

Gore Proposed District Plan

Hearing Stream 3 – Mana Whenua

Section 42A of the Resource Management Act 1991

Section 42A Report – Mana Whenua Chapter

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Abbreviation	Meaning
MW	Mana Whenua (chapter)
PDP	Proposed District Plan
RMA	Resource Management Act 1991

SASM	Sites and Areas of Significance to Māori
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Submitter No.	Submitter name
S3	Stoney Creek Station Ltd
S18	Reaby Downs Farm Ltd
S19	Karen Temple
S20	Sarah and Peter Barclay
S24	Helen McIntosh
S60	Ronald Crispin
S68	John Baynes
S85	Environment Southland
S101	Transpower New Zealand Limited
S103	McNabb Management Ltd
S109	Department of Conservation
S113	Trudy Bokser
S115	Kevin Robertson
S116	Nathan Bokser
S117	Greg Bokser
S118	AW + JA Johnston Family Trust
S123	Heritage New Zealand Pouhere Taonga
S126	Southland Federated Farmers of New Zealand
S127	Peters Farm Ltd Karen Peters
S128	Greenbriar Ltd.
S133	David Pullar
S136	Jenny Campbell
S139	Hokonui Rūnanga Inc
S143	Rural Ratepayers Group
S146	Southland District Council
S148	Alistair & Bernadette Hunt
FS5	Hamish Weir
FS17	Federated Farmers
FS20	Hokonui Rūnanga Inc
FS21	Yrless Limited
FS22	Clark Fortune McDonald & Associates
FS26	Mercury Ltd
FS30	Transpower New Zealand Limited

1. Executive Summary

1. The Proposed District Plan (“PDP”) for Gore District was publicly notified on 31 August 2023. The PDP includes the Mana Whenua chapter.
2. This chapter contains mandatory information about mana whenua, as directed by the National Planning Standards. This includes:
 - Recognition of hapū and iwi, including descriptions of their relationship to the District, and environmental management values;
 - A list of formal relationships agreements between mana whenua and Gore District Council as they relate to resource management functions;
 - Links to relevant hapū and iwi planning documents, and a description of how these were used in the development of the PDP; and
 - Guidance on mana whenua involvement and participation processes.
3. Twenty-six submissions and seven further submissions were received on this chapter and its associated whole-of-plan matters, with most in opposition or requesting amendments. Whilst some submissions requested minor wording changes, most opposed the assertion that mana whenua hold culturally grounded relationships with all natural features and resources within the district. Most submission points expressed an opposition to the approach the PDP takes to managing Sites and Areas of Significance to Māori (SASM), which is grounded in the aforementioned assertion. Some submissions though - including the submission lodged by mana whenua - support this assertion but still raise concern regarding the SASM approach. Other common submission points related to the PDP definition of ‘mahinga kai’.
4. This report has been prepared in accordance with Section 42A of the Resource Management Act 1991 (RMA) and outlines recommendations in response to the issues that have been identified through submissions. The report is intended to assist the Hearings Panel to make decisions on the submissions and further submissions on the PDP, and to provide submitters with an opportunity to understand how their submissions have been evaluated and the recommendations made by officers, prior to the hearing.
5. As a result of submissions, a range of recommended changes have been made which are broadly summarised as follows:
 - Minor wording changes to reflect a more nuanced description of the potential environmental effects of primary production activities – specifically mining;
 - Minor amendments across multiple PDP chapters to clarify matters relating to Ngāi Tahu cultural values;
 - Removal of references to ‘sites of cultural significance’ throughout PDP; and

- Rewording of the PDP definition of ‘mahinga kai’ within the Interpretations section to align with its description in the MW chapter and aid plan conciseness.

Whilst this report recommends several wording changes in response to submission points, it would be preferable and significantly beneficial to work with mana whenua to refine these recommendations pre-hearing so as to develop agreed wording for matters related to the MW chapter.

2. Introduction

2.1 Author and qualifications

6. My full name is Courtney Louise Bennett. I am a senior advisor and director of Kete Planning Consultancy. I hold a Bachelor of Planning (hons) from The University of Auckland and a Master of Science (dist.) from Canterbury University. I am also an Intermediate member of Te Kōkiringa Taumata, New Zealand Planning Institute, and a member of Papa Pounamu - their kaupapa Māori Special Interest Group.
7. I have nine years’ experience in planning and resource management, with a specialisation in Māori environmental planning matters. This experience centres on environmental policy development and plan writing at community, district, regional, and Crown levels. I also have a background in research with a focus on best practice papakāinga policy, mana whenua engagement processes, and bicultural planning approaches. Prior to establishing Kete Planning Consultancy, I held environmental planning and policy roles at Te Rūnanga o Ngāi Tahu and Te Hapū o Ngāti Wheke, and an academic research role at Canterbury University. I have also been involved in a minor periphery capacity alongside Te Ao Marama Inc. and the Southland Local Authorities in the development of the Ngāi Tahu ki Murihiku Cultural Landscape Study – specifically in supporting the development of a proposed implementation approach within an RMA context.
8. I have been engaged as a contractor by Gore District Council to assist in the District Plan review hearings process. I have previously been contracted by Hokonui Rūnanga Kaupapa Taiao as a planning advisor, where I was responsible for providing technical planning support to Hokonui Rūnanga as part of their co-drafting of the PDP alongside Gore District Council. My involvement with Hokonui Rūnanga Kaupapa Taiao ceased in July 2023, meaning I have had no involvement with the post- public notification stage of the Gore District Plan Review process on their behalf.

2.2 Code of Conduct

9. I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that I have complied with it when preparing this report. Having reviewed the submission and further submissions relevant to this topic I advise there are no conflicts of interest that would impede me from providing independent advice to the Hearings Panel. The opinions expressed in this evidence are based on my qualifications and experience and are within my area of expertise. If I rely on the evidence or opinions of another my evidence will acknowledge that position.

10. I am authorised to give this evidence on the Council’s behalf to the PDP hearing commissioners (“Hearings Panel”).

3. Scope of report and topic overview

11. This report considers the submissions and further submissions that were received by the Council in relation to the Mana Whenua chapter of the PDP.
12. The assessment of submissions will generally follow this format:
- Submission information
 - Analysis of submissions
 - Recommendation and any amendments
 - Where an amendment is recommended a section 32AA assessment is provided.
13. Recommendations are made to either retain provisions without amendment, or delete, add to, or amend the provisions which are shown by way of ~~strikeout~~ and underlining. **Appendix A** of this report contains a copy of the Mana Whenua chapter and relevant sections of other chapters with all recommended amendments shown by way of ~~red strikeout~~ and underlining.

4. Statutory considerations and planning framework

4.1 Resource Management Act 1991

14. The PDP has been prepared in accordance with the RMA 1991 and in particular, the requirements of:
- Section 74 – Matters to be considered by territorial authorities; and
 - Section 75 – Content of District Plans.
15. As set out in the Section 32 Evaluation Report for Mana Whenua there are a number of higher order planning documents and other relevant plans which have provided direction and guidance for the preparation of the PDP. These documents and a comprehensive assessment of all relevant consultation and statutory considerations prior to public notification of the PDP are outlined in that Section 32 Report. The Section 42A Introduction, General Provisions and Strategic Direction Report also provides an overview of the relevant Statutory considerations, higher order planning documents and other relevant plans and policies.
16. It is not considered necessary to repeat the detail of the relevant RMA sections and higher order documents in this report as these are covered within the relevant Section 32 Evaluation Report. However, where a higher order document is considered particularly relevant to the assessment of submissions or where there have been amendments to higher documents relevant to this topic these are discussed below.

4.2 National Planning Instruments and other Relevant Plans and Policies

17. The National Planning Standards set out the matters that Local Authorities must consider when drafting the Mana Whenua chapter. These matters are listed within the *Proposed Gore District Plan Section 32 Report: Mana Whenua*, and the *National Planning Standards* (available on the Ministry for Environment website). The directive nature of the National Planning Standards has therefore heavily influenced the content of this chapter.
18. This chapter and its associated whole of plan issues have also been heavily influenced by *Āpiti Hono Tātai Hono: Ngā Whenua o Ngāi Tahu ki Murihiku – Stage 1 Southland Cultural Landscape Assessment Study*. This report, published in October 2021, was undertaken by Te Ao Marama Inc, on behalf of Ngāi Tahu ki Murihiku¹, and in partnership with Environment Southland, Southland District Council, Gore District Council, and Invercargill City Council.
19. The Study’s purpose was “to provide a comprehensive understanding of the cultural values of the Southland landscape as it relates to Ngāi Tahu ki Murihiku”. The Study was also designed to inform the development of Southland-wide policy and planning processes and enable Ngāi Tahu ki Murihiku to exercise kaitiakitanga.
20. Stage 1 of the Study, as delivered in the aforementioned report, was to “identify, describe and collate what Ngāi Tahu ki Murihiku value within the Southland landscape”. It looks at criteria to identify and assess relationships with places and sites for the purpose of:
 - a) Describing (either narratively or visually) the relationship(s) that Ngāi Tahu ki Murihiku have with the region’s landscape.
 - b) Describing the different types of relationships with specific places, and the different cultural values that are attributed to each if applicable.
 - c) Providing a collation of place specific information that supports why specific places/areas/sites may differ within the landscape from traditionally identified sites as these will be specific stories from iwi that may not be formalised.
 - d) Visually/spatially displaying these stories and relationships that Ngāi Tahu ki Murihiku have to a place or specific area/site within the landscape.

¹ ‘Ngāi Tahu ki Murihiku’ refers to the four Ngāi Tahu Papatipu Rūnanga based in Murihiku: Hokonui Rūnanga, Te Rūnanga o Ōraka Aparima, Te Rūnaka o Awarua, and Waihōpai Rūnaka.

21. On instruction from mana whenua, the PDP's approach to conceptualising and managing Sites and Areas of Significance to Māori were drafted to align with this Study and the recommendations of this report. Most prominently, this has resulted in individual sites with cultural significance to mana whenua no longer being identified and mapped in the PDP.² This is due to the Study's assertion that all sites within Murihiku are significant to mana whenua, and therefore all activities should be undertaken on the assumption that they are occurring within a site of cultural significance to mana whenua.
22. *Te Kawa o Te Taiao* was also heavily drawn on in the drafting of this chapter. This document is not a formal iwi planning document mandated by the Iwi Authority. It is, however, a document published by Hokonui Rūnanga Kaupapa Taiao in November 2021 that sets out Hokonui Rūnanga associations, values, expectations, and aspirations for the natural environment and resource management within their takiwā. Where appropriate, this chapter has sought to align with this document; particularly in the description of mana whenua associations with the environment, and mana whenua cultural values.³

4.3 Section 32AA evaluation

23. Any recommended amendments to provisions since the initial section 32 evaluation was undertaken are evaluated in accordance with section 32AA. Section 32AA states:

32AA Requirements for undertaking and publishing further evaluations

(1) further evaluation required under this Act-

- (a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*
- (b) must be undertaken in accordance with section 32(1) to (4); and*
- (c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*
- (d) must—*
 - (i) published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or*

² The PDP still records a number of archaeological sites that relate to pre-European Māori occupation within the Gore district, however these are listed for their historic heritage value, rather than their Ngāi Tahu cultural values.

³ On matters of resource management policy – of which there are none within the MW chapter as per the National Planning Standards direction - *Te Tangi a Tauira: Ngāi Tahu ki Murihiku Natural Resource & Environmental Management Plan 2008*, has taken precedence over *Te Kawa o Te Taiao* as this is the iwi planning document formally mandated by the Iwi Authority.

a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or

(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

(2) To avoid doubt an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

(3) In this section, proposal means a proposed statement, national planning standard, plan, or change for which a further evaluation must be undertaken under this Act.

24. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to the topics of this report is contained within the assessment of the relief sought in submissions in section 6, as required by s32AA(1)(d)(ii).
25. The Section 32AA further evaluation contains a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that have been made. Recommendations on editorial, minor, and consequential changes that improve the effectiveness of provisions without changing the policy approach are not re-evaluated.

5. Background

26. The Section 42A Introduction, General Provisions and Strategic Direction Report includes details of the background to the PDP generally. The background of this hearing report is specifically focussed on the MW chapter of the PDP.
27. The MW chapter was co-drafted by Gore District Council and Hokonui Rūnanga. Together, both parties discussed and agreed upon the content of this chapter, and the approach the PDP would take for associated matters – in particular, the management of Sites and Areas of Significance to Māori (SASM).
28. Gore District Council and Hokonui Rūnanga - with input from Te Ao Marama Inc, Environment Southland, Southland District Council, and Invercargill City Council – developed a proposal for managing SASM in a way that responds to *Āpiti Hono Tātai Hono: Ngā Whenua o Ngāi Tahu ki Murihiku – Stage 1 Southland Cultural Landscape Assessment Study*. This approach attaches consideration of cultural impacts to specifically identified ‘high risk’ activities, as opposed to specific locations. The PDP has therefore been drafted to align with this co-developed policy approach proposal.
29. After completing the co-drafting of this chapter, Hokonui Rūnanga – as is their statutory right – elected to submit on this chapter of the PDP and its associated matters. Their submission and further submissions indicate a potential change in position on their preferred approach to managing SASM.
30. In the planning evidence of Dr Lynda Murchison, submitted on behalf of Hokonui Rūnanga Inc in relation to Hearing Stream 2, the following is stated:

“...in my opinion, the approach [to SASM] in the proposed plan as notified raises issues of certainty and engenders questions about its efficiency and efficacy for applicants, Hokonui Runanga Inc and the consent authority. To be clear, it is not my opinion that

the relief sought in the Hokonui Runanga Inc submission is the most appropriate method to give effect to an Apiti Hono Tati Hono [sic] approach, either. In my view, the relief sought offers better guidance than the approach the proposed plan as notified, but it is an interim measure.”⁴

6. Consideration of submissions

6.1 Structure of the report

31. Submissions on the MW chapter have raised several issues which have been grouped by provision within this report. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.
32. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on a provisions-based approach, as opposed to a submission-by-submission approach. I have organised the evaluation in accordance with the layout of chapters of the PDP as notified.
33. Due to the number of submission points, this evaluation is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally. This approach is consistent with Clause 10(2)(a) of Schedule 1 to the RMA. Specific recommendations on each submission / further submission point are contained in **Appendix B**.
34. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in **Appendix B**. Where I have undertaken further evaluation of the relief sought in a submission(s), the evaluation and recommendations are set out in the body of this report. I have provided a marked-up version of the Chapter with recommended amendments in response to submissions as **Appendix A**.
35. This report only addresses definitions specifically relevant to this topic. Definitions that relate to more than one topic have generally been addressed in the Section 42A Introduction,

⁴ Statement of Evidence of Dr Lynda Murchison on behalf of Hokonui Runanga Inc in the matter of submissions by Hokonui Rūnanga Inc in relation to Hearing Stream 2, 10th June 2024 (para. 59-60)

General Provisions and Strategic Direction Report or in the most relevant s42A report to follow.

6.2 Overview of submissions

36. A total of twenty-six submissions and seven further submissions are addressed in this report. A list of submitters on the MW chapter and its associated matters is provided at the start of the report.
37. Over 50% of submitters opposed the chapters description of how hapū or iwi values have been considered when preparing the plan, or are reflected in the plan – more specifically, how these were reflected in the PDP’s approach to managing sites and areas of significance to Māori. Opposition to this matter was largely communicated through submissions and further submissions indicating their support for matters raised in the Southland Federated Farmers of New Zealand [S126], and Stoney Creek Station Limited [S3] submissions, of which these matters were key points. These submissions and further submissions were concerned that the SASM approach adopted by the PDP would create unacceptable levels of uncertainty and bureaucracy for plan users, especially farmers. Hokonui Rūnanga Inc [S139, FS20] also communicated mixed satisfaction with this approach and its application, requesting a variation to rework the PDP approach to SASM.
38. Other submitters raised the following issues:
- Opposition to wording describing mana whenua perspectives on the environmental impact of mining;
 - Requests for consistency between the MW chapter and Interpretation section definition of ‘mahinga kai’;
 - Support for the PDP in general;
 - Support for the PDP approach to managing SASM; and
 - Opposition to the level of detail included in the mana whenua involvement and participation section.

6.3 Format for consideration of submissions

39. For each identified topic, I have considered the submissions that are seeking changes to the PDP in the following format:
- Matters raised by submitters;
 - Assessment;
 - Summary of recommendations; and
 - Section 32AA assessment.

40. The recommended amendments to the relevant chapters are set out in **Appendix A** of this report where all text changes are shown in a consolidated manner.

6.4 Whole of plan submissions

6.4.1 Matters raised by submitters – Whole of plan

41. Transpower New Zealand Limited [101.103] has submitted in support of the whole Plan insofar as it relates to the National Grid, and particularly the extent to which the provisions of the PDP give effect to the NPS on Electricity Transmission 2008.
42. Hokonui Rūnanga Inc [S139.093] and McNabb Management Ltd [S103.031] have both noted their support for all PDP provisions, except for those where amendments have been requested specifically within their submission. Whilst McNabb Management Ltd [S103] has not lodged any submission points relevant to the MW chapter, Hokonui Rūnanga [S139] has raised several regarding the PDP approach to managing effects on Ngāi Tahu cultural values. Many of these have attracted further submissions.
43. In S139.039, Hokonui Rūnanga opposes in part the use of the term “sites of cultural significance” within the PDP, and request that this phrase is deleted and replaced with the phrase “or significant effects on the values mana whenua associate with the area”. The submitter also seeks a variation to the PDP where the Council will “Work with Hokonui Rūnanga Inc on...guidance from a mana whenua perspective”. Submission point S139.039, however, does not elaborate on the scope of this variation other than the quote above.
44. S139.039 is supported by Mercury Ltd [FS26.001], supported in part by Transpower New Zealand Limited [FS30.038] and opposed by Hamish Wier [FS5.9]. Whilst Mercury Ltd [FS26.001] support this submission point on the grounds that they agree mana whenua should be able to determine which uses are appropriate using whatever method they see fit, Transpower New Zealand Limited [FS30.038] support of S1039.039 only extends to supporting an alteration of the current PDP approach to SASM. Like Hamish Wier [FS5.9], who opposes S139.039, both request that individual SASM be mapped.
45. In S139.040, Hokonui Rūnanga Inc oppose in part the level of detail the PDP includes around how to avoid, remedy, or mitigate impacts on Ngāi Tahu cultural values. The submitter requests that, wherever possible, provisions should specify the particular effects of concern to mana whenua to ensure that plan provisions are clear, and that appropriate effects are identified and assessed, including when Hokonui Rūnanga Inc may be an affected party. S139.040 is supported by Clark Fortune McDonald & Associates [FS22.049] and Mercury Ltd [FS26.002] who consider this amendment as adding useful clarity.
46. In S139.091, Hokonui Rūnanga Inc also request that all references in PDP rules to “Ngai Tahu cultural values” be expanded to read “Ngai Tahu cultural values as identified in the objectives and policies for this zone and listed in MW2.3”. Further submissions from Clark Fortune McDonald & Associates [FS22.049] supports S139.091 due to the increased clarity these amendments provide plan users.

47. Lastly, Jenny Campbell [S136.001] supports mana whenua involvement in environmental decision making. No reasoning or specific amendments were offered by the submitter.

6.4.2 Assessment

48. I support in part S139.039 from Hokonui Rūnanga Inc, and its associated supportive further submissions [FS30.038 & FS26.001]. I agree that references to “sites of cultural significance” are contradictory to the approach the PDP takes to managing SASM. Whilst this exact wording does not appear in the PDP, wording to similar effect appears three times: once in the RMA definition of historic heritage (‘sites of significance to Māori’), again in descriptive text in MW-2.2 (‘sites of significance’), and thirdly in EW-P5(3) (‘cultural sites of significance’).
49. In terms of the RMA definition of historic heritage, I do not consider it appropriate to amend the wording as requested due to it being an RMA definition. For MW-2.2, I support in principle the removal of the phrase, but seek further guidance from the submitter on its replacement, as the alternative wording sought under S139.039 does not seem grammatically appropriate for the context. For EW-P5(3), I support the removal of references to cultural sites of significance, but do not consider it necessary to replace this phrase with the alternative wording provided, as it creates duplication within the policy. Instead, I recommend the phrase “and cultural sites of significance” be deleted and no other changes be made to the policy wording.
50. In terms of the relief sought under S139.039 to “work with Hokonui Rūnanga Inc on a variation and guidance from a mana whenua perspective”, I am unable to support this without a clearer understanding of the scope and implications of this variation. In the evidence of Dr Lynda Murchison, submitted on behalf of Hokonui Rūnanga Inc in relation to Hearing Stream 2, it is clarified that this variation relates to “...more appropriately manag[ing] mana whenua values in accordance with an Apiti Hono Tati Hono [sic] approach”.⁵ This implies a very broad scope that could result in a significant rewrite of the PDP as a whole. If this is the intent of this aspect of S139.039, then accepting this relief could result in pausing the PDP hearing process for many months to allow this rewrite to take place, potentially require renotification, and likely require significant additional resourcing from Council.
51. Based on this understanding of this aspect of the relief sought under S139.039, I find it difficult to support considering the time and resource already invested to co-develop the policy approach included within the PDP alongside mana whenua. If, however, the submitter

⁵ Statement of Evidence of Dr Lynda Murchison on behalf of Hokonui Runanga Inc in the matter of submissions by Hokonui Rūnanga Inc in relation to Hearing Stream 2, 10th June 2024 (para. 10)

provides evidence that their requested variation will not have the significant time and resource requirement anticipated above, or that the PDP approach to SASM does not allow the Council to meet its statutory obligations, then this recommendation will be reconsidered.

52. Regarding S139.091 and its associated further submission point [FS22.050], I agree that consistently coupling references to Ngāi Tahu cultural values with the list of such values in MW-2.3 provides an additional level of rule clarity for plan users. I note that references to MW-2.3 are included in all relevant rules except for NOSZ-R6, NOSZ-R8, ENRG-S1, NH-R2, NOISE-R4, NOISE-R5, NOISE-R10, SIGN-R6, SIGN-S1, and LIZ-R5. This inconsistency is a drafting error, and should be corrected. These corrections are included in Appendix A.
53. However, in the context of S139.091, I do not support adopting the specific wording provided by the submitter; that is: "Ngai Tahu cultural values as identified in the objectives and policies for this zone". This is because I query whether the PDP objectives and policies as currently drafted consistently contain relevant wording for this reference to connect to.
54. As part of Hearing Stream 1, however, GDC and Hokonui Rūnanga Inc have reached agreement on alternative rewording which I consider appropriate for this context as well. This alternative wording replaces the phrase "Ngai Tahu cultural values" with "cultural values (refer MW-2.3)". For the purposes of consistency across the plan, and given the submitter's support of this wording in HS1, I consider it appropriate to accept S139.091 in principle, but substitute the submitters proposed rewording with the alternative rewording used in HS1. If, however, the submitter [S139] does not consider this alternative wording to be appropriate in the context of this submission point, I would support exploring alternative wording.
55. In the context of S139.040 (and its further submissions FS22.049 & FS26.002) , this broad submission point links to many individual submission points raised by Hokonui Rūnanga Inc.⁶ Whilst S139.040 seeks to "amend references to 'Ngāi Tahu values' with a more detailed description of particular effects to be avoided, remedied or mitigated" throughout the PDP, the submission points listed under footnote 6 provide amended wording to all relevant provisions so as to implement S139.040. This report discusses only the high-level relief sought by S139.040 at a principle level. The footnoted submission points will be discussed in their relevant S42a reports in the context of both the relevant chapter and the specific relief being

⁶ Specifically S139.040; S139.041; S139.042; S139.043; S139.044; S139.045; S139.046; S139.047; S139.048; S139.049; S139.050; S139.051; S139.052; S139.053; S139.054; S139.056; S139.055; S139.061; S139.062; S139.063; S139.064; S139.065; S139.066; S139.068; S139.071; S139.073; S139.075; S139.076; S139.077; S139.079; S139.081; S139.082; S139.083; S139.085; S139.086; S139.087; S139.088; and S139.089.

sought. It is anticipated, however, that decisions will be made using similar logic to how S139.040 is discussed below.

56. I have multiple perspectives on the relief sought by S139.040. On principle, I consider it appropriate to adopt policy approaches mana whenua deem best suited for managing impacts on their cultural values and kaitiaki responsibilities. This is a matter that both I and Dr Murchison agree upon, as she states in her HS2 planning evidence on behalf of Hokonui Rūnanga Inc that:

*“The duty in s6(e) is to recognise and provide for **the relationship of Māori** with their ancestral lands, water, sites wāhi tapu and other taonga (emphasis added [by Dr Murchison]). In my view, this duty means it is for mana whenua to determine what that relationship is and how it is provided for in regional or district plans: it is their relationship.”⁷*

57. I am, however, concerned that this relief may, in some instances, reduce the scope decision-makers and mana whenua have for considering Ngāi Tahu cultural values in decision-making under the PDP. If references to “the underlying relationship Ngāi Tahu hold with the natural environment” or “Ngāi Tahu cultural values including those listed in MW-2.3” are replaced with a discrete list of matters, this is then likely to exclude all other Ngāi Tahu cultural values and associations from being considered in decision-making under these provisions. This creates a specific risk in the PDP where the broadness of the PDP wording was adopted to enable the ‘place-based’ trigger approach to managing impacts on Ngāi Tahu cultural values (as per the Āpiti Hono Tātai Hono-informed approach), in lieu of scheduling individual sites of cultural significance in the plan.
58. I do, however, acknowledge the alternative view shared by Dr Murchison in her evidence submitted on behalf of Hokonui Rūnanga Inc in relation to Hearing Stream 2. She considers that the PDP wording drafted in an attempt to create a broadness of scope may have the unintended effect of creating a policy framework that allows for Ngāi Tahu cultural values to be overlooked. Whilst I do not share this perspective, I do recognise that the PDP is the first RMA plan in Murihiku Southland to attempt an Āpiti Hono Tātai Hono-informed approach for managing SASM. Therefore, there is no precedent to confirm that the policy approach taken in the PDP will not result in the concerns Dr Murchison has raised.

⁷ Statement of Evidence of Dr Lynda Murchison on behalf of Hokonui Runanga Inc in the matter of submissions by Hokonui Rūnanga Inc in relation to Hearing Stream 2, 10th June 2024 (para. 25)

59. Upon weighing these two perspectives, I am inclined to prioritise the rangatiratanga of mana whenua, as the RMA clearly directs resource management to be undertaken in ways that take into account⁸, have particular regard to⁹, and recognise and provide for¹⁰ the rights and interests of mana whenua. Whilst there is a risk that the relief sought may weaken the PDP's ability to incorporate mana whenua rights and interests in decision-making, the fact that mana whenua disagree and are proposing a different approach, from my perspective, is the more relevant matter. This is because, as reflected by Dr Murchison in para. 56, they are best placed to weigh this risk against their preferred method of upholding their kaitiaki responsibilities.
60. Based on this reasoning, I recommend supporting S139.040, subject Hokonui Rūnanga Inc [S139] confirming that they are comfortable with any potential consequences of these amendments on the integrity of the Āpiti Hono Tātai Hono-informed approach to managing SASM. I do note, however, that there would be significant value in working with Hokonui Rūnanga [S139] to develop agreed wording that addresses their subsequent submission points listed in footnote 6, as there appears to be inconsistencies with terminology used in the alternative wording sought by the submitter. These matters will be elaborated on in their relevant S42A reports.
61. Lastly, I acknowledge the submissions of Jenny Campbell [S136.001], Transpower New Zealand [S101.103], and McNabb Management Ltd [S103.031], and note that the intent of the PDP aligns with request under S136.001 for mana whenua involvement in environmental decision-making. I accept the support of all three submission points, subject to the changes recommended in this report.

6.4.3 Recommendation

62. I recommend, for the reasons given above, that S139.040, S139.039, and S139.091 be accepted in part. I also recommend that further information is sought from the submitter regarding the scope of the plan variation Hokonui Rūnanga Inc [S139] seek under S139.039 to

⁸ S8: *In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).*

⁹ S7(a): *In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to... kaitiakitanga;*

¹⁰ S6(e): *In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for... the relationship of Maori [sic] and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;*

ensure the assumptions made in this assessment are accurate, and regarding preferred rewording for MW-2.3. These recommended changes are shown in **Appendix A and B**.

6.4.4 Section 32AA Evaluation – S139.039

63. The following evaluates my recommendation to amend various aspects of the whole plan under section 32AA of the RMA in response to S139.039.

Effectiveness and efficiency

64. The recommendation to remove references to “sites of cultural significance” from the PDP will enable the Council to effectively administer the PDP in a clear and consistent manner. This is because these references were included erroneously and do not reflect the SASM approach adopted by the PDP.

Costs and benefits

65. The benefits of the recommendation to remove references to “sites of cultural significance” from the PDP are that drafting errors will be removed. The costs of this recommendation are a minor time and resource investment to enable conversations with mana whenua relating to the rewording of part of MW-2.2 to enable the removal of the phrase in question.

Risk of acting or not acting

66. There is a risk of inconsistency across the plan if the recommended amendment is not made. There is also the risk of wasting plan user time, and creating policy that is difficult to apply as the erroneous references to “sites of cultural significance” imply that there is a list of these sites available in the PDP when there is not.

Conclusion as to the most appropriate option

67. The recommended amendment is considered to be a more appropriate way to achieve the purpose of the Act than the notified version of the PDP. More specifically, the recommended amendments improve consistency across the PDP, and more appropriately reflect the way SASM is managed under the PDP.

6.4.5 Section 32AA Evaluation – S139.091

68. The following evaluates my recommendation to amend in part various aspects of the whole plan under section 32AA of the RMA, in response to S139.091.

Effectiveness and efficiency

69. My recommendation to make consequential amendments to rules in the PDP that refer to ‘Ngai Tahu cultural values’ to include reference to MW-2.3 will enable the Council to more effectively administer the PDP in a clear and consistent manner. It will also improve efficiency for plan users by directing them to the information they need to fully understand these rules.

Costs and benefits

70. The benefit of this recommendation is that drafting errors will be removed from the PDP, and its consistency will be improved. This is because references to Ngāi Tahu cultural values should have been included in the provisions listed in para. 52 at the time of drafting. The cost of this recommendation is that, as the specific wording being recommended differs slightly from the wording proposed by S139.091, minor additional resourcing and time will likely be required to discuss this matter further with the submitter to develop agreed wording.

Risk of acting or not acting

71. There is a risk of inconsistency across the plan if the recommended amendment is not made. There is also the risk of policy being unnecessarily ambiguous without the references to MW-2.3 being included in rule wording.

Conclusion as to the most appropriate option

72. The recommended amendments are considered to be a more appropriate way to achieve the purpose of the Act than the notified version of the PDP. More specifically, the recommended amendments improve consistency across the plan, and improve the plan user experience.

6.4.6 Section 32AA Evaluation – S139.040

73. The following evaluates my recommendation to amend various aspects of the whole plan under section 32AA of the RMA in response to S139.040.

Effectiveness and efficiency

74. My recommendation to amend references to 'Ngāi Tahu values' throughout the PDP to add more detailed description of particular effects to be avoided, remedied or mitigated will enable the Council to more efficiently administer the PDP. This is because adding specificity to the provisions will provide an additional level of guidance to decision-makers for what constitutes impacts on Ngāi Tahu cultural values in the context of each rule.
75. This recommendation, however, may make the PDP less efficient in considering all impacts on Ngāi Tahu cultural values as it may create exhaustive lists of considerations, thus excluding the consideration of impacts on Ngāi Tahu cultural values not explicitly listed in the rule wording.

Costs and benefits

76. The benefit of this recommendation is that it may reduce the costs associated with engaging with mana whenua in decision making by reducing the scope for when this engagement may be needed. Another benefit may be that decision-makers have clearer direction within the rules as to which Ngāi Tahu cultural values should be considered under each rule which provides certainty that these impacts will be considered whenever the relevant rule is triggered. A cost, however, will be that of additional Council resourcing and time to discuss this matter further with mana whenua to agree on appropriate replacement wording in all relevant provisions.

Risk of acting or not acting

77. There is a risk that by acting, the PDP approach to managing SASM in accordance with an Āpiti Hono Tātai Hono-informed approach may be weakened. There is also a risk that the plan review process may be delayed to allow for Council and mana whenua to develop appropriate replacement wording for relevant provisions. If no action is taken, however, there is a risk that the Council is not recognising the rangatiratanga of mana whenua which extends to their right to choose how their kaitiakitanga responsibilities are reflected in the PDP.

Conclusion as to the most appropriate option

78. The recommended amendment is considered to be a more appropriate way to achieve the purpose of the Act than the notified version of the PDP. This is largely due to it being a more appropriate way to adhere to S6(e), S7, and S8 of the Act, and due to the clarity it provides plan users and decision-makers.

6.5 General submissions

6.5.1 Matters raised by submitters – MW-General

79. Heritage New Zealand Pouhere Taonga [S123.004], supported by the further submissions of Federated Farmers [FS17.001] and Transpower New Zealand Limited [FS30.036], support in part the PDP decision not to include individually mapped SASM. Southland District Council [S146.008], Hokonui Rūnanga Inc [S139.093], and McNabb Management Ltd [S103.031] however, support this approach.
80. Heritage New Zealand Pouhere Taonga [S123.004] support the underlying approach of controlling activities that are likely to have adverse effects, however they recommend adding additional layers of protection to areas of “significant cultural value” through the use of targeted provisions at individually identified sites. This, they consider, would more appropriately reflect the principles of Te Tiriti. They also raise a concern that the PDP approach to managing impacts on Ngāi Tahu cultural values will create an administrative burden for GDC, and that further detail is required in the MW chapter to explain how GDC and mana whenua will manage this increased workload. Further submissions from Federated Farmers [FS17.001] and Transpower New Zealand Limited [FS30.036] support submission point S123.004.
81. Southland District Council [S146.008] support the approach the PDP has taken to managing SASM. They have not provided any reasoning for their position. The scope of S139.093 (Hokonui Rūnanga Inc) and S103.031 (McNabb Management Ltd) also indicates support for the approach from these submitters.

6.5.2 Assessment

82. As part of drafting the PDP, GDC worked closely with mana whenua to understand their perspectives on best practice protection for ‘sites of cultural significance’ to Māori. GDC were directed towards *Āpiti Hono Tātai Hono: Ngā Whenua o Ngāi Tahu ki Murihiku – Stage 1 Southland Cultural Landscape Assessment Study*. This report outlined their perspective that all parts of their takiwā held cultural significance to them, and therefore mapping individual ‘sites of cultural significance’ was both inappropriate and redundant. Mana whenua communicated

that it was redundant because it would result in identifying the entirety of their takiwā as culturally significant on PDP planning maps. They considered it to be inappropriate because, if only a limited number of sites were identified (as is sought by S123.004), it would imply that other unlisted sites were of less significance and value to mana whenua – which is untrue and disrespectful. This perspective is reinforced in the HS2 planning evidence of Dr Murchison, where she states:

“Within Te Ao Tahu (Ngāi Tahu worldview), whenau [sic] (land) and wai (water) is not valued relative to its environmental condition. All whenua is highly valued and I have been told by Ngāi Tahu kaumatua that identifying some land or water bodies in the takiwā as ‘outstanding’ is akin to ‘picking a favourite child.’”¹¹

83. I note that Hokonui Rūnanga Inc [S139.093] have submitted in support of the underlying principles guiding the current approach to managing impacts on Ngāi Tahu cultural values.¹² I consider mana whenua to be best placed to decide how their relationship with their takiwā and their associated kaitiaki responsibilities are interpreted within an RMA framework based on my interpretation of S6(e), S7, and S8. Therefore, I consider supporting the preferences of mana whenua in this context to be a more appropriate reflection of Te Tiriti principles than the relief sought by Heritage New Zealand Pouhere Taonga [S123.004] and their associated further submitters (FS17.001 and FS30.036). This also echoes S146.008 and their support for the MW chapter generally.

84. I also recognise the concern raised by Heritage New Zealand Pouhere Taonga [S123.004] and their associated further submitters (FS17.001 and FS30.036) regarding the administrative burden they perceive this approach may cause. I note that the current wording of the MW chapter confirms that a process will be developed in line with the Charter of Understanding GDC hold with Hokonui Rūnanga, which confirms the framework, but places the process itself outside of the plan. This allows the process – of which one is already in place for processing resource consents under the operative Gore District Plan - to be adapted over time as best practice evolves. It is also worth noting that the way decision-makers incorporate information on the cultural impacts of a proposed activity is unchanged by the SASM approach taken in the PDP. This approach is set out in the RMA, and is therefore not specific to this plan or district.¹³

¹¹ Statement of Evidence of Dr Lynda Murchison on behalf of Hokonui Runanga Inc in the matter of submissions by Hokonui Rūnanga Inc in relation to Hearing Stream 2, 10th June 2024 (para. 44)

¹² Hokonui Rūnanga Inc [S139] have, however, submitted a number of amendments to its implementation within the PDP, namely S139.040, S139.039, and S139.091.

¹³ See S6(e) of the RMA.

85. I also note that, based on advice from the GDC planning team, there were a total of 86 resource consent applications lodged with GDC in 2023. This averages at less than two consent applications a week. Whilst I accept that the new approach to managing Ngāi Tahu cultural values under the PDP may appear to generate significantly more consents, I also note that of all of the references to impacts of Ngāi Tahu cultural values throughout the PDP, no activities require a resource consent solely on the grounds of their potential impacts on Ngāi Tahu cultural values. Where there is a matter of discretion related to Ngāi Tahu cultural values, it is one of several for that activity, which indicates that the PDP approach to managing impacts on Ngāi Tahu cultural values will not be solely responsible for an increase in resource consents received by GDC.
86. The PDP's approach to managing SASM will be assessed in the s42A report for the SASM chapter, at which point the appropriateness or otherwise of amending the PDP to include individually scheduled SASM will be assessed further. As part of this process, amendments may be recommended to the MW chapter as consequential amendments.

6.5.3 Recommendation

87. No amendments are recommended.
88. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

6.6 MW-1

6.6.1 Matters raised by submitters – MW-1

89. Hokonui Rūnanga Inc [S139.093] and McNabb Management Ltd [S103.031] support, Environment Southland [S85.067] oppose in part, and David Pullar [S133.002] – supported by the further submission of Yrless Limited [FS21.008] - oppose MW-1. Environment Southland [S85.067], David Pullar [S133.002], and Yrless Limited [FS21.008] oppose/oppose in part due to the PDP decision not to include individually mapped SASM.
90. David Pullar [S133.002] requests that areas that are of “greater than general mana whenua significance” be identified in the Plan, and that specific mitigation measures be attached to each site. The submitter considers the current PDP approach of acknowledging the relationships Ngāi Tahu hold with the natural environment as being too general, and as such would create too much uncertainty and cost for plan users. This submission point is supported by further submissions by Yrless Limited [FS21.008], who are concerned that a lack of specificity and supporting documents may mean that mana whenua interests are not correctly considered and included when undertaking development proposals.
91. Environment Southland [S85.067] support the approach the PDP has taken to managing SASM, however, they recommend adding reference to the Āpiti Hono Tātai Hono framework to the chapter to indicate that it will be used to identify and articulate values during decision making. The scope of S139.093 (Hokonui Rūnanga Inc) and S103.031 (McNabb Management Ltd) also indicates support for MW-1 from these submitters as they note that they support the entirety of the PDP as drafted except where otherwise noted.

6.6.2 Assessment

92. S133.002, lodged by David Pullar and supported by Yrless Limited [FS21.008], relates closely to the submission points discussed above in Section 6.5.2. The majority of the assessment in that section apply to my assessment of S133.002 and FS21.008, therefore, for the conciseness of this report, I direct the reader to the aforementioned section. I do, however, paraphrase the following part of Section 6.5.2 in para 94 below, due to its particular relevance here.
93. I note that of all of the references to impacts of Ngāi Tahu cultural values throughout the PDP, no activities require a resource consent solely on the grounds of their potential impacts on Ngāi Tahu cultural values. Where this is a matter of discretion related to Ngāi Tahu cultural values, it is one of several for that activity, which indicates that the PDP approach to managing impacts on Ngāi Tahu cultural values will not result in an increased need to acquire resource consent.
94. Additionally, I recognise the concerns of S133.002 and FS21.008 that relate to a perceived ambiguity regarding what mana whenua cultural values should be considered on a case-by-case level. I first highlight that each provision requiring impacts on Ngāi Tahu cultural values be considered directs the plan user to a list of values and their explanations in the MW chapter of the plan.¹⁴ I also highlight that the MW chapter contains contact details for relevant mana whenua groups – of which there is only one in the Gore District – and that it is common practice to seek advice from technical experts (of which mana whenua are in this context) when an individual desires a deeper understanding of the feasibility of a proposed activity. Therefore, I consider the level of detail provided in the PDP to be sufficient to address this concern.
95. Environment Southland's [S85.067] recommendation to explicitly reference the Āpiti Hono Tātai Hono framework within the chapter compels both GDC and mana whenua to use this tool for assessing cultural values. This approach risks excluding other frameworks from being used where there may be more culturally, operationally, or financially appropriate options available. For example, assessments using the Āpiti Hono Tātai Hono framework were prepared by mana whenua to assist Council in understanding the impacts on Ngāi Tahu cultural values from potentially rezoning land at McNabb from rural to industrial. This was a complex piece of work that provided in-depth detail on the wide range of cultural impacts that various activities enabled by this proposed rezoning could cause across a large area. Undertaking this style of assessment for small-scale individual activities - for example, earthworks to install a

¹⁴ Note: S139.091 highlighted a small number of instances where references to MW-2.3 had been omitted from relevant PDP rules. These references have been identified and recommended for correction a part of the S42A report.

private backyard swimming pool - may be excessive and unnecessary from the perspective of mana whenua, and they may recommend a less resource-intensive approach be taken in these instances.¹⁵ The PDP wording as drafted allows for this level of flexibility, especially for small-scale activities that mana whenua may consider better suited to alternative assessment frameworks.

6.6.3 Recommendation

96. No amendments are recommended.

97. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

6.7 MW-2.3.2

6.7.1 Matters raised by submitters – MW-2.3.2

98. The Greenbriar Ltd. submission [S128.007] supports in part specific wording in this section describing mana whenua perspectives on the environmental impacts of mining and other primary production land uses. The current wording states that land uses such as mining contribute to ecological degradation in the district. The submitter seeks that this wording be amended, as they consider this to only be the case if an operator does not appropriately manage their environmental impacts.

99. In their further submission, Hokonui Rūnanga Inc [FS20.028] supports in part the position of The Greenbriar Ltd [S128.007]. They note, however, that they want to be involved in the amending of this provision.

6.7.2 Assessment

100. The proposed rewording offered by Greenbriar Ltd [S128.007] does not appear to change the intent of this section. It also leads to no consequential policy amendments. Instead, it adds minor nuance to the text in a way that may potentially encourage operators to seek out ways to appropriately manage their environmental impacts alongside mana whenua.

¹⁵ Note: this example is hypothetical only, and the suggestion that this type of activity may require an assessment of cultural effects and/or resource consent may not be accurate in the context of Gore District.

101. It is important to note, however, that the text in question was drafted by mana whenua as part of the co-drafting of the PDP. For this reason, any changes to this text should be made with their input. This is because this text reflects the values and perspectives of mana whenua – not the Council.

6.7.3 Recommendation

102. I recommend, for the reasons given above, that the proposed rewording offered by Greenbriar Ltd be accepted in their entirety, subject to feedback from Hokonui Rūnanga Inc [FS20]. These tentative recommended changes are shown in **Appendix B**.

6.7.4 Section 32AA Evaluation

103. The following evaluates the recommendation to amend MW2.3.2 under section 32AA of the RMA, in response to S128.007

Effectiveness and efficiency

104. The recommendation will enable the Council to effectively administer the PDP in a clear and consistent manner.

Costs and benefits

105. The benefits of the recommended amendment are that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a nuanced manner. There are no apparent costs with the recommendation.

Risk of acting or not acting

106. There is the potential for some resource-users within the district to feel misrepresented if the recommended amendment is not made. There is a minor risk of causing offense to mana whenua if the recommended amendment is made without the support of Hokonui Rūnanga Inc. This risk can be mitigated by seeking their input, as they have requested in FS20.028.

Conclusion as to the most appropriate option

107. The recommended amendment is considered to be a more appropriate way to achieve the purpose of the Act than the notified version of the PDP. More specifically, it reflects the concept of sustainable management and the dual purpose of the Act more appropriately by acknowledging that development in some cases can be undertaken in ways that avoid, remedy, or mitigate any adverse effects of activities on the environment.

6.8 MW-2.4

6.8.1 Matters raised by submitters – MW-2.4

108. The Southland Federated Farmers of New Zealand submission [S126.054 / S126.175] opposes the PDP's approach to acknowledging the relationships Ngāi Tahu hold with the natural

environment in the SASM chapter.¹⁶ Five other submitters - Kevin Robertson [S115.055 / S115.176], Ronald Crispin [S60.057 / S60.178], Rural Ratepayers Group [S143.066 / S143.187], Alistair & Bernadette Hunt [S148.067 / S148.188], and John Baynes [S68.175 / S68.296] - noted their support for matters raised in the Southland Federated Farmers of New Zealand submission, which includes point S126.054/S126.175.¹⁷ The scope of S139.093 (Hokonui Rūnanga Inc) and S103.031 (McNabb Management Ltd) indicate these submitters support for MW-2.4 as originally drafted.

109. Transpower New Zealand Limited [FS30.005, FS30.043, FS30.078, FS30.047, FS30.067, FS30.072] also lodged further submissions in support of submissions S126.054, S115.055, S60.057, S143.066, S148.067, and S68.175. Hokonui Rūnanga [FS20.022 / FS20.021] has lodged a further submission in partial opposition to the Southland Federated Farmers of New Zealand submission [S126.054 / S126.175].¹⁸
110. The PDP's approach to acknowledging the relationships Ngāi Tahu hold with the natural environment is described in MW-2.4 with the following text:

“ A specific example is the approach this plan has taken to acknowledging the relationships Ngāi Tahu hold with the natural environment is the SASM chapter. Instead of restricting the consideration of Ngāi Tahu cultural values to a discrete list of ‘Sites and Areas of Significance to Māori’, the underlying relationship Ngāi Tahu hold with the natural environment is accounted for throughout the district via provisions spread throughout various chapters. These are then reinforced by objectives and policies in the SASM chapter. This ensures that this relationship is considered whenever a high-risk activity takes place – as opposed to considerations of Ngāi Tahu cultural values being restricted to selected locations.”

111. The group of submitters and further submitters that oppose this approach, led by Federated Farmers of New Zealand [S126.054 / S126.175], are concerned that it will slow down the ability for farmers to carry out basic farming duties. In their submissions they have then listed 91

¹⁶ Note: The Southland Federated Farmers of New Zealand submission points S126.054 and S126.175 consist of identical wording. S126.175 was raised as a ‘whole of plan’ issue, whereas S126.054 was raised as a MW-2.4 issue. For succinctness, both submission points are addressed together in this section. Each submission point is, however, addressed individually in Appendix 2.

¹⁷ Note: As above, in relation to submission points S115.055 and S115.176 (Kevin Robertson), S60.057 and S60.178 (Ronald Crispin), S143.066 and S143.187 (Rural Ratepayers Group), S148.067 and S148.188 (Alistair & Bernadette Hunt), and S68.175 and S68.296 (John Baynes).

¹⁸ FS20.022 and FS20.021, the two further submission points from Hokonui Rūnanga addressing the duplicated Federated Farmers of New Zealand submission points S126.054 and S126.175, have been discussed together for consistency within this document.

activities that would require consideration of their impacts on Ngāi Tahu cultural values – many of which they consider would hinder day-to-day primary production activities. They “acknowledge[e] the Māori view of guardianship over land, areas of interest and landscapes”, but assert that “the rights of landowners are paramount and must be prioritised”.

112. This group of submitters and further submitters led by Federated Farmers of New Zealand [S126.054 / S126.175] request that the wording quoted above in para. 110 be deleted. Consequentially, they seek that specific, discrete, SASM be mapped and included in the Plan alongside individual provisions for activities at place.

113. In their further submission, Hokonui Rūnanga Inc [FS20.022 / FS20.021] consider the relief sought by Southland Federated Farmers of New Zealand submission [S126.054] as not capable of achieving the purpose of the RMA, or of giving effect to the Southland Regional Policy Statement. They also attest that it is not the role of a third party to tell mana whenua how to understand or express their relationship with the whenua and wai of their takiwā.

114. However, the Further Submitter [FS20.022] agrees that the Gore District Plan should include a more explicit land classification approach whereby mana whenua identify the values associated with each part of the takiwā and can have more tailored policies and targeted rules.

6.8.2 Assessment

115. The wording submitters request be removed describes the approach the PDP has taken to acknowledging the relationships Ngāi Tahu hold with the natural environment. Section 6(28)(vii) of The National Planning Standards require that the Mana Whenua chapter of a district plan consider “an explanation of how hapū or iwi values have been considered when preparing the policy statement or plan, or are reflected in the policy statement or plan”. If this text was deleted, then the true extent of how hapū or iwi values have been considered when preparing PDP would not be accurately explained. For this reason, it would be inappropriate to delete the wording in question.

116. Notwithstanding the above procedural issue, I acknowledge the list of 91 “day-to-day primary production activities” that the group of submitter and further submitters led by Federated Farmers of New Zealand [S126.054 / S126.175] consider would now require a resource consent under the PDP approach to managing SASM. As per their submissions, a major part of their opposition to matters in MW-2.4 relate to the perceived increased administrative burden this approach to managing SASM will put on farmers. Their list of “day-to-day primary production activities” include activities such as:

- Running retirement facilities in the general residential zone
- Undertaking temporary military training
- Erecting cultural markers such as pou whenua

I struggle to understand how these are “day-to-day primary production activities”.

117. Setting aside the relevance (or otherwise) of these activities to day-to-day primary production, I have reviewed all 91 activities identified by Southland Federated Farmers of New Zealand

[S126.054 / S126.175] and found that over 84% do not require a resource consent unless an activity or standard condition cannot be met in another rule. I also note that none of the conditions that must be met to avoid requiring a resource consent relate to Ngāi Tahu cultural values. Of the remaining fourteen activities, none require a resource consent solely on the grounds of their potential impacts on Ngāi Tahu cultural values. Therefore, I can see very little merit in the arguments made by Southland Federated Farmers of New Zealand [S126.054 / S126.175], Kevin Robertson [S115.055 / S115.176], Ronald Crispin [S60.057 / S60.178], Rural Ratepayers Group [S143.066 / S143.187], Alistair & Bernadette Hunt [S148.067 / S148.188], John Baynes [S68.175 / S68.296], and Transpower New Zealand Limited [FS30.005, FS30.043, FS30.078, FS30.047, FS30.067, FS30.072].

118. In their further submission, Hokonui Rūnanga Inc [FS20.022 / FS20.021] state that the relief sought by Southland Federated Farmers of New Zealand submission [S126.054/ S126.75] is not capable of achieving the purpose of the RMA, or of giving effect to the Southland Regional Policy Statement. I agree with this assessment, as there is clear direction in both documents regarding the rights and interests of Māori, and how these must be addressed in lower order documents such as a district plan.¹⁹ Adopting the relief sought by Southland Federated Farmers of New Zealand [S126.054 / S126.175], Kevin Robertson [S115.055 / S115.176], Ronald Crispin [S60.057 / S60.178], Rural Ratepayers Group [S143.066 / S143.187], Alistair & Bernadette Hunt [S148.067 / S148.188], John Baynes [S68.175 / S68.296], and Transpower New Zealand Limited [FS30.005, FS30.043, FS30.078, FS30.047, FS30.067, FS30.072] would result in GDC not meeting its responsibilities under these higher order documents, and thus not complying with legislation.

¹⁹ For example: S6(e), S7, S8 of the RMA (included in full in footnotes 6, 7, and 8), and Policy TW.4 of the Southland Regional Policy Statement which reads:

“Policy TW.4 – Decision making

When making resource management decisions, ensure that local authority functions and powers are exercised in a manner that:

(a) recognises and provides for:

(i) traditional Māori uses and practices relating to natural resources (e.g. mātaihai, kaitiakitanga, manaakitanga, matauranga, rāhui, wāhi tapu, taonga raranga);

(ii) the ahi kā (manawhenua) relationship of tangata whenua with and their role as kaitiaki of natural resources;

(iii) mahinga kai and access to areas of natural resources used for customary purposes;

(iv) mauri and wairua of natural resources;

(v) places, sites and areas with significant spiritual or cultural historic heritage value to tangata whenua;

(vi) Māori environmental health and cultural wellbeing.

(b) recognises that only tangata whenua can identify their relationship and that of their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.”

119. It must also be acknowledged, however, that the further submission of Hokonui Rūnanga Inc [FS20.022] suggests that mana whenua are now supportive of an alternative approach to managing SASM – potentially one where sites are mapped. This appears to be inconsistent with their position whilst co-drafting the PDP, and the content of their original submission. However, they are within their statutory rights to do so.

120. This potential change of position will heavily influence recommendations made as part of the SASM s42a. Therefore, it would be useful to for the Council to discuss this matter further with mana whenua to better understand their position on this matter and their preferred path forward. If decisions are made about the PDP approach to managing SASM as part of the SASM s42a, then amendments such as the one proposed under these submission points should be made as a consequential amendment.

6.8.3 Recommendation

121. I recommend, for the reasons given above, that the deletions requested should be rejected, unless required as a consequential amendment to the SASM chapter. I also recommend further discussions with Hokonui Rūnanga Inc [FS20.022] to understand their updated position on managing SASM.

122. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

6.9 Interpretation (mahinga kai)

6.9.1 Matters raised by submitters – Interpretation (mahinga kai)

123. Stoney Creek Station Limited [S3.097] has requested that the definition of ‘mahinga kai’ in the Interpretation section of the PDP be amended to refer to the description of this term provided in the MW chapter. Ten other submitters - Trudy Bokser [S113.097], Nathan Bokser [S116.097], Greg Bokser [S117.097], AW + JA Johnston Family Trust [S118.097], Reaby Downs Farm Ltd [S18.099], Karen Temple [S19.099], Sarah and Peter Barclay [S20.099], Helen McIntosh [S24.099], John Baynes [S68.101], and Peters Farm Ltd Karen Peters [S127.133], - noted their support for matters raised in the Stoney Creek Station Limited submission, which includes point S3.097.

124. S3.097 has also been supported via further submissions by Federated Farmers [FS17.098]. Department of Conservation [S109.008], however, support the definition as drafted. The scope of S139.093 (Hokonui Rūnanga Inc) and S103.031 (McNabb Management Ltd) also indicates support for the definition as drafted from these submitters.

125. The group of submissions led by Stoney Creek Station Limited [S3.097 & S113.097, S116.097, S117.097, S118.097, S18.099, S19.099, S20.099, S24.099, S68.101, S127.133] consider it more appropriate for the Interpretations section to link to the description of ‘mahinga kai’ provided in the MW chapter for consistency and conciseness. Federated Farmers [FS17.098] agrees, considering the PDP definition of ‘mahinga kai’ to be too long for the interpretation section.

126. Department of Conservation [S109.008], however, support the definition as drafted and request it be retained as notified. The broad scope of S139.093 (Hokonui Rūnanga Inc) and S103.031 (McNabb Management Ltd) also indicate that they support the notified version of this definition. None of these submitters, however, have provided reasoning for why they have requested this definition be retained as notified.

6.9.2 Assessment

127. Whilst I acknowledge the position of Department of Conservation [S109.008], Hokonui Rūnanga Inc [S139.093], and McNabb Management Ltd [S103.031], I am more inclined to agree with the group of submissions and further submissions led by Stoney Creek Station Limited [S3.097 & S113.097, S116.097, S117.097, S118.097, S18.099, S19.099, S20.099, S24.099, S68.101, S127.133, FS17.098]. It is important for plans to be concise, consistent, and easy for plan-users to understand. The amendment proposed by Stoney Creek Station Limited [S3.097] retains the meaning of the term, but presents it in a more concise way for plan users.
128. Additionally, neither Department of Conservation [S109.008], Hokonui Rūnanga Inc [S139.093], or McNabb Management Ltd [S103.031] have provided a reasoning for retaining this definition as drafted. Therefore, it is difficult to weigh up these submission points against those in conflict with them.

6.9.3 Recommendation

129. I recommend, for the reasons given above, that the proposed rewording collectively offered by Stoney Creek Station Limited [S3.097], Trudy Bokser [S113.097], Nathan Bokser [S116.097], Greg Bokser [S117.097], AW + JA Johnston Family Trust [S118.097], Reaby Downs Farm Ltd [S18.099], Karen Temple [S19.099], Sarah and Peter Barclay [S20.099], Helen McIntosh [S24.099], John Baynes [S68.101], and Peters Farm Ltd Karen Peters [S127.133] be accepted in its entirety. This recommended change is shown in **Appendix A**.

6.9.4 Section 32AA Evaluation

130. The following evaluates my recommendation to amend MW2.3.2 under section 32AA of the RMA, in response to S3.097, S113.097, S116.097, S117.097, S118.097, S18.099, S19.099, S20.099, S24.099, S68.101, and S127.133.

Effectiveness and efficiency

131. This recommendation to align the definitions of ‘mahinga kai’ within the PDP will enable the Council to effectively administer the PDP in a clear and consistent manner.

Costs and benefits

132. The benefits of this recommendation are that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a consistent manner. There are no apparent costs with this recommendation.

Risk of acting or not acting

133. There is the potential for the plan to be unnecessarily wordy if the recommended amendment is not made. There is a minor risk of causing offense to mana whenua if the recommended amendment is made without the support of Hokonui Rūnanga Inc.

Conclusion as to the most appropriate option

134. The recommended amendment is considered to be a more appropriate way to achieve the purpose of the Act than the notified version of the PDP. More specifically, it adds consistency and conciseness to the PDP, thus making the PDP more able to promote sustainable management of natural and physical resources.

7. Conclusions

135. This report has provided an assessment of submissions received on the Mana Whenua Chapter and other associated matters of the PDP.
136. The majority of submissions – including submission from mana whenua - opposed or requested amendments to the approach the PDP has taken to managing impacts on Ngāi Tahu cultural values. Where submitters have sought relief on this matter inconsistent with relief sought by mana whenua it has largely been rejected as, generally speaking, mana whenua perspectives should be prioritized when deciding how impacts on Ngāi Tahu cultural values should be appropriately managed within an RMA context. Whilst submitters raised a range of concerns about the approach used in the PDP, I do not consider any of these concerns to outweigh the statutory and Te Tiriti-based responsibilities GDC have to manage the impacts of activities on Ngāi Tahu cultural values in ways that reflect mana whenua tikanga and mātauranga. Where amendments have been sought by mana whenua these have largely been accepted or accepted in part unless a statutory or technical issue conflicted with the relief sought. In some cases, further discussion with mana whenua has been recommended to enable Council and mana whenua to better understand the intent of some submission points.
137. Other submitters proposed minor wording changes to the description of the environmental impacts of primary production and mining, the definition of ‘mahinga kai’, and mana whenua engagement with Council. Points related to the description of environmental impacts of primary production and mining, and the definition of ‘mahinga kai’ were accepted in full, whilst points relating to engagement processes were rejected as the current PDP wording was deemed sufficient. Finally, a number of minor amendments were requested to refine the terminology used to discuss the Ngāi Tahu cultural values and relationships to place. These were accepted in part, and have resulted in a number of minor consequential amendments throughout the PDP. These amendments, however, would benefit from being discussed further with Hokonui Rūnanga Inc [S139] (who sought these changes) pre-hearing to develop alternative agreed wording if they consider the recommended amendments unsatisfactory.
138. I consider that the submissions on the Mana Whenua Chapters assessed in this report be accepted, accepted in part, rejected or rejected in part, as set out in my recommendations in this report including **Appendix B**.

139. Overall, I recommend that the provisions are amended as shown in **Appendix A** for the reasons set out in this report. The main changes recommended include:

- Minor wording changes to MW-2.2
- Minor wording changes to MW-2.3.2
- Amendments to the definition of 'mahinga kai' in the Interpretations section of the PDP
- Minor amendments to the following plan provisions in other chapters:
 - NOSZ-R6
 - NOSZ-R8
 - ENRG-S1
 - NH-R2
 - NOISE-R4
 - NOISE-R5
 - NOISE-R10
 - SIGN-R6
 - SIGN-S1
 - LIZ-R5

140. All of these amendments either add nuance, clarity or conciseness to the PDP. I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents, for the reasons set out in the Section 32AA evaluations undertaken throughout this report.

Appendix A – track change amendments

Interpretation

Definitions

Mahinga Kai	Means the same as outlined in MW – 2.3.3.3 and is an all-inclusive term that refers to the ability to access resources for harvesting, the site where gathering of these resources occurs, the act of gathering and using the resource, and the good health of the resource. ~~As a result of this practical focus, mahinga kai is considered by Hokonui Rūnanga to be, in today's language, the principal 'environmental indicator' in natural systems. If mahinga kai is not present, or is unsafe to harvest, then that natural system is under stress and requires remedial action. Mahinga kai was and is central to the Ngāi Tahu and Hokonui way of life. The collection and processing of mahinga kai is an important social, cultural, environmental, and economic activity contributing to the overall well-being of Ngāi Tahu whānui. Mahinga kai practices rely on thriving and abundant biodiversity, safe and aesthetically pleasing places to practice, and the active transfer of knowledge between people. These attributes are dependent on the sustainable management of many other natural resources in the takiwā, especially waterbodies and the management of stormwater. Hokonui Rūnanga expect to be able to practice mahinga kai in our takiwā at multiple locations that are deliberately selected for the quality of the resource and its ability to sustain itself.~~
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Mana Whenua

1. Overview

The content of this Chapter has been prepared in accordance with the National Planning Standards to include:

1. A history of the hapū or iwi within the District
 - a. The relationship of hapū or iwi with their takiwā;
 - b. Environmental management perspectives and values of hapū or iwi;
 - c. A description of resources of significance to tangata whenua or mana whenua;
 - d. where agreed with the iwi authorities, a list of relevant iwi authorities. Where possible this should include links to iwi authority websites;
 - e. An explanation of how hapū or iwi values have been considered when preparing the policy statement or plan, or are reflected in the policy statement or plan;
 - f. An overview of resource management arrangements from any Treaty settlement and post-treaty settlement agreements;
 - g. A list of any statutory acknowledgements for the district and region, and a brief explanation of how they affect the policy statement or plan and are reflected in policy statement or plan provisions. Where possible this should include a link to the relevant statutory acknowledgement legislation;

- h. a list of formal relationships agreements between tangata whenua/mana whenua and the local authority as they relate to resource management functions. These may include memoranda of understanding, mana whakahono a rohe or iwi participation arrangements, co-management agreements, joint management agreements, or transfer of powers under RMA section 33. Where agreed with tangata whenua/mana whenua this list should include links to these relationship agreement documents;
 - i. a list of hapū or iwi planning documents lodged with the local authority. Where agreed with tangata whenua/mana whenua this should include links to the planning documents;
2. a description of how the local authority has taken the hapū or iwi planning documents into account in the policy statement or plan
 - a. an explanation of how hapū or iwi planning documents are used if relevant and agreed, parts of the hapū or iwi planning documents any specific involvement and participation or RMA consultation processes with tangata whenua/mana whenua: required by the RMA, in relationship agreements, or in hapū or iwi planning documents;
 3. a description of best practice involvement, participation or RMA consultation processes with hapū or iwi, as agreed with specific hapū or iwi. This may include a link or reference to external best practice processes documents
 - a. an explanation of the purpose of any involvement, participation or RMA consultation processes;
 - b. how the involvement, participation or RMA consultation processes are given effect to;

This chapter contains no objectives, policies, rules or standards so is given effect to throughout the other chapters of the District Plan.

Note on dialect: In Ngāi Tahu/ Kāi Tahu dialect, 'k' is used interchangeably with 'ng'. This Plan has predominantly used the 'ng' spelling of words (e.g. mahinga kai), but it is also common and correct to see and use the 'k' spelling (e.g. mahika kai).

2. Recognition of hapū and iwi

2.1 Pepeha

Ko aku waka whakairo ko Takitimu ko Uruao
 Kei runga ko Ōparure
 Kei raro ko Mātaura e rere ki te moana o te Ara a Kiwa
 Ko Maruawai taku whenua taurikura e takoto nei
 Takoto mai ko Matamata, te mōkai tapu ō Rakitauneke, te taniwha
 Ko Te Au-nui Pihapha Kanakana te rere
 Ko Hoka-nui, Kowhaka-ruru, Tarahau-kapiti ngā puke
 Ko Tūtemakohu raua ko Te Rakitauneke ngā tīpuna
 Tū mai ko O Te Ika Rama, te whakaruruhau o te mano
 Tēnei te reo ō Waitaha, Ngāti Māmoe, Ngāti Kuri, Ngāi Tahu ngā iwi

The term 'mana whenua' refers to a specific Māori kinship group who have customary authority over, and a responsibility to, a particular geographic area and its resources. Mana whenua have a deep relationship with their natural environment, and specific rights and responsibilities to contribute to environmental decision-making, entrenched in tikanga Māori, Te Tiriti o Waitangi, and

various legislation. It is this relationship and right that obligates mana whenua to advocate for and protect their natural environment. In the context of the Gore District, Ngāi Tahu whānui are recognised as mana whenua, and are represented locally by Hokonui Rūnanga.

2.2. Ngāi Tahu Whānui, Hokonui Rūnanga, & the Gore District

Ngāi Tahu – and by extension, Hokonui Rūnanga – has centuries’ long customary associations, rights, relationships and interests in the Gore District and its taonga/resources. These relationships are both historical and contemporary, and include whakapapa, place names, mahinga kai, tribal economic development, and landholdings. In our takiwā (area), Hokonui Rūnanga represent mana whenua, so exercise rangatiratanga and kaitiakitanga for the taiao (environment), and those species that live within it, in formal processes, and support whānau members to exercise these rights and responsibilities in other contexts.

Ngāi Tahu have a long history and relationship with the region spanning centuries, with extended periods of settled occupation (e.g. Tūtau) coupled with seasonal practices (e.g. at Te Au Nui Pihapiha Kanakana/Mataura Falls). Tūpuna and their histories are eternally acknowledged in the form of placenames and ~~sites of significance~~ [Hokonui Rūnanga Inc to recommend replacement wording]. This connection also spans a continuum of time and whakapapa with metaphysical and physical elements binding us with the land, waters, and taonga/resources of the region. Hapū and whānau retain historical and contemporary links with mahinga kai sites in the region, especially where customary practices can be continued.

Ngāi Tahu history cloaks the landscape, comprising of many memories and layers that evolve with each generation. These memories build the collective connection to place, as well as associated cultural heritage and identity. This history is not static – it grows with each day. One place of particular importance is the Hokonui Hills. The Hokonui Hills tell the story of the tupuna Te Rakitauneke, the Kāti Māmoe chief whose famous taniwha/spiritual guardian Matamata now forms the profile of the Hokonui Hills. Matamata formed the Hokonui Hills after he turned to stone on learning of the death of Te Rakitauneke. Another is Te Au Nui Pihapiha Kanakana/Mataura Falls. Whilst Paroparo Te Whenua, a historic Kāti Māmoe rangitira/leader, camped near Haumuri (modern-day Croydon Bush) it rained heavily, causing the Mataura River to flood. After the flood had receded, Paroparo Te Whenua noticed birds gathering at Te Au Nui Pihapiha Kanakana. He sent some of his people to investigate, and they found that the birds were feasting on a large number of kanakana/lamprey eels that had been left stranded by the receding flood waters. Since that time, generations of Waitaha, Kāti Māmoe, and Ngāi Tahu have gathered kanakana for their whānau from Te Au Nui Pihapiha Kanakana. Tūtau Māori Reserve also holds an important place in the landscape due to its status as an historic kaik/settlement and battle site.

Many important taonga tuku iho, sites, ara tawhito, and resources cross the region, and regardless of the condition they may now be in, or the value on which the wider community places on them, they remain important to Ngāi Tahu identity and our sense connection and relationship with place. Cultural and economic redress from the Ngāi Tahu Treaty Settlement in 1998, O Te Ika Rama Marae, and the establishment of the first freshwater mātaihai in New Zealand at Mataura, continue to build the modern history of Ngāi Tahu in the region – as do our long-standing Ngāi Tahu residents, and the contributions Hokonui Rūnanga make to the wider community.

2.3 Mana Whenua & Te Taiao Cultural Values

Hokonui Rūnanga hold a range of overarching values for environmental decision-making. These overarching values are grounded in Ngāi Tahu cultural values. Some of these are listed below:

Kaitiakitanga: Kaitiakitanga governs the way humans interact with ecosystems. The notions of reciprocity and maintaining balance within nature underpin Ngāi Tahu uses and practices. Balance requires respect to be shown when interacting with the environment and use of the resource (within

limits) afforded by healthy ecosystems. Ngāi Tahu whānui continue to have a duty to protect the natural world they are part of. Hokonui Rūnanga, as kaitiaki, work actively to ensure that ecological, spiritual, cultural, and mahinga kai values of our takiwā are upheld and sustained for future generations.

Whakapapa: In a Māori worldview, everything has its own whakapapa (genealogy). Whakapapa is about the relationships between all life forms and phenomena, as well as to people and atua (deities). Whakapapa describes bonds, relationships, and connections: the linking of all things. No distinction is made between the inanimate and the animate, or between abiotic and biotic. Māori relationships with the world are part of this indivisible whakapapa linkage. For Hokonui Rūnanga, water is the medium flowing through the takiwā that makes these connections. Whakapapa is also central to mahinga kai activities, which like many other activities, are built around collective action when using sites.

Mauri: Mauri is a central component of Māori perspectives on the environment. It can be defined as the life principle, life supporting capacity, or life force present in all things. Protecting the mauri of a resource is a fundamental management principle for Māori. Hokonui Rūnanga treasure the mauri of freshwater, land, and other resources, and experience cultural harm, offence, and distress when that mauri is degraded. The overuse, depletion, or destruction of natural resources leads to a diminishment of mauri. This is unacceptable to us. Any alteration of the natural environment, including impacts on flora and fauna, water, or earth will have an effect on their mauri. Mauri was historically protected through application of a complex system of specific cultural and spiritual practices, customs, and rules that were developed to manage and control the interactions between people and the natural world. The protection of the mauri of the environment is vital to Hokonui Rūnanga.

Manaakitanga: Showing manaaki (looking after visitors) is a key expression of Māori identity. Having the ability to manaaki visitors by supplying kai (food) sourced from our takiwā is a major part of this expression. This means that the communal activities of fishing, eeling, and gathering other resources are acts that reinforce our identity. Conversely, the inability to manaaki guests and sustain relationships can lead to a loss of identity. Sustaining waters, lands, and resources - and thereby enabling mana whenua to manaaki others - is a strong driver for the participation of Hokonui Rūnanga in environmental management. Manaakitanga also includes caring and providing for those who live within our takiwā, including mātāwaka Māori communities and their ability to engage in cultural practices whilst living in the Gore District.

Wairua: Whānau use different methods to feel spiritually connected with our takiwā. Gathering kai with whānau at a traditional fishing places that we know were named by our tīpuna and utilised by successive generations of our whānau is one way. Being able to contribute delicacies that our takiwā is renowned for to cultural events, and to manaaki guests can also bring that connection. Conversely, being denied these opportunities can impact the spiritual wellbeing of whānau.

Whanaungatanga: Whanaungatanga refers to the kinship, connectedness, and inter-dependence between all things within the natural world - including people. Whanaungatanga in its broadest context could be defined as the interrelationship with ancestors, whānau, hapū, and iwi, as well as the natural resources within the takiwā of Hokonui Rūnanga. Sustainable management seeks to sustain the health, wealth, and well-being of the natural environment while sustaining communities dependent upon it. Whanaungatanga is pervasive, and highlights the fact that relationships are everything. Therefore, having environmental management processes that provide for interrelationships is imperative for Hokonui Rūnanga.

Utu: Utu is sometimes referred to as the principle of reciprocity or equivalence, with some regarding its main purpose as maintaining relationships. In relation to a specific issue, utu can be thought of as restoring balance and thereby maintaining whanaungatanga. There are many pathways and

responses by which utu is put into practice. Hokonui Rūnanga seek to explore the practice of utu in relation to environmental issues which may provide means of restoring balance in relationships and acknowledging the obligations on this generation to seek mutual benefits to achieve improved environmental outcomes.

Mātauranga: Interacting with the environment serves the functions of passing on traditional knowledge from one generation to the next. Mātauranga is developed and transmitted using natural resources, such as the practices of resource management, harvesting, and preparation. For example, a great deal of knowledge is needed to obtain kai: knowledge of techniques as well as ecosystems is vital. If populations of species and resources decline because of degraded environments, knowledge of the techniques of gathering these foods, along with the associated ecological and cultural knowledge, and the process of gathering, will likely also begin to disappear.

Te Reo Māori: Language use is instrumental to a culture. For Ngāi Tahu, this is reflected in the stories, waiata, and te reo Māori that pertain to uses and relationships with the environment. Te reo Māori contains knowledge and is another expression of culture and identity. Hokonui Runanga are actively supporting the revitalisation of te reo Māori in our takiwā. Again, using mahinga kai as an example, when a valued species disappears from a local ecosystem, or the activities.

Ki Uta Ki Tai: Ki uta ki tai is an environmental philosophy that recognises that everything is connected and must be managed as such. Ki uta ki tai reflects that mana whenua belong to the environment and are only borrowing the resources from our generations that are yet to come. Ki uta ki tai is the basis of Ngāi Tahu Iwi Management Plans (including Te Tangi a Tauira) and is recognised in the Southland Regional Policy Statement 2017 and National Policy Statement for Freshwater Management 2020.

In line with the philosophy of ki uta ki tai, Hokonui Rūnanga consider all natural features & their associated resources to be 'significant'. Ngāi Tahu, like other iwi, conceptualise the environment as an undivided entity. It is a cohesive system of lakes, rivers, wetlands, soils, plants, and animals (including humans), mountains and other terrestrial lands, and the relationships between them all. It is this holistic perspective that pervades mātauranga Māori: science based on observations, relationships, connections, and management practices refined over generations. For the purposes of this district plan, three broad areas and their specific significances are highlighted:

2.3.1 Wai / Water

Water is one of the most important elements within a Ngāi Tahu worldview. It gives life, can lift tapu, and links our environment together from the mountains to the sea. Hokonui Rūnanga primary matters of interest in this area relate to water quality and quantity, and the current and historic mismanagement, discharge, and loss of pollutants into groundwater, waterways, and wetlands. These concerns also extend to Three Waters and their management. Hokonui Rūnanga expect transformational improvement to the management of water in our takiwā to recognise the paramount importance of water. Te Mana o Te Wai is the fundamental concept for freshwater management in New Zealand, and provides a framework for the hauora of water, people, and the environment to be protected.

2.3.2 Whenua / Land

Whenua is the embodiment of Papatūānuku – one of the primordial parents within Ngāi Tahu cosmology – and is of great significance to mana whenua. She is the sustainer of life, and plays a cleansing and grounding role within Ngāi Tahu tikanga. Most land in the Hokonui takiwā has been modified, predominantly for primary production which **is can be [amendment subject to feedback from Hokonui Rūnanga Inc]** a significant contributor to the degradation of biodiversity, soil, and water. Other land uses including forestry, general earthworks, mining, and waste and hazard management practices create similar issues **if not appropriately managed [amendment subject to feedback from Hokonui Rūnanga Inc]**. Hokonui Rūnanga supports the coupling of land use zoning

with land capability to reduce the negative effects on soils from compaction, pollution/contaminants, biodiversity loss, and erosion. It is expected that improvements will be made across the district in land management practices to restore soil health with these improvements also having flow on effects for water and biodiversity. We also expect to see many of the systemic barriers to using Māori land reduced and removed, so that this land can be utilised to support whānau aspirations.

2.3.3 Mahinga Kai

Mahinga kai is an all-inclusive term that refers to the ability to access resources for harvesting, the site where gathering of these resources occurs, the act of gathering and using the resource, and the good health of the resource. As a result of this practical focus, mahinga kai is considered by Hokonui Rūnanga to be, in today's language, the principal 'environmental indicator' in natural systems. If mahinga kai is not present, or is unsafe to harvest, then that natural system is under stress and requires remedial action. Mahinga kai was and is central to the Ngāi Tahu and Hokonui way of life. The collection and processing of mahinga kai is an important social, cultural, environmental, and economic activity contributing to the overall well-being of Ngāi Tahu whānui. Mahinga kai practices rely on thriving and abundant biodiversity, safe and aesthetically pleasing places to practice, and the active transfer of knowledge between people. These attributes are dependent on the sustainable management of many other natural resources in the takiwā, especially waterbodies and the management of stormwater. Hokonui Rūnanga expect to be able to practice mahinga kai in our takiwā at multiple locations that are deliberately selected for the quality of the resource and its ability to sustain itself.

2.4 Mana Whenua Recognition, & Involvement in Plan Preparation

Hokonui Rūnanga cultural values, concerns, rights and interests have been considered in preparation of the Plan through representation on the Gore District Council District Plan Review sub-committee, and through Hokonui Rūnanga co-drafting chapters of particular relevance to mana whenua (such as the Mana Whenua (MW), Sites and Areas of Significance to Māori (SASM), and Māori Purpose Zone (MPZ) chapters. Input from mana whenua has also been sought at a technical level on a matter-by-matter basis throughout the plan, and this input has informed the policy approach for these matters.

A specific example is the approach this plan has taken to acknowledging the relationships Ngāi Tahu hold with the natural environment is the SASM chapter. Instead of restricting the consideration of Ngāi Tahu cultural values to a discrete list of 'sites and Areas of Significance to Māori', the underlying relationship Ngāi Tahu hold with the natural environment is accounted for throughout the district via provisions spread throughout various chapters. These are then reinforced by objectives and policies in the SASM chapter. This ensures that this relationship is considered whenever a high-risk activity takes place – as opposed to considerations of Ngāi Tahu cultural values being restricted to selected locations. As per their Charter of Understanding Hokonui Rūnanga will provide expert advice to Council on if, and to what extent, a potential activity impacts on this relationship, and, where relevant, how a development or activity could be undertaken to be more responsive to the Ngāi Tahu cultural values that may be impacted.

The rights and interests of mana whenua, and cultural needs of tangata whenua, have also been recognised throughout the pPlan via the creation of Māori Purpose Zones in areas Māori communities have longstanding relationships with. These zones encompass O Te Ika Rama Marae, Mataura Marae, the Hokonui Rūnanga complex and the Hokonui Marae. Alongside this, Māori Customary Activities (such as mahinga kai activities) have been provided for in a wide range of locations throughout the district, and provision has been made to protect impacts mahinga kai values in and along waterways, and views to and between landmarks of Ngāi Tahu cultural significance.

2.4.1 Ngāi Tahu Claims Settlement Act 1998 & Statutory Acknowledgement Areas and Mātaitai

The Ngāi Tahu Claims Settlement Act 1998, in addition to recognising the rangatiratanga of Ngāi Tahu, includes specific provisions that provide for exercise of rangatiratanga and kaitiakitanga of

mana whenua in respect to resource management matters. The instrument established in this Act that is particularly relevant to Resource Management Act decision-making is Statutory Acknowledgements. These recognise the relationships Ngāi Tahu have with identified areas, in order to improve the effectiveness of Ngāi Tahu participation in resource management. The NTCSA 1998 also identifies certain indigenous species as taonga species - however, this list is not exclusive, and Ngāi Tahu values all indigenous species as taonga.

The Maitai River is listed under the Ngāi Tahu Claims Settlement Act 1998 as a Statutory Acknowledgement Area (full listing available here: <https://www.legislation.govt.nz/act/public/1998/0097/latest/DLM430875.html>). The Maitai is an important mahinga kai, noted for its indigenous fishery. The Maitai Falls are particularly associated with the taking of kanakana (lamprey). When making decisions under the Resource Management Act 1991, Gore District Council must have regard to the statutory acknowledgement relating to the Maitai River in forming an opinion as to whether Te Rūnanga o Ngāi Tahu is a person who may be adversely affected by the granting of a resource consent for activities within, adjacent to, or impacting directly on, the statutory area. If Te Rūnanga o Ngāi Tahu is deemed to be potentially affected, Gore District Council must contact both Te Rūnanga o Ngai Tahu and Hokonui Rūnanga.

The Maitai is also home to the first freshwater mātaihai reserve in New Zealand, which centres on Te Au Nui Pihapiha Kanakana/Maitai Falls. This means that specific bylaws apply in this area under the Fisheries (South Island Customary Fishing) Regulations 1999. These are available here: <https://gazette.govt.nz/notice/id/2009-go5831>

2.4.2 Relevant Iwi Authorities

Te Rūnanga o Ngāi Tahu is the mandated Iwi Authority for Ngāi Tahu whānui, and is governed by representatives from each of the 18 Ngāi Tahu Papatipu Rūnanga. Papatipu Runanga are modern representative bodies of the Ngāi Tahu whānau and hapū who hold mana whenua over a particular area and their associated resources. Each Papatipu Rūnanga affiliates to a specific area, determined by natural boundaries such as mountain ranges and rivers. These areas are called takiwā and are defined in the Te Rūnanga o Ngāi Tahu Act 1996. Within the boundaries of Gore District Council, Hokonui Rūnanga is the relevant Papatipu Rūnanga to engage with on matters relating to mana whenua. Hokonui Rūnanga are represented in district-level environmental planning processes by Hokonui Rūnanga Kaupapa Taiao. Their contact details are as follows:

Email: Hokonui.Office@ngaitahu.iwi.nz

Phone: 03 2087954

Address: 140 Charlton Road, Gore 9774

Website: <https://www.hokonuirunanga.org.nz/>

Gore District Council will engage with Hokonui Rūnanga in ways set out within the Charter of Understanding on all matters related to Ngāi Tahu cultural values and interests identified in this Plan, and will maintain regular and open communication regarding resource management matters and processes.

3. Mana Whenua – Local Authority relationships

Gore District Council is entering into a revitalised Te Tiriti-based relationship with Hokonui Rūnanga – their Treaty Partner. This relationship is grounded in partnership, collaboration, respect, and an acknowledgement of one another's roles, responsibilities, and mana within the region. The purpose of this relationship is to uphold each other's obligations under Te Tiriti o Waitangi, so that together, both the Council and Hokonui Rūnanga can positively contribute towards outcomes that benefit our shared communities.

3.1 Formal Relationship Agreements

In 2021, Gore District Council and Hokonui Rūnanga signed a Charter of Understanding. This charter is underpinned by an agreed set of principles, understanding of each other's roles and responsibilities, and an implementation plan. As part of this Charter, Hokonui Rūnanga have the right to address any committee meeting or meeting of the full Council, and Hokonui Rūnanga will also extend invitations to Council representatives to attend Hokonui Rūnanga meetings to discuss matters relevant to the Charter and their relationship. Further to this, the Charter sets out methods for Hokonui Rūnanga to help inform Council's development of policies, plans, procedures, and have input into cultural matters at a project-specific level.

The Charter also confirms that Council will provide adequate resources to Hokonui Rūnanga to effectively facilitate their involvement in Council business as provided for in the Charter, and that both Parties will commit to, and support each others, upskilling to learn more about the other and to explore common areas of interest.

This Charter of Understanding has also been implemented through a Service Level Agreement between Gore District Council and Hokonui Rūnanga Kaupapa Taiao, to further cement the way both parties work together on day-to-day district planning matters.

Gore District Council is also a member of Te Rōpū Taiao, and is a signatory of its Charter of Understanding alongside Environment Southland, Invercargill City Council, Southland District Council, and the four Papatipu Rūnanga with mana whenua status in Murihiku Southland (of which Hokonui Rūnanga is one). Te Rōpū Taiao focuses on regional strategy and policy direction, and makes agreements regarding budget setting, accessing resources, and commitments for members.

4. Hapū and iwi planning documents

The following Iwi Authority-mandated planning document is relevant within the Gore district. Under sections 74(2A), and 104(1)(c) of the Resource Management Act 1991, these documents are relevant for Gore District Council to have regard to in resource consent application and district plan change processes.

- Te Tangi a Tauira: Ngāi Tahu ki Murihiku Natural Resource & Environmental Management Plan 2008
(<https://www.es.govt.nz/repository/libraries/id:26gi9ayo517q9stt81sd/hierarchy/about-us/plans-and-strategies/regional-plans/iwi-managementplan/documents/Te%20Tangi%20a%20Tauira%20-%20The%20Cry%20of%20the%20People.pdf>)

This document has been taken into account during the drafting of policies within this district plan by incorporating Ngāi Tahu cultural values into the development of plan provisions.

4.1 Accidental Discovery Protocols

As stated in Te Tangi a Tauira, there is the Ngai Tahu ki Murihiku Accidental Discovery Protocol. This is the process that must be followed if burial sites, or Ngāi Tahu artifacts are uncovered during earthworks or other activities. It is as follows:

Kōiwi accidental discovery. If Kōiwi (human skeletal remains) are discovered, then work shall stop immediately, and Hokonui Rūnanga Kaupapa Taiao will be advised. They will arrange a site inspection by the appropriate tangata whenua and their advisers, including statutory agencies, who will determine whether the discovery is likely to be extensive and whether a thorough site investigation is required. In recognition of Section 6 of the Resource Management Act (1991) and legal requirements under the Historic Places Act (1993) there is a requirement to consult the New Zealand Historical Places Trust when archaeological sites are disturbed without authorisation previously

obtained. The New Zealand Police also need to be consulted if the discovery includes Kōiwi or human remains. Materials discovered will be handled and removed by Iwi responsible for the tikanga appropriate to their removal or preservation.

Taonga or artefact accidental discovery: Taonga or artefact material (e.g., pounamu / greenstone artefacts) other than Kōiwi will be treated in a similar manner so that their importance can be determined, and the environment recorded by qualified archaeologists alongside the appropriate tangata whenua.

In-situ (natural state) pounamu/greenstone accidental discovery: Pursuant to the Ngāi Tahu (Pounamu Vesting) Act 1997, all-natural state pounamu / greenstone in the Ngāi Tahu tribal area is owned by Te Rūnanga o Ngāi Tahu. The Ngāi Tahu Pounamu Resource Management Plan provides for the following measures:

1. Any in-situ (natural state) pounamu / greenstone accidentally discovered should be reported to the Pounamu Protection Officer of Te Rūnanga o Ngāi Tahu as soon as is reasonably practicable. The Pounamu Protection Officer of Te Rūnanga o Ngāi Tahu will in turn contact the appropriate Kaitiaki Rūnanga Papatipu; and
2. In the event that the finder considers the pounamu is at immediate risk of loss such as erosion, animal damage to the site or theft, the pounamu / greenstone should be carefully covered over and / or relocated to the nearest safe ground. The find should then be notified immediately to the Pounamu Protection Officer.

For further information please refer to the HNZPT Accidental Discovery Protocol

Involvement and Participation with Mana Whenua

The Resource Management Act 1991 (RMA) imposes a number of statutory duties on the Gore District Council with respect to engagement with mana whenua, and recognition of cultural values and interests in resource management decision-making. These include:

1. Section 6(e) where persons exercising functions and powers under RMA must recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga;
2. Section 7 (a) where decision makers must have particular regard to kaitiakitanga;
3. Section 8 where persons exercising functions under the RMA shall take into account the principles of the Treaty of Waitangi;
4. Schedule 1, clauses 3 and 3B where local authorities must consult with iwi authorities in preparing plans or plan changes; and
5. Schedule 1, clause 4A where, before notifying a proposed plan, a local authority must provide a copy to iwi authorities and have particular regard to any advice received from those iwi authorities.

In terms of sections 6(e), 7(a), and 8, engagement directly with mana whenua is recommended to ensure there is a shared understanding between Gore District Council and mana whenua of how

these statutory duties are being upheld. In terms of Schedule 1 matters, there is already clear direction that Gore District Council must engage directly with mana whenua on these matters.

The Charter of Understanding and Service Level Agreement signed between Gore District Council and Hokonui Rūnanga gives further direction to the nature of mana whenua involvement and participation in Resource management at a day-to-day level. As discussed in MW-3.1, these documents confirm that Hokonui Rūnanga Kaupapa Taiao is the mandated organisation that Gore District Council will engage directly with on all resource management matters impacting mana whenua. Hokonui Rūnanga Kaupapa Taiao is then responsible for ensuring that their services accurately reflect the rights, interests, and aspirations of Ngāi Tahu whānui in the Gore District. The specific forms of engagement for different resource management matters will be jointly determined on a case-by-case basis, in line with both the Charter of Understanding and Service Level Agreement. Whilst the form of mana whenua engagement or participation may differ across various projects, the purpose always remains the same: to ensure mana whenua perspectives are accurately and meaningfully represented in Council decision-making for resource management matters, as per their duties under both legislation and the Charter of Understanding.

5.1 Best Practice Engagement

Hokonui Rūnanga Kaupapa Taiao has published guidance on how to best engage with them on environmental matters. This guidance is applicable to both Gore District Council and the wider public and is based on a range of themes relating to meaningful Treaty-based partnership. It also includes a list of a list of Key Focus Areas for those planning to engage with Hokonui Rūnanga Kaupapa Taiao to adhere to. This guidance can be found on pages 15-17 of Te Kawa o Te Taiao, available here:

<https://www.hokonuirunanga.org.nz/kaupapa-taiao/te-kawa-o-te-taiao/>

Earthworks - EW

EW-P5 Manage earthworks that are of a nature, scale or in a location where there may be adverse effects to ensure that:

1. the earthworks do not exacerbate or create any natural hazard, such as impact on land stability or inundation or flooding effects on other sites;
2. the natural character of rivers and their margins are preserved and water quality, stream health, the intrinsic values of ecosystems, Ngāi Tahu cultural values, and public access are maintained or enhanced;
3. the design, location and undertaking of earthworks recognise Ngāi Tahu cultural values (refer MW-2.3) associated with the area, including a consideration of cultural landscapes, protects archaeological sites and cultural sites of significance, and limits any adverse effects on the underlying relationship Ngāi Tahu hold with the natural environment;
4. any changes to the natural landform minimise the visual effects on the landscape character, and indigenous vegetation is maintained, replaced or enhanced;
5. the safe and efficient functioning of the transport network or regionally significant infrastructure is not impacted; and
6. they are compatible with the character of the underlying zone and anticipated amenity values of surrounding sites are maintained by controlling:

- (a) ongoing adverse effects such as visual effects, overlooking, shading or dominance from the bulk and scale;
- (b) potential short term adverse effects such as the visual appearance of the works, dust, noise and vibration and traffic effects.

NATURAL OPEN SPACE ZONE – NOSZ

NOSZ-R6 Visitor Accommodation Activity		
All areas	Activity status: Permitted Where: 1. The activity shall be located at least 25m from the zone boundary; and 2. The visitor accommodation is undertaken in a temporary structure, e.g. tents, motorhomes, caravans.	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. The effects on natural character and amenity, ecological landscape, ~~Ngāi Tahu~~ cultural values (refer MW-2.3), historic heritage, or other cultural values of the surrounding environment. 2. The compatibility with existing activities in the surrounding area. 3. Whether the activity creates pressure on existing infrastructure or gives rise to any infrastructure requirements.
NOSZ-R8 Commercial Activity		
All areas	Activity status: Permitted Where: 1. The activity is limited to a restaurant, café or mobile food offering; and 2. The activity is ancillary to a permitted activity; and 3. The hours of operation are between 7am and 10pm; and 4. The total gross floor area of any building does not exceed 250m² <i>Note: new buildings require consent under NOSZ-R11</i>	Activity status where compliance not achieved with: NOSZ-R8(1) and NOSZ-R8(2): Non-complying NOSZ-R8(3) and NOSZ-R8(4): Restricted Discretionary Matters of discretion: 1. The extent and effect of the activity on the amenity values of the site and surrounding properties. 2. The effects on natural, ecological, landscape, ~~Ngāi Tahu~~ cultural (refer MW-2.3), historic heritage, or other cultural values of the surrounding environment. 3. The compatibility with existing activities in the surrounding area. 4. Whether the activity creates pressure on existing roading and infrastructure or gives rise to any additional infrastructure requirements. 5. The matters of discretion of any infringed standard.

ENERGY – ENRG

ENRG-S1	<i>Small scale wind turbines</i>	
General Rural, Rural Lifestyle, Settlement Zones and General & Light Industrial Zones	1. The maximum height above natural ground level to the tip of the blade is 20 metres above ground level. 2. The maximum number of turbines per site is: (a) one turbine for sites less than 20 hectares. (b) three turbines for sites which are more than 20 hectares. 3. The maximum rotor diameter is 7.2 metres. 4. The minimum setback of the wind turbine and associated mast/pole is the greater of: (a) 60 metres from a habitable building; or (b) 10 times the height of the structure from the site boundaries.	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. The type, scale, form and location of the turbine and any adverse effects on the character, amenity, or ~~Ngāi Tahu~~ cultural values (<u>refer MW-2.3</u>) of the locality. 2. The ability to mitigate any adverse visual amenity or effects on ~~Ngāi Tahu~~ cultural values (<u>refer MW-2.3</u>) through use of screening, planting and alternative design. 3. Adverse noise and vibration effects

NATURAL HAZARDS - NH

NH-R2	<i>Buildings used for sensitive activities within areas subject to actual or potential inundation</i>
All Zones	Activity status: Permitted Where: 1. Any new building or building addition must have a minimum floor level above the 0.5% AEP design flood level, unless otherwise directed by the Southland Regional Council planning department. Except that: (a) This rule does not apply to areas in the mapped Stopbank Protection Area. <i>Note: Regional Council recommendations take precedence over NH-R2.</i> Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. Suitable methods to mitigate the hazard risk. 2. The functional need and/or operational need to be located the building or structure in this location. 3. Nature and extent of hazard risk to people, ~~Ngāi Tahu~~ cultural values (<u>refer MW-2.3</u>), and property.

NOISE - NOISE

NOISE-R4	Noise from temporary military training and emergency services training activities involving fixed (stationary) noise sources	
General Rural Zone	Activity status: Permitted Where: 1. The noise generated complies with Noise Standard NOISE-S1 for the General Rural Zone. Note: <i>Fixed (stationary) noise sources (other than firing of weapons and explosives) include power generation, heating, ventilation or air conditioning systems, or water or wastewater pumping / treatment systems.</i>	Activity status where compliance is not achieved: Controlled Matters of Control: 1. Whether the noise levels are likely to cause alarm or adversely affect the character, ~~Ngāi Tahu~~ cultural values (refer MW-2.3), or amenity values of the location and adjacent activities. 2. Any mitigation of the noise proposed, in accordance with a best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operations), recognising the practical constraints associated with temporary military training activities. 3. The provision of a noise management plan that specifically identifies the likely noise impacts for the area and describes the measures required to avoid or mitigate these. 4. The programme for notification and communication with occupiers and owners of affected sites prior to the activities commencing, including updates during the event. 5. The method for following up any complaints received during or after the event including communications with the Council.
NOISE-R5	Noise from temporary military training and emergency services training activities involving mobile noise sources	

All zones**Activity status:** Permitted**Where:**

1. The noise generated must not exceed the levels contained within Table 1 when measured at 1 metre from the nearest external wall of any building occupied by a noise sensitive activity; and
2. The noise generated must not exceed the levels contained within Table 2 when measured at 1 metre from the nearest external wall of any building occupied by a noise sensitive activity.

Note:

This rule applies to the use of temporary mobile military training activities including but not limited to personnel carriers, light and heavy vehicles, self-propelled equipment and construction plant.

Activity status where compliance not achieved:

Controlled

Matters of Control:

1. Whether the noise levels are likely to cause alarm or adversely affect the character, ~~Ngāi Tahu~~ cultural values (refer MW-2.3), or amenity values of the location and adjacent activities.
2. Any mitigation of the noise proposed, in accordance with a best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operations), recognising the practical constraints associated with temporary military training activities.
3. The provision of a noise management plan that specifically identifies the likely noise impacts for the area and describes the measures required to avoid or mitigate these.
4. The programme for notification and communication with occupiers and owners of affected sites prior to the activities commencing, including updates during the event.
5. The method for following up any complaints received during or after the event including communications with the Council.

NOISE-R10**Noise from Temporary Events**

All zones

Activity status: Permitted

Where:

1. The Noise level arising from any temporary event shall not exceed:
(a) 8am to 10pm - 75dB LAeq(5min)
(b) 10pm 31 December to 1am 1 January - 75dBLAeq(5min)

When measured and assessed:

- (i) At or within the notional boundary of any other site in the General Rural Zone, Rural Lifestyle Zone, Settlement Zone, Large Lot Residential Zone, General Residential Zone and Medium Density Residential Zone.
 - (ii) 1m from any other building on another site in any other zone that is occupied during the temporary event.
2. At all other times, the noise limits for the receiving zone apply.

Note: The measured noise level must comply with the stated noise limit for every 5-minute sample with no adjustment for special audible character or duration in accordance with NZS6802:2008

Activity status where compliance is not achieved:

Restricted Discretionary

Matters of discretion:

1. Whether the noise levels are likely to cause alarm or adversely affect the character, ~~Ngāi Tahu~~ cultural values (refer MW-2.3), or amenity values of the location and adjacent activities.
2. Any mitigation of the noise proposed, in accordance with a best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operations) recognising the temporary nature of the event.
3. The provision of a noise management plan that specifically identifies the likely noise impacts for the area and describes the measures required to avoid or mitigate these.
4. The programme for notification and communication with occupiers and owners of affected sites prior to the activities commencing.
5. The method for following up any complaints received during or after the event including communications with the Council.

SIGNS - SIGN

SIGN-R6	Cultural Markers	
Māori Purpose Zone and Open Space and Recreation Zones	Activity status: Permitted Where: 1. The cultural markers are no more than 9m in height measured from ground level; and 2. The markers comply with Sign Standard SIGN-S1.	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. Whether the materials of the sign are appropriate or pose a safety hazard for road users, such as reflective materials that give rise to glare. 2. The extent to which the sign may be an obstruction to sight distances, traffic or railway signs or signals, or unnecessarily intrude into a driver's field of vision or cause a distraction that affects safety for road users. 3. The extent to which the sign may physically obstruct vehicles, trains, cyclists or pedestrians. 4. The extent to which ~~Ngāi Tahu~~ cultural values (refer MW-2.3), or tikanga dictate the form or location of the cultural marker. 5. The matters of discretion for the relevant infringed standard.
SIGN-S1	Requirements for Signs (including cultural markers) erected on or adjacent to a road or railway	

All zones

Any *signs* erected on or adjacent to a *road* or railway must not:

1. Project over the road or be located within a transport corridor;
2. Obstruct the line of sight of any corner, bend, intersection or vehicle or rail crossing;
3. Obstruct, obscure or impair the view of any traffic or railway sign or signal;
4. Physically obstruct or impede traffic, trains or pedestrians; and
5. Resemble or be likely to be confused with any traffic sign or signal.

Except that this standard does not apply to *Official* signs

Activity status where compliance is not achieved:

Restricted Discretionary

Matters of discretion:

1. Whether the materials of the sign are appropriate or pose a safety hazard for road users, such as reflective materials that give rise to glare.
2. The extent to which the sign may be an obstruction to sight distances, traffic or railway signs or signals, or unnecessarily intrude into a driver's field of vision or cause a distraction that affects safety for road users.
3. The extent to which the sign may physically obstruct vehicles, trains, cyclists or pedestrians.
4. The extent that any sign resembles a traffic control sign, warning device, or signal, or may make a traffic control sign or signal difficult to discern, with respect to both colour and shape, when considered from all possible driving angles and the potential effects on driver safety.
5. Proximity to other signs, pedestrian crossings and intersections and effects on the safety of road users including cyclists and pedestrians.
6. The extent to which **Ngāi Tahu** cultural values ([refer MW-2.3](#)), or tikanga dictate the form or location of the cultural marker.

LIGHT INDUSTRIAL ZONE - LIZ

LIZ-R5 Retail Activity		
PREC1 Large Format Retail Precinct	Activity Status: Permitted	Activity status where compliance is not achieved with:
	Where: - The retail activity has a minimum floor area of 450m²; and - Any new or extended building or structure complies with all Light Industrial Zone Standards except LIZ-S10.	LIZ-R5(3) and LIZ-R5(4): Restricted Discretionary Matters of discretion: - The extent to which locating the activity in the Light Industrial Zone may adversely impact on the role and function of the Town Centre zone. - The extent to which the activity may limit or constrain the establishment and use of land for activities that are permitted in the zone. - Any potential reverse sensitivity effects and/or conflict with existing activities and ~~Ngāi Tahu~~ cultural values (refer MW-2.3) and the ability to mitigate those effects. - The ability to service the activity and any associated buildings. - The matters of discretion for the relevant infringed standard.

Appendix B - Recommended response to submissions and further submissions

Submitter No.	Submitter name	Submission Point	Provision	Position	Reasons	Decision Requested	s42A Recommendation	S42a assessment reference
S146	Southland District Council	S146.008	MW - General	Support	None specified.	None specified.	Accept	Pg. 21, para. 83
S123	Heritage New Zealand Pouhere Taonga	S123.004	MW– General	Support in part	HNZPT notes that, in consultation with Hokonui Rūnanga, Gore District Council have elected not to schedule specific Sites and Areas of Significance to Māori, but rather, where an activity (or approach to undertaking an activity) does not impact place based Ngāi Tahu cultural values, then it will be enabled in the GDP, regardless of the location. HNZPT advocates for the identification and scheduling of wāhi tupuna. Protection of taonga, including wāhi tapu, wāhi tupuna and whakapapa, is a key principle of Te Tiriti o Waitangi. Cultural landscapes, maunga and awa, are the heart of iwi, hapū and hāpori identity, mātauranga Māori, and wellbeing and must be protected as part of the fulfilment of the principles of Te Tiriti. The proposed approach involves control of activities that are likely to have adverse effects on the district's landscapes and natural environment in general, however, HNZPT recommends that additional layers of protection are afforded to areas of significant cultural value through their identification and targeted provisions. Should the current approach remain, an increased level of processing time and resource can be anticipated at the consenting stage. HNZPT recommends that the criteria and process for consultation with Hokonui Rūnanga is clearly stated and agreed to by both parties, to ensure all involved understand the circumstances under which they will be consulted with and how this will factor into any decision making.	Add Identification, scheduling and rules for Sites and Areas of Significance to Māori	Reject	Pp. 20-22, para. 83-85
FS17	Federated Farmers	FS17.001	MW - General	Support S123.004	Federated Farmers support the request to identify sites of significance and make the same point in our submission	Allow S123.004	Reject	Pp. 20-22, para. 83-85

FS30	Transpower New Zealand Limited	FS30.036	MW - General	Support S123.004	Transpower supports the submission and similarly considers that Sites and Areas of Significance to Māori that are subject to provisions, including rules, in the Proposed Plan are clearly identified so that the locations where the relevant provisions apply is clear in order to provide certainty to plan users. It is considered that an appropriate evaluation of such sites must be undertaken to confirm that the extent of regulation applied to the sites is tested in terms of necessity and appropriateness. By way of example, Transpower is of the view that Sites and Areas of Significance to Māori must be identified in order for Rule INFR-R9 to be confined to 'specified areas' as opposed to the whole District. Allow the submission.	Allow S123.004	Reject	Pp. 20-22, para. 83-85
S133	David Pullar	S133.002	MW-1	Amend	The plan uses a general approach to Mana Whenua aspirations, lacking the detail within the plan and supporting documents to enable plan users to determine how and to what degree the matters outlined in MW2.3 should be considered prior to making a consent application and within the decision-making process for the consent. Because of the lack in detail the mitigation methods required are uncertain. This uncertainty will result in it becoming more difficult to determine if proceeding with consent is worthwhile.	Areas with greater than general Mana Whenua significance are identified in the plan. Rules that require Mana Whenua cultural values consideration should provide detail of the particular values that must be considered, specific to each rule and the degree that these adverse effects must be managed. This consideration is only necessary when other rule components will not manage adverse effects on Mana Whenua. Additional detail is required for rules that reference MW 2.3 which will decrease uncertainty and costs to the community and Mana Whenua.	Reject	Pg. 23, para. 92-94
FS21	Yrless Limited	FS21.008	MW-1	Support S133.002	Lack of specificity and supporting documents may mean that Mana Whenua's interests are not correctly considered and included when undertaking development proposals. Amend provisions and include greater detail in consultation with local iwi.	Allow S133.002	Reject	Pg. 23, para. 92-94
S85	Environment Southland	S85.067	MW- 1	Oppose in part	Providing for Apiti Hono Tatai Hono in this section of the plan will enable the framework to be used to identify and articulate values during decision making.	Recognise that cultural values are not mapped within the District Plan and that there is a number of tools (such as Apiti Hono Tatai Hono [sic]) to identify values important to iwi.	Reject	Pg. 23, para. 95
S128	Greenbriar Ltd.	S128.007	MW-2.3.2	Support in part	Mining identified as being an activity that contributes to the degradation of biodiversity, soil and water. This is only considered to be the case if not managed	Reword as follows, subject to approval from Hokonui Rūnanga:	Accept in part (subject to input from mana whenua)	Pp. 24-25, para. 100-101

					appropriately. Guidance is provided on engagement which is considered useful to plan users.	Most land in the Hokonui takiwā has been modified, predominantly for primary production which is <u>can be</u> a significant contributor to the degradation of biodiversity, soil, and water. Other land uses including forestry, general earthworks, mining, and waste and hazard management practices create similar issues if not appropriately managed.		
FS20	Hokonui Runanga Inc	FS20.028	MW-2.3.2	Support S128.007 in part	Further submitter want to be part of the conversation as to how these provisions are amended	Allow S128.007 in part Seek feedback from Further Submitter on proposed amendment made in response to S128.007	Accept	Pg. 24-25, para. 100-101
S126	Southland Federated Farmers of New Zealand	S126.054	MW-2.4	Oppose	We acknowledge the relationship Ngāi Tahu hold with the natural environment in Gore District, however we are deeply concerned by the approach to consider the entire district as a site and request that individual sites are identified and included in the planning maps.	Remove this sentence: ~~Instead of restricting the consideration of Ngāi Tahu cultural values to a discrete list of 'sites and Areas of Significance to Māori', the underlying relationship Ngāi Tahu hold with the natural environment is accounted for throughout the district via provisions spread throughout various chapters.~~	Reject	Pp. 27-29, para. 115-120
FS20	Hokonui Runanga Inc	FS20.022	MW-2.4	Oppose S126.054 in part	The decision requested will not achieve the purpose of the RMA or give effect to the Southland Regional Policy Statement. It is not the role of a third party to tell mana whenua how to understand or express their relationship with the whenua and wai of their takiwā. However, we agree, the Gore District Plan should include a more explicit land classification approach whereby mana whenua identify the values associated with each part of the takiwā and can have more tailored policies and targeted rules.	Disregard S126.054 in part	Accept Recommend further discussion with Further Submitter to understand their updated position on a managing SASM.	Pp. 27-29, para. 115-120
FS30	Transpower New Zealand Limited	FS30.078	MW-2.4	Support S126.054	Transpower supports the submission and similarly considers that Sites and Areas of Significance to Māori that are subject to provisions, including rules, in the Proposed Plan are clearly identified so that the locations where the relevant provisions apply is clear. It is considered that an appropriate evaluation of such sites must be undertaken to confirm that the extent of regulation applied to the sites is tested in terms of necessity and appropriateness. By way of example,	Allow S126.054	Reject	Pp. 27-29, para. 115-120

					Transpower is of the view that Sites and Areas of Significance to Māori must be identified in order for Rule INFR-R9 to be confined to 'specified areas' as opposed to the whole District. Allow the submission			
S115	Kevin Robertson	S115.055	MW-2.4	Oppose	We acknowledge the relationship Ngāi Tahu hold with the natural environment in Gore District, however we are deeply concerned by the approach to consider the entire district as a site and request that individual sites are identified and included in the planning maps.	Remove this sentence: ~~Instead of restricting the consideration of Ngāi Tahu cultural values to a discrete list of 'sites and Areas of Significance to Māori', the underlying relationship Ngāi Tahu hold with the natural environment is accounted for throughout the district via provisions spread throughout various chapters.~~	Reject	Pp. 27-29, para. 115-120
FS30	Transpower New Zealand Limited	FS30.047	MW-2.4	Support S115.055	Transpower supports the submission and similarly considers that Sites and Areas of Significance to Māori that are subject to provisions, including rules, in the Proposed Plan are clearly identified so that the locations where the relevant provisions apply is clear. It is considered that an appropriate evaluation of such sites must be undertaken to confirm that the extent of regulation applied to the sites is tested in terms of necessity and appropriateness. By way of example, Transpower is of the view that Sites and Areas of Significance to Māori must be identified in order for Rule INFR-R9 to be confined to 'specified areas' as opposed to the whole District. Allow the submission.	Allow S115.055	Reject	Pp. 27-29, para. 115-120
S60	Ronald Crispin	S60.057	MW-2.4	Oppose	We acknowledge the relationship Ngāi Tahu hold with the natural environment in Gore District, however we are deeply concerned by the approach to consider the entire district as a site and request that individual sites are identified and included in the planning maps.	Remove this sentence: ~~Instead of restricting the consideration of Ngāi Tahu cultural values to a discrete list of 'sites and Areas of Significance to Māori', the underlying relationship Ngāi Tahu hold with the natural environment is accounted for throughout the district via provisions spread throughout various chapters.~~	Reject	Pp. 27-29, para. 115-120
FS30	Transpower New Zealand Limited	FS30.067	MW-2.4	Support S60.057	Transpower supports the submission and similarly considers that Sites and Areas of Significance to Māori that are subject to provisions, including rules, in the Proposed Plan are clearly identified so that the locations where the relevant provisions apply is clear. It is considered that an appropriate evaluation of such sites must be undertaken to confirm that the extent of	Allow S60.57	Reject	Pp. 27-29, para. 115-120

					regulation applied to the sites is tested in terms of necessity and appropriateness. By way of example, Transpower is of the view that Sites and Areas of Significance to Māori must be identified in order for Rule INFR-R9 to be confined to 'specified areas' as opposed to the whole District. Allow the submission			
S143	Rural Ratepayers Group	S143.066	MW-2.4	Oppose	We acknowledge the relationship Ngāi Tahu hold with the natural environment in Gore District, however we are deeply concerned by the approach to consider the entire district as a site and request that individual sites are identified and included in the planning maps.	Remove this sentence: ~~Instead of restricting the consideration of Ngāi Tahu cultural values to a discrete list of 'sites and Areas of Significance to Māori', the underlying relationship Ngāi Tahu hold with the natural environment is accounted for throughout the district via provisions spread throughout various chapters.~~	Reject	Pp. 27-29, para. 115-120
FS30	Transpower New Zealand Limited	FS30.072	MW-2.4	Support S143.066	Transpower supports the submission and similarly considers that Sites and Areas of Significance to Māori that are subject to provisions, including rules, in the Proposed Plan are clearly identified so that the locations where the relevant provisions apply is clear. It is considered that an appropriate evaluation of such sites must be undertaken to confirm that the extent of regulation applied to the sites is tested in terms of necessity and appropriateness. By way of example, Transpower is of the view that Sites and Areas of Significance to Māori must be identified in order for Rule INFR-R9 to be confined to 'specified areas' as opposed to the whole District. Allow the submission	Allow S143.066	Reject	Pp. 27-29, para. 115-120
S148	Alistair & Bernadette Hunt	S148.067	MW-2.4	Oppose	We acknowledge the relationship Ngāi Tahu hold with the natural environment in Gore District, however we are deeply concerned by the approach to consider the entire district as a site and request that individual sites are identified and included in the planning maps.	Remove this sentence: ~~Instead of restricting the consideration of Ngāi Tahu cultural values to a discrete list of 'sites and Areas of Significance to Māori', the underlying relationship Ngāi Tahu hold with the natural environment is accounted for throughout the district via provisions spread throughout various chapters.~~	Reject	Pp. 27-29, para. 115-120
FS30	Transpower New Zealand Limited	FS30.005	MW-2.4	Support S148.67	Transpower supports the submission and similarly considers that Sites and Areas of Significance to Māori that are subject to provisions, including rules, in the Proposed Plan are clearly identified so that the locations	Allow S148.67	Reject	Pp. 27-29, para. 115-120

					where the relevant provisions apply is clear. It is considered that an appropriate evaluation of such sites must be undertaken to confirm that the extent of regulation applied to the sites is tested in terms of necessity and appropriateness. By way of example, Transpower is of the view that Sites and Areas of Significance to Māori must be identified in order for Rule INFR-R9 to be confined to 'specified areas' as opposed to the whole District. Allow the submission			
S68	John Baynes	S68.175	MW-2.4	Oppose	We acknowledge the relationship Ngāi Tahu hold with the natural environment in Gore District, however we are deeply concerned by the approach to consider the entire district as a site and request that individual sites are identified and included in the planning maps.	Remove this sentence: ~~Instead of restricting the consideration of Ngāi Tahu cultural values to a discrete list of 'sites and Areas of Significance to Māori', the underlying relationship Ngāi Tahu hold with the natural environment is accounted for throughout the district via provisions spread throughout various chapters.~~	Reject	Pp. 27-29, para. 115-120
FS30	Transpower New Zealand Limited	FS30.043	MW-2.4	Support S68.175	Transpower supports the submission and similarly considers that Sites and Areas of Significance to Māori that are subject to provisions, including rules, in the Proposed Plan are clearly identified so that the locations where the relevant provisions apply is clear. It is considered that an appropriate evaluation of such sites must be undertaken to confirm that the extent of regulation applied to the sites is tested in terms of necessity and appropriateness. By way of example, Transpower is of the view that Sites and Areas of Significance to Māori must be identified in order for Rule INFR-R9 to be confined to 'specified areas' as opposed to the whole District. Allow the submission	Allow S68.175	Reject	Pp. 27-29, para. 115-120
S101	Transpower New Zealand Limited	S101.103	Whole Plan	Support in part	The specific provisions of the proposal that Transpower's submission relates to are: The PDP in its entirety insofar as it relates to the National Grid, and particularly the extent to which the provisions of the PDP give effect to the NPS on Electricity Transmission 2008. The specific details of Transpower's submission, and decisions sought in relation to the PDP are set out in Appendix A of the submission. It is Transpower's submission that the Proposed District Plan goes a long way to achieving the statutory	Support in part the PDP as it relates to the National Grid	Accept in part	Pg. 17, para. 61

					requirement set out above but that further amendments to the Proposed District Plan are required to: (a) give effect to the NPSET; (b) give effect to the SRPS; (c) appropriately reflect the relationship of the provisions of the Proposed District Plan with the NESETA; (d) achieve the purpose of the RMA; (e) represent the most appropriate means of exercising Council's functions having regard to the efficiency and effectiveness of the provisions relative to other means; and (f) discharge Council's duty under section 32 of the RMA			
S139	Hokonui Rūnanga Inc	S139.093	Whole Plan	Support in part	Hokonui Rūnanga Inc supports all the provisions in the proposed plan as notified except for the amendments requested to the above provisions, which are set out in the submission tables and schedule which are attached to and form part of this submission.	Retain provisions as notified, except for those which have been submitted against as part of Hokonui Runanga's submission	Accept in part	Pg. 13, para. 42 Pg. 21, para. 83 Pg. 22, para. 91 Pg. 25, para. 108 Pp. 29-30, para. 127-128
S103	McNabb Management Ltd	S103.031	Whole Plan	Support in part	I support all the provisions in the proposed plan as notified except for the amendments requested to the above provisions, which are set out in the schedule and concept plan which are attached to and form part of this submission.	Support in part except requested amendments	Accept in part	Pg. 17, para.61 Pg. 20, para. 81 Pg. 22, para. 91 Pg. 29-30, para. 127-128
S139	Hokonui Rūnanga Inc	S139.039	Whole plan	Oppose in part	Mana whenua elected not to identify 'sites of cultural significance' in the plan because mana whenua have an enduring relationship with all of the District. All whenua and wai has whakapapa, history, mauri and meaning for mana whenua. Identifying sites as culturally significant implies other areas are not. Mana whenua determine which land uses may be appropriate in any situation considering matters such as whakapapa, natural capital, relationship with other areas in a broader cultural landscape, past and current land uses, mauri of the area and effects of the proposed activity on mauri. However, there are some policies in the plan that refer to the effects of activities on 'Sites of Cultural Significance.'	Delete all references to 'sites of cultural significance' and replace with 'or significant effects on the values mana whenua associate with the area'. Work with Hokonui Rūnanga Inc on a variation and guidance from a mana whenua perspective	Accept in part. Work with submitter to reword MW-2.2 to remove and replace the phrase 'sites of significance' (para 2). Amend EW-P5(3) as follows: "the design, location and undertaking of earthworks recognise Ngāi Tahu cultural values associated with the area, including a consideration of cultural landscapes, protects archaeological sites and cultural sites of significance, and limits any adverse effects on the underlying relationship Ngāi Tahu hold with the natural environment;	Pp. 14-15, para. 48-51
FS5	Hamish Weir	FS5.9	Whole plan	Oppose S139.039 in part	Submitter is concerned that this will result in consultation for all Resource Consents which will place a significant cost burden on applicants and the Rūnanga	Disregard S139.039 in part	Reject in part	Pp. 14-15, para. 48-51

					that will not materialize until the plan becoming operative. Defining the relevant sites would give applicants clarity and restrict consultation to appropriate matters			
FS30	Transpower New Zealand Limited	FS30.038	Whole plan	Support S139.039 in part	Transpower supports the submission to the extent that it is recognised that the provisions of the Proposed District Plan are uncertain because 'sites of cultural significance' are not identified and therefore the extent to which a provision is relevant cannot be determined. By way of example, Transpower is of the view that Sites and Areas of Significance to Māori must be identified in order of Rule INFR-R9 to be confined to 'specified areas' as opposed to the whole District. Transpower supports the suggestion of a variation to clarify the approach to culturally significant sites. Allow the submission to the extent that a variation is developed to address culturally significant sites.	Allow S139.039	Accept	Pp. 14-15, para. 48-51
FS26	Mercury Ltd	FS26.001	Whole plan	Support S139.039	Mercury support Hokonui Rūnanga Inc approach to Mana whenua determining which land uses may be appropriate considering matters such as whakapapa, natural capital, relationship with other areas in a broader cultural landscape, past and current land uses, mauri of the area and effects of the proposed activity on mauri.	Allow S139.039	Accept	Pp. 14-15, para. 48-51
S139	Hokonui Rūnanga Inc	S139.040	Whole plan	Oppose in part	Wherever possible the plan provisions should specify the particular effects of concern to mana whenua to ensure the plan provisions are clear and that appropriate effects are identified and assessed, including when Hokonui Rūnanga Inc may be an affected party.	Amend references to 'Ngā Tahu values' with more detailed description of particular effects to be avoided, remedied or mitigated.	Accept	Pp. 15-17, para. 55-60
FS22	Clark Fortune McDonald & Associates	FS22.049	Whole plan	Support S139.040	Further submitter appreciates and supports Hokonui Runanga's desire for clarity and identification of particular effects rather than vague statements of values which can be left open to uncertain interpretation	Allow S139.040	Accept	Pp. 15-17, para. 55-60
FS26	Mercury Ltd	FS26.002	Whole plan	Support S139.040	The submitter agrees with Hokonui Rūnanga Inc that wherever possible the plan provisions should specify the particular effects of concern to mana whenua to ensure the plan provisions are clear and that appropriate effects are identified and assessed	Allow S139.040	Accept	Pp. 15-17, para. 55-60
S139	Hokonui Rūnanga Inc	S139.091	Whole plan	Oppose in part	Wherever possible the plan provisions should specify the particular effects of concern to mana whenua to ensure the plan provisions are clear and that appropriate effects are identified and assessed, including when Hokonui Rūnanga Inc may be an affected party.	Make consequential amendments to rules that refer to 'Ngāi Tahu cultural values' by adding the words: "as identified in the objectives and policies for this zone and listed in MW2.3	Accept in part Amend the following provisions to include references to MW-2.3 alongside wording relating to Ngāi Tahu cultural values, using agreed wording from HS1:	Pg. 15, para. 52-54

							- NOSZ-R6 - NOSZ-R8 - ENRG-S1 - NH-R2 - NOISE-R4 - NOISE-R5 - NOISE-R10 - SIGN-R6 - SIGN-S1 - LIZ-R5	
FS22	Clark Fortune McDonald & Associates	FS22.050	Whole plan	Support S139.091	The submitter appreciates and supports Hokonui Runanga's desire for clarity and identification of particular effects rather than vague statements of values which can be left open to uncertain interpretation	Allow S139.091	Accept in part	Pg. 15, para. 52-54
S136	Jenny Campbell	S136.001	Whole plan	Not stated	No reasoning provided	All environmental decisions made in consultation with Tangata Whenua	Accept	Pg. 17, para. 61
S126	Southland Federated Farmers of New Zealand	S126.175	Whole plan	Not stated	The Sites and Areas of Significance to Māori (SASM) chapter employs an approach whereby the entire District is considered a 'site.' The s 32 report refers to a trigger approach, with resource consent applications acting as 'triggers' for the Council to consider the impact on Ngāi Tahu cultural values. SFF acknowledges the Māori view of guardianship over land, areas of interest and landscapes. However, the rights of landowners are paramount and must be prioritised. The plan's approach to requiring assessment against cultural values for consents for normal farming operations will only drive conflict as it regulates and restricts even the most minor activities. See page 3/4 and Appendix A for complete submission	We have assessed the Plan and identified that there are 91 rules or standards which include a matter of discretion and/or control as assessment against Ngāi Tahu cultural values (Appendix 1). We assume that the Council considers all of these 91 rules/standards as 'high risk' and therefore requiring assessment against cultural values. In this respect, we feel that the s 32 report has not accurately captured the councils intent to not hinder farming operations by triggering cultural assessment for day-to-day primary production activities	Reject	Pp. 27-289, para. 115-120
FS20	Hokonui Rūnanga Inc.	FS20.021	Whole plan	Oppose S126.175	The submitters reasoning the private property rights are paramount is erroneous in law; and will not achieve the purpose of the RMA or give effect to the Southland Regional Policy Statement	Disregard S126.175	Accept	Pp. 27-29, para. 115-120
S115	Kevin Robertson	S115.176	Whole plan	Not stated	The Sites and Areas of Significance to Māori (SASM) chapter employs an approach whereby the entire District is considered a 'site.' The s 32 report refers to a trigger approach, with resource consent applications acting as 'triggers' for the Council to consider the impact on Ngāi Tahu cultural values. SFF acknowledges the Māori view	We have assessed the Plan and identified that there are 91 rules or standards which include a matter of discretion and/or control as assessment against Ngāi Tahu cultural values (Appendix 1). We	Reject	Pp. 27-29, para. 115-120

					of guardianship over land, areas of interest and landscapes. However, the rights of landowners are paramount and must be prioritised. The plan's approach to requiring assessment against cultural values for consents for normal farming operations will only drive conflict as it regulates and restricts even the most minor activities. See page 3/4 and Appendix A for complete submission	assume that the Council considers all of these 91 rules/standards as 'high risk' and therefore requiring assessment against cultural values. In this respect, we feel that the s 32 report has not accurately captured the councils intent to not hinder farming operations by triggering cultural assessment for day-to-day primary production activities		
S60	Ronald Crispin	S60.178	Whole plan	Not stated	The Sites and Areas of Significance to Māori (SASM) chapter employs an approach whereby the entire District is considered a 'site.' The s 32 report refers to a trigger approach, with resource consent applications acting as 'triggers' for the Council to consider the impact on Ngāi Tahu cultural values. SFF acknowledges the Māori view of guardianship over land, areas of interest and landscapes. However, the rights of landowners are paramount and must be prioritised. The plan's approach to requiring assessment against cultural values for consents for normal farming operations will only drive conflict as it regulates and restricts even the most minor activities. See page 3/4 and Appendix A for complete submission	We have assessed the Plan and identified that there are 91 rules or standards which include a matter of discretion and/or control as assessment against Ngāi Tahu cultural values (Appendix 1). We assume that the Council considers all of these 91 rules/standards as 'high risk' and therefore requiring assessment against cultural values. In this respect, we feel that the s 32 report has not accurately captured the councils intent to not hinder farming operations by triggering cultural assessment for day-to-day primary production activities	Reject	Pp. 27-29, para. 115-120
S143	Rural Ratepayers Group	S143.187	Whole plan	Not stated	The Sites and Areas of Significance to Māori (SASM) chapter employs an approach whereby the entire District is considered a 'site.' The s 32 report refers to a trigger approach, with resource consent applications acting as 'triggers' for the Council to consider the impact on Ngāi Tahu cultural values. SFF acknowledges the Māori view of guardianship over land, areas of interest and landscapes. However, the rights of landowners are paramount and must be prioritised. The plan's approach to requiring assessment against cultural values for consents for normal farming operations will only drive conflict as it regulates and restricts even the most minor activities. See page 3/4 and Appendix A for complete submission	We have assessed the Plan and identified that there are 91 rules or standards which include a matter of discretion and/or control as assessment against Ngāi Tahu cultural values (Appendix 1). We assume that the Council considers all of these 91 rules/standards as 'high risk' and therefore requiring assessment against cultural values. In this respect, we feel that the s 32 report has not accurately captured the councils intent to not hinder farming operations by triggering cultural assessment for day-to-day primary production activities	Reject	Pp. 27-29, para. 115-120
S148	Alistair & Burnadette Hunt	S148.188	Whole plan	Not stated	The Sites and Areas of Significance to Māori (SASM) chapter employs an approach whereby the entire District is considered a 'site.' The s 32 report refers to a trigger	We have assessed the Plan and identified that there are 91 rules or standards which include a matter of	Reject	Pp. 27-29, para. 115-120

					approach, with resource consent applications acting as ‘triggers’ for the Council to consider the impact on Ngāi Tahu cultural values. SFF acknowledges the Māori view of guardianship over land, areas of interest and landscapes. However, the rights of landowners are paramount and must be prioritised. The plan’s approach to requiring assessment against cultural values for consents for normal farming operations will only drive conflict as it regulates and restricts even the most minor activities. See page 3/4 and Appendix A for complete submission	discretion and/or control as assessment against Ngāi Tahu cultural values (Appendix 1). We assume that the Council considers all of these 91 rules/standards as ‘high risk’ and therefore requiring assessment against cultural values. In this respect, we feel that the s 32 report has not accurately captured the councils intent to not hinder farming operations by triggering cultural assessment for day-to-day primary production activities		
S68	John Baynes	S68.296	Whole plan	Not stated	The Sites and Areas of Significance to Māori (SASM) chapter employs an approach whereby the entire District is considered a ‘site.’ The s 32 report refers to a trigger approach, with resource consent applications acting as ‘triggers’ for the Council to consider the impact on Ngāi Tahu cultural values. SFF acknowledges the Māori view of guardianship over land, areas of interest and landscapes. However, the rights of landowners are paramount and must be prioritised. The plan’s approach to requiring assessment against cultural values for consents for normal farming operations will only drive conflict as it regulates and restricts even the most minor activities. See page 3/4 and Appendix A for complete submission	We have assessed the Plan and identified that there are 91 rules or standards which include a matter of discretion and/or control as assessment against Ngāi Tahu cultural values (Appendix 1). We assume that the Council considers all of these 91 rules/standards as ‘high risk’ and therefore requiring assessment against cultural values. In this respect, we feel that the s 32 report has not accurately captured the councils intent to not hinder farming operations by triggering cultural assessment for day-to-day primary production activities	Reject	Pp. 27-29, para. 115-120
S109	Department of Conservation	S109.008	Interpretation – mahinga kai	Support	Supports this definition	Retain as notified	Reject	Pg. 30, para. 127-128
S3	Stoney Creek Station Limited	S3.097	Interpretation – mahinga kai	Amend	Details provided in the definition for Mahinga Kai would be more appropriate in the Mana Whenua chapter	Amend the definition of mahinga kai to: Means the same as outlined in MW – 2.3.3.3 and is an all-inclusive term that refers to the ability to access resources for harvesting, the site where gathering of these resources occurs, the act of gathering and using the resource, and the good health of the resource. ~~As a result of this practical focus, mahinga kai is considered by Hokonui Rūnanga to~~	Accept	Pg. 30, para. 127-128

						be, in today's language, the principal 'environmental indicator' in natural systems. If mahinga kai is not present, or is unsafe to harvest, then that natural system is under stress and requires remedial action. Mahinga kai was and is central to the Ngāi Tahu and Hokonui way of life. The collection and processing of mahinga kai is an important social, cultural, environmental, and economic activity contributing to the overall well being of Ngāi Tahu whānui. Mahinga kai practices rely on thriving and abundant biodiversity, safe and aesthetically pleasing places to practice, and the active transfer of knowledge between people. These attributes are dependent on the sustainable management of many other natural resources in the takiwā, especially waterbodies and the management of stormwater. Hokonui Rūnanga expect to be able to practice mahinga kai in our takiwā at multiple locations that are deliberately selected for the quality of the resource and its ability to sustain itself.		
FS17	Federated Farmers	FS17.098	Interpretation – mahinga kai	Support S3.097	Federated Farmers agrees with the submitter that the definition of mahinga kai must be simplified. The level of detail provided for this definition is inappropriate compared to that of other definitions in the PDP	Allow S3.097	Accept	Pg. 30, para. 127-128
S113	Trudy Bokser	S113.097	Interpretation – mahinga kai	Amend	Details provided in the definition for Mahinga Kai would be more appropriate in the Mana Whenua chapter	Amend the definition of mahinga kai to: Means the same as outlined in MW – 2.3.3.3 and is an all-inclusive term that refers to the ability to access resources for harvesting, the site where gathering of these resources occurs, the act of gathering and using the resource, and the good health of the resource. As a result of	Accept	Pg. 30, para. 127-128

						this practical focus, mahinga kai is considered by Hokonui Rūnanga to be, in today's language, the principal 'environmental indicator' in natural systems. If mahinga kai is not present, or is unsafe to harvest, then that natural system is under stress and requires remedial action. Mahinga kai was and is central to the Ngāi Tahu and Hokonui way of life. The collection and processing of mahinga kai is an important social, cultural, environmental, and economic activity contributing to the overall well-being of Ngāi Tahu whānui. Mahinga kai practices rely on thriving and abundant biodiversity, safe and aesthetically pleasing places to practice, and the active transfer of knowledge between people. These attributes are dependent on the sustainable management of many other natural resources in the takiwā, especially waterbodies and the management of stormwater. Hokonui Rūnanga expect to be able to practice mahinga kai in our takiwā at multiple locations that are deliberately selected for the quality of the resource and its ability to sustain itself.		
S116	Nathan Bokser	S116.097	Interpretation – mahinga kai	Amend	Details provided in the definition for Mahinga Kai would be more appropriate in the Mana Whenua chapter	Amend the definition of mahinga kai to: Means the same as outlined in MW – 2.3.3.3 and is an all-inclusive term that refers to the ability to access resources for harvesting, the site where gathering of these resources occurs, the act of gathering and using the resource, and the good health of the resource. As a result of this practical focus, mahinga kai is considered by Hokonui Rūnanga to	Accept	Pg. 30, para. 127-128

						be, in today's language, the principal 'environmental indicator' in natural systems. If mahinga kai is not present, or is unsafe to harvest, then that natural system is under stress and requires remedial action. Mahinga kai was and is central to the Ngāi Tahu and Hokonui way of life. The collection and processing of mahinga kai is an important social, cultural, environmental, and economic activity contributing to the overall well being of Ngāi Tahu whānui. Mahinga kai practices rely on thriving and abundant biodiversity, safe and aesthetically pleasing places to practice, and the active transfer of knowledge between people. These attributes are dependent on the sustainable management of many other natural resources in the takiwā, especially waterbodies and the management of stormwater. Hokonui Rūnanga expect to be able to practice mahinga kai in our takiwā at multiple locations that are deliberately selected for the quality of the resource and its ability to sustain itself.		
S118	AW + JA Johnston Family Trust	S118.097	Interpretation – mahinga kai	Amend	Details provided in the definition for Mahinga Kai would be more appropriate in the Mana Whenua chapter	Amend the definition of mahinga kai to: Means the same as outlined in MW – 2.3.3.3 and is an all-inclusive term that refers to the ability to access resources for harvesting, the site where gathering of these resources occurs, the act of gathering and using the resource, and the good health of the resource. As a result of this practical focus, mahinga kai is considered by Hokonui Rūnanga to be, in today's language, the principal 'environmental indicator'	Accept	Pg. 30, para. 127-128

						in natural systems. If mahinga kai is not present, or is unsafe to harvest, then that natural system is under stress and requires remedial action. Mahinga kai was and is central to the Ngāi Tahu and Hokonui way of life. The collection and processing of mahinga kai is an important social, cultural, environmental, and economic activity contributing to the overall well-being of Ngāi Tahu whānui. Mahinga kai practices rely on thriving and abundant biodiversity, safe and aesthetically pleasing places to practice, and the active transfer of knowledge between people. These attributes are dependent on the sustainable management of many other natural resources in the takiwā, especially waterbodies and the management of stormwater. Hokonui Rūnanga expect to be able to practice mahinga kai in our takiwā at multiple locations that are deliberately selected for the quality of the resource and its ability to sustain itself.		
S18	Reaby Downs Farm Ltd	S18.099	Interpretation – mahinga kai	Amend	Details provided in the definition for Mahinga Kai would be more appropriate in the Mana Whenua chapter	Amend the definition of mahinga kai to: Means the same as outlined in MW – 2.3.3.3 and is an all-inclusive term that refers to the ability to access resources for harvesting, the site where gathering of these resources occurs, the act of gathering and using the resource, and the good health of the resource. As a result of this practical focus, mahinga kai is considered by Hokonui Rūnanga to be, in today's language, the principal 'environmental indicator' in natural systems. If mahinga kai is not present, or is unsafe to harvest,	Accept	Pg. 30, para. 127-128

						then that natural system is under stress and requires remedial action. Mahinga kai was and is central to the Ngāi Tahu and Hokonui way of life. The collection and processing of mahinga kai is an important social, cultural, environmental, and economic activity contributing to the overall well-being of Ngāi Tahu whānui. Mahinga kai practices rely on thriving and abundant biodiversity, safe and aesthetically pleasing places to practice, and the active transfer of knowledge between people. These attributes are dependent on the sustainable management of many other natural resources in the takiwā, especially waterbodies and the management of stormwater. Hokonui Rūnanga expect to be able to practice mahinga kai in our takiwā at multiple locations that are deliberately selected for the quality of the resource and its ability to sustain itself.		
S19	Karen Temple	S19.099	Interpretation – mahinga kai	Amend	Details provided in the definition for Mahinga Kai would be more appropriate in the Mana Whenua chapter	Amend the definition of mahinga kai to: Means the same as outlined in MW – 2.3.3.3 and is an all-inclusive term that refers to the ability to access resources for harvesting, the site where gathering of these resources occurs, the act of gathering and using the resource, and the good health of the resource. ~~As a result of this practical focus, mahinga kai is considered by Hokonui Rūnanga to be, in today's language, the principal 'environmental indicator' in natural systems. If mahinga kai is not present, or is unsafe to harvest, then that natural system is under stress and requires remedial action.~~	Accept	Pg. 30, para. 127-128

						Mahinga kai was and is central to the Ngāi Tahu and Hokonui way of life. The collection and processing of mahinga kai is an important social, cultural, environmental, and economic activity contributing to the overall well-being of Ngāi Tahu whānui. Mahinga kai practices rely on thriving and abundant biodiversity, safe and aesthetically pleasing places to practice, and the active transfer of knowledge between people. These attributes are dependent on the sustainable management of many other natural resources in the takiwā, especially waterbodies and the management of stormwater. Hokonui Rūnanga expect to be able to practice mahinga kai in our takiwā at multiple locations that are deliberately selected for the quality of the resource and its ability to sustain itself.		
S20	Sarah and Peter Barclay	S20.099	Interpretation – mahinga kai	Amend	Details provided in the definition for Mahinga Kai would be more appropriate in the Mana Whenua chapter	Amend the definition of mahinga kai to: Means the same as outlined in MW – 2.3.3.3 and is an all-inclusive term that refers to the ability to access resources for harvesting, the site where gathering of these resources occurs, the act of gathering and using the resource, and the good health of the resource. As a result of this practical focus, mahinga kai is considered by Hokonui Rūnanga to be, in today's language, the principal 'environmental indicator' in natural systems. If mahinga kai is not present, or is unsafe to harvest, then that natural system is under stress and requires remedial action. Mahinga kai was and is central to the Ngāi Tahu and Hokonui way of	Accept	Pg. 30, para. 127-128

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S24	Helen McIntosh	S24.099	Interpretation – mahinga kai	Amend	Details provided in the definition for Mahinga Kai would be more appropriate in the Mana Whenua chapter	Amend the definition of mahinga kai to: Means the same as outlined in MW – 2.3.3.3 and is an all-inclusive term that refers to the ability to access resources for harvesting, the site where gathering of these resources occurs, the act of gathering and using the resource, and the good health of the resource. As a result of this practical focus, mahinga kai is considered by Hokonui Rūnanga to be, in today's language, the principal 'environmental indicator' in natural systems. If mahinga kai is not present, or is unsafe to harvest, then that natural system is under stress and requires remedial action. Mahinga kai was and is central to the Ngāi Tahu and Hokonui way of life. The collection and processing of mahinga kai is an important social,	Accept	Pg. 30, para. 127-128

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S68	John Baynes	S68.101	Interpretation – mahinga kai	Amend	Details provided in the definition for Mahinga Kai would be more appropriate in the Mana Whenua chapter	Amend the definition of mahinga kai to: Means the same as outlined in MW – 2.3.3.3 and is an all-inclusive term that refers to the ability to access resources for harvesting, the site where gathering of these resources occurs, the act of gathering and using the resource, and the good health of the resource. As a result of this practical focus, mahinga kai is considered by Hokonui Rūnanga to be, in today's language, the principal 'environmental indicator' in natural systems. If mahinga kai is not present, or is unsafe to harvest, then that natural system is under stress and requires remedial action. Mahinga kai was and is central to the Ngāi Tahu and Hokonui way of life. The collection and processing of mahinga kai is an important social, cultural, environmental, and economic activity contributing to	Accept	Pg. 30, para. 127-128

						the overall well-being of Ngāi Tahu whānui. Mahinga kai practices rely on thriving and abundant biodiversity, safe and aesthetically pleasing places to practice, and the active transfer of knowledge between people. These attributes are dependent on the sustainable management of many other natural resources in the takiwā, especially waterbodies and the management of stormwater. Hokonui Rūnanga expect to be able to practice mahinga kai in our takiwā at multiple locations that are deliberately selected for the quality of the resource and its ability to sustain itself.		
S127	Peters Farm Ltd Karen Peters	S127.133	Interpretation – mahinga kai	Amend	Details provided in the definition for Mahinga Kai would be more appropriate in the Mana Whenua chapter	Amend the definition of mahinga kai to: Means the same as outlined in MW – 2.3.3.3 and is an all-inclusive term that refers to the ability to access resources for harvesting, the site where gathering of these resources occurs, the act of gathering and using the resource, and the good health of the resource. As a result of this practical focus, mahinga kai is considered by Hokonui Rūnanga to be, in today's language, the principal 'environmental indicator' in natural systems. If mahinga kai is not present, or is unsafe to harvest, then that natural system is under stress and requires remedial action. Mahinga kai was and is central to the Ngāi Tahu and Hokonui way of life. The collection and processing of mahinga kai is an important social, cultural, environmental, and economic activity contributing to the overall well-being of Ngāi Tahu whānui. Mahinga kai practices rely	Accept	Pg. 30, para. 127-128

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S117	Greg Bokser	S117.097	Interpretation – mahinga kai	Amend	Details provided in the definition for Mahinga Kai would be more appropriate in the Mana Whenua chapter	Amend the definition of mahinga kai to: Means the same as outlined in MW – 2.3.3.3 and is an all-inclusive term that refers to the ability to access resources for harvesting, the site where gathering of these resources occurs, the act of gathering and using the resource, and the good health of the resource. As a result of this practical focus, mahinga kai is considered by Hokonui Rūnanga to be, in today's language, the principal 'environmental indicator' in natural systems. If mahinga kai is not present, or is unsafe to harvest, then that natural system is under stress and requires remedial action. Mahinga kai was and is central to the Ngāi Tahu and Hokonui way of life. The collection and processing of mahinga kai is an important social, cultural, environmental, and economic activity contributing to the overall well-being of Ngāi Tahu whānui. Mahinga kai practices rely on thriving and abundant biodiversity, safe and aesthetically	Accept	Pg. 30, para. 127-128

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