cultural Impact Assessment.

### **Objectives**

The objectives of this CIA are:

1. To document the cultural significance of the area within which the proposed activity will occur, including specific cultural values that may be affected.
2. To identify the potential effects (both favourable and adverse) on cultural values of the proposed activity.

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<sup>1</sup> This is a fictional example only.

3. To identify appropriate measures to avoid, remedy or mitigate, where practical, any adverse effects of the proposed activity on cultural values.

## **Parties**

The parties to be involved in the preparation of the CIA report are:

- Ngāti Kaitiaki
- Springfern Farm Ltd.

## **Methods & Process**

The following methods will be used to prepare the CIA report:

- A review of background information provided by the applicant.
- A review of the provisions of the Resource Management Act 1991 and other statutes that are relevant to the protection of tangata whenua values and interests.
- A review of any iwi planning documents (e.g. Iwi Management Plans) and/or other documents that are deemed relevant to this assessment.
- Site visit to the proposed quarry.
- Hui and interviews with tangata whenua with knowledge and experience of the area and values.
- Distribution of draft report to iwi or hapū representatives and incorporation of feedback from those parties into the final version.
- Presentation of the final assessment to Ngāti Kaitiaki for the purposes of obtaining official endorsement of its contents.
- Forwarding of the CIA to Springfern Quarries Ltd. and, prior to any future meeting, consideration and response to any requests to provide further clarity and/or greater effect to the terms of reference.

## **Outputs / Deliverables**

The following outputs/outcomes can be expected from this CIA:

- Ngāti Kaitiaki shall achieve an improved understanding of the proposed activity.
- Springfern Quarries Ltd. shall achieve a clear understanding of cultural values held toward the project area and the effects that the project may have on these values, allowing them to respond at the end of the process with appropriate resolutions.
- All parties shall develop a level of confidence and understanding through the evolution of a relationship between the Ngāti Kaitiaki and Springfern Quarries Ltd.
- Springfern Quarries Ltd. can prepare a more comprehensive Assessment of Environmental Effects (AEE), thus enabling local authorities to provide for Sections 6 (e), (f), and (g), and 7 (a) and 8 of the RMA 1991.

## Time frames

Work on the CIA shall commence no later than:	April 15, 2006
A draft report shall be completed no later than:	June 30, 2006
The final report will be presented to Ngāti Kaitiaki by:	July 30, 2006
The final report shall be submitted to Springfern Quarries Ltd. by:	August 15, 2006

## Intellectual Property

The cultural information in the CIA report is the intellectual property of Ngāti Kaitiaki. Springfern Quarries Ltd. is able to use the CIA report for the purposes of resource consent applications associated with the proposed quarry only. Use of the report in other circumstances will be subject to written approval from both parties.

## Costs Estimate

The overall cost to prepare this CIA report will be XXXX plus GST. A breakdown of costs is provided below.

ITEM	DESCRIPTION	COST (\$)
Fees	X hours at XX per hour	
Disbursements	Site visit expenses Catering for hui Koha	
TOTAL		XXXXX plus GST

## Signed:

For Springfern Quarries Ltd.		
		Date:
For Ngāti Kaitiaki		
		Date: