

Before the Independent Hearings Panel at Gore District Council

Under Schedule 1 of the Resource Management Act 1991

In the matter of Hearing Submissions and Further submissions on the Proposed
Gore District Plan.

Statement of supplementary planning evidence of Courtney Bennett on behalf of Gore District Council for Hearing Stream 9A – Sites and Areas of Significance to Māori.

Date: 18 February 2025

Introduction:

1. My full name is Courtney Bennett.
2. My Section 42A report sets out my qualifications and experience as an expert in planning.
3. I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's practice Note 2023, as applicable to this independent hearing panel.
4. I have prepared this statement of evidence to provide a response to expert evidence presented in relation to Hearing Stream 9A – Sites and Areas of Significance to Māori chapter. This includes the evidence of:

The Southland Province of Federated Farmers of New Zealand (S126, FS17)

- a. Rachel Shalini Thomas & Bernadette Ellen Hunt

Transpower New Zealand Limited (S101, FS30)

- a. Ainsley Jean McLeod
5. I note that, as the Panel has chosen to split this Chapter across multiple hearing streams, evidence from Hokonui Rūnanga Inc (S139, FS20) was heard in December 2024 as part of HS8. As per Panel direction, they also have the opportunity to provide further evidence as part of HS9A, which is due after this supplementary evidence is scheduled for lodgement. As such, any Reporting Officer supplementary evidence relating to additional Hokonui Rūnanga evidence will be lodged separately.

Recommendations Overview

6. The Section 42A report provides an overview of issues raised in submissions and the changes recommended relating to Hearing Stream 9A – Sites and Areas of Significance to Māori. I do not propose to repeat those here but instead focus on responding to submitters evidence.
7. Recommended changes to the chapters are shown in **Appendix 1**.

Detailed Responses to Evidence Responding to s42A Recommendations

The Southland Province of Federated Farmers of New Zealand (S126, FS17)

8. Rachel Shalini Thomas and Bernadette Ellen Hunt jointly tabled evidence on behalf of The Southland Province of Federated Farmers of New Zealand (SFF). In their evidence, they raise several matters of concern, and provide a suite of proposed amendments to specific provisions.
9. Where matters relate to legal interpretation, I defer to the legal submissions of Counsel. Where matters relate to the content of the SASM S42A or technical planning issues that require a response from Council, I have addressed them below.

10. Concerns with S42A Content

11. Ms Thomas and Hunt provide helpful clarification that SFF do not in fact consider that the PDP includes 91 provisions relating to day-to-day primary production activities that would require cultural assessments before being undertaken. I welcome this now shared perspective.
12. Ms Thomas and Hunt question the relevance of Appendix C of the SASM S42A report. To clarify, this table responds directly to matters raised both in submissions, and by Ms Thomas and Hunt in their evidence: that is, the concern that the PDP approach to managing Ngāi Tahu cultural values is responsible for an increase in the number of activities requiring resource consent. The table in question helps illustrate that this is not the case.
13. Ms Thomas and Hunt also query why submission points from Hokonui Rūnanga Inc seeking “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” (FS20.030) appear to have been “abandoned with little justification” (para 77). In response, I quote para. 89 of the SASM S42A:

“I note that Hokonui Rūnanga has proposed several amendments to other chapters that add more specificity to the types of Ngāi Tahu cultural values that should be considered in conjunction with individual activities. These types of amendments have been largely accepted in their relevant Section 42A reports.”

14. Hokonui Rūnanga Inc, through their evidence presented at both Hearing Stream 3: Mana Whenua and Hearing Stream 8: SASM, and in the Minute 15 response have repeatedly asserted that they are not seeking to map SASM sites, and that this is not what FS20.030 is seeking. This is discussed in the SASM S42A.

Council Community Engagement

15. Ms Thomas and Hunt repeatedly express their dissatisfaction with Council-led community engagement surrounding the Gore District Plan review, stating that there was a lack of community engagement early in the plan process (para 41), that they are unaware of any public engagement opportunities run by Council to share information on SASM matters (para 37), that Council undertook “the minimum level of consultation required” (para 36), and that Council has breached both its statutory engagement responsibilities, and its own Significance & Engagement Policy (para 36, para 41).
16. I defer to legal counsel on the statutory matters. In relation to the Gore District Council Significance & Engagement Policy, I agree that projects such as a district plan review represent the highest level of significance, and therefore warrant the highest level of community engagement. In this policy, the highest level is the Special Consultative Procedure. To the best of my knowledge, all Special Consultative Procedure engagement methods have been used as part of the PDP engagement process (excluding those that occur after hearings have concluded).
17. Council has also exceeded these requirements by releasing an early draft of the PDP for community feedback in 2022, prior to formally notifying the PDP in 2023. As part of this early community engagement, in-person “drop-in sessions” were held in Mātara, Mātara,

Gore, Waikaka, Manderville, and Pukerau for community members to learn about the draft PDP provisions (including the SASM chapter). Council also attended meetings with specific parties at their request, and reached out to several groups to seek targeted feedback. The draft PDP was also made available online alongside a digital feedback portal on the Council website, all of which were promoted multiple times on Council social media and via local newspapers. I understand that broad range of feedback was received via this early engagement.

18. Cultural Values and Assessment Concerns

19. Ms Thomas and Hunt share several concerns around the role of cultural assessments in the planning process, including the cost of these assessments and uncertainty around when they may be needed. Similarly, they raise issues around the uncertainty of which Ngāi Tahu cultural values may be relevant for specific resource consent applications. The purpose of a cultural assessment is to provide this certainty. I note that, even when mapped SASM sites are used in plans, the level of detail and certainty sought by the submitter is often not provided. Typically, this level of detail still requires technical advice from cultural experts – whether that be a simple phone conversation, or something more formal. Whilst, like all professional services, a cost is typically associated with seeking more formal technical advice, I would not consider this cost to be a mystery. I understand that quotes and other pricing information is available from providers on request.
20. On the matter of uncertainty for when an assessment may be needed, this concern was heard clearly through submissions, and in response, MW-M1 has been proposed. I note that Ms Thomas and Hunt have expressed general support for this proposed method in their evidence.
21. Ms Thomas and Hunt do, however, propose a pragmatic solution for helping landowners understand the cultural associations at place. They suggest that previous cultural assessments or other information relevant to a property be made available as part of LIM reports. In principle, I agree that place-based information already in the public realm should be made easily available to landowners. I consider this to be a useful area for Council and mana whenua to explore the feasibility of further.

Cultural Values Repetition between MW & SASM/NTCV Chapters

22. Ms Thomas and Hunt query why a list of Ngāi Tahu cultural values is included in both the MW chapter and the SASM chapter. Paragraphs 91 & 92 of the SASM S42A report explains the reasoning behind having these values listed in both chapters, and the differences in their function.
23. In summary, the description of these values in the MW chapter is part of a wider narrative about mana whenua relationships to place and cultural values. This content is a mandatory part of a MW chapter under the National Planning Standards. The proposed SASM-O2 in the SASM S42A (or NTCV-O2 in my HS8 supplementary evidence), however, is a plan provision. Its function is to clarify that only the Ngāi Tahu cultural values listed in this objective are relevant for decision-making under this plan. This was proposed in response to submitters seeking an exhaustive list of values relevant to decision-making under the plan.

Specific Relief Sought to SASM Chapter

24. In their evidence, Ms Thomas and Hunt seek that the SASM chapter be withdrawn and that a map-based SASM approach be adopted instead. My position on this matter has not changed since the drafting of the SASM S42A, and as such, I continue to recommend the PDP approach to managing Ngāi Tahu cultural values be adopted. Ms Thomas and Hunt also seek specific relief relevant to this chapter. I respond to each matter as follows.
25. At para. 80 of their evidence, they seek removal of the phrase ‘high risk activities’ for the SASM Overview section. I agree with their reasoning, and note that in the S42A version of the SASM chapter – which has been adapted to become the NTCV chapter – this phrase has already been removed.
26. At para. 88 of their evidence, they seek that SASM-O1 be retained and reworded. I do not support this request as it reflects a mapped approach to managing Ngāi Tahu cultural values, which is inconsistent with the PDP.
27. At para. 89 of their evidence, they seek a new objective clarifying that landowners will have access to information about their land. As discussed above at para. 21, I agree in principle that landowners should have access to any public information about their properties. I do not, however, consider an objective in the SASM chapter to be the most appropriate way to provide for this. I consider there to be value in Council, Hokonui Rūnanga, and SFF jointly exploring other methods for achieving this outcome.
28. At para. 92 of their evidence, they propose a new advice note clarifying the relevance of s10 of the RMA (existing use rights) in the PDP. I support the intent of this amendment, but note that wording to this effect is already included in the PDP in the Statutory Context section of the How The Plan Works chapter. Therefore, I do not support this amendment because it would create duplication in the plan.
29. At para. 97 of their evidence, they seek a rewording of SASM-P2 to include landowners in the process of determining the impact of activities on Ngāi Tahu cultural values. I do not support this amendment as it changes the purpose of this objective. Its purpose is to ensure decisions regarding Ngāi Tahu cultural values are not made in isolation from mana whenua, who are the technical experts in this matter. To include landowners in this objective implies that they are also technical experts in interpreting Ngāi Tahu cultural values. The rewording sought by Ms Thomas and Hunt also seeks to cross-reference MW-P1 into this objective. I consider this level of specificity to be unnecessary as the current wording already allows this objective to relate to any provision in the plan that requires a consideration of Ngāi Tahu cultural values. Finally, I support the sought cross-reference to SASM-O3. However, I note that this has already been recommended in the SASM S42A report (albeit as SASM-O2 due to consequential renumbering).

Specific Relief Sought to MW Chapter

30. In their evidence, Ms Thomas and Hunt seek that the MW chapter be withdrawn and that it be reconsulted on due to the scale of change recommended via the Minute 15 response. I defer to legal counsel on this matter. They also raise issue with the function of several of the provisions introduced via the Minute 15 response. I agree that, in some instances, some of the proposed provisions (such as MW-P1) may be better suited to explanatory text or other such formats. However, I note that these types of provisions were introduced at the explicit direction of the Panel under Minute 15.

31. I also note that, whilst opposing the changes to the MW chapter, Ms Thomas and Hunt also state at para 115 of their evidence that they support the intent of the methods proposed by Ms Beran via the Minute 15 response. Whilst they agree with the S42 report that it is unusual to include methods in this chapter, I acknowledge their opposition to my recommendation that the content of some methods should sit outside the PDP. Therefore, I welcome further discussion to clarify whether they support the inclusion of these methods (subject to their amendments), or whether their preference is that the content of these proposed methods is included in the chapter via explanatory text, as proposed in part by my HS8 supplementary evidence.
32. Ms Thomas and Hunt also seek a range of specific relief relevant to this chapter. Where matters relate to the legality of provisions, I defer to legal counsel. I respond to planning matters as follows.
33. At para. 108 of their evidence, they seek amendments to MW-P1. I agree that the wording of the policy is ambiguous, however to some level this is unavoidable. The content of this policy potentially lends itself more to being descriptive text, however Minute 15 directed this content to be included as an objective, policy, rule, or method. A discussion of this policy and its intent is provided at para 93-96 of the SASM S42A report.
34. At para. 113 of their evidence, they seek amendments to MW-P3. I agree that their proposed cross-referencing adds clarity to this policy. These amendments are reflected in Appendix 1 below.
35. At para. 117 of their evidence, they seek amendments to MW-M1. I query the practicality of these amendments. I defer to Hokonui Rūnanga Inc on whether 10 working days is a realistic timeframe for completing a cultural impact assessment. In terms of continuing to process a resource consent submitted without a cultural impact assessment, I note that cultural impact assessments are not a compulsory part of a resource consent application. Where Council requests that further information on cultural impacts are provided by the applicant after reviewing their lodged application, then this implies that Council cannot continue to process the application until all relevant information is provided to them. Therefore, the amendments sought by Ms Thomas and Hunt do not reflect the consenting process accurately.
36. I recognise Ms Thomas and Hunt's support for the proposed MW-M2, and, as mentioned above, seek further guidance on whether they support the inclusion of this as a method, or seek that the content of the method be included in the chapter in another way, such as being included in explanatory text.
37. At para. 119 of their evidence, they seek amendments to MW-M3 to clarify the purpose of Council staff training and education programmes. I agree with the intent of these amendments, and again seek clarification on how they would prefer this content be included in the chapter (e.g., as a method or as explanatory text).

Position on proposed NTCV chapter

38. I recognise Ms Thomas and Hunt's opposition to the NTCV chapter proposed by Hokonui Rūnanga Inc via the Minute 15 response. I appreciate the opportunity to understand the SFF position on this chapter, and defer to legal counsel on the legality of its introduction.

Transpower New Zealand Limited (S101, FS30)

39. Ainsley Jean McLeod tabled evidence on behalf of Transpower New Zealand Limited (Transpower). In her evidence, she raises several matters of concern. Where matters relate to legal interpretation, I defer to the legal submissions of Counsel. Where matters relate to the content of the SASM S42A or technical planning issues that require a response from Council, I have addressed them below.

Preference for mapped SASM approach

40. Ms McLeod has reiterated Transpower's preference for the PDP to adopt individually mapped SASM with Ngāi Tahu cultural values-related provisions only applying in these locations. She considers this approach to be more practical than the 'activity-based' approach taken by the PDP, and more in line with higher order documents. As stated above, my position on this matter has not changed since lodging the SASM S42A report, and I continue to recommend the PDP approach for the reasons outlined in that report.
41. I defer to legal counsel on the PDP approach's compliance with higher order documents. In terms of practicality, Ms McLeod gives the example of considering alternative sites. She implies that if specific sites are not listed in the PDP, then applicants will be constrained in their ability to respond to cultural values at place – particularly the requirement to consider alternative methods and locations. By engaging with mana whenua, applicants will be able to understand exactly what (if any) values are relevant at place for their proposed activity. This would allow them to meet their requirement to consider any possible alternative locations or methods for undertaking their activity. This may be different to their current practice, but it is important to understand that the opportunity to undertake this consideration is still available under the PDP approach.
42. I also note Ms McLeod has referenced INFR-R9 and its reference to 'Site of Significance to Māori'. I agree that including this phrase in a rule when no sites are listed in the PDP makes this provision unworkable. However, as shown in the Energy and Infrastructure S42A report, this phrase has been recommended for removal.

SASM-O2

43. Ms McLeod highlights several issues with SASM-O2, as proposed in the SASM S42A report (which is identical to NTCV-O2, as per my HS8 supplementary evidence). She states that this provision more closely resembles a policy than an objective. She also queries why references to kaitiakitanga have been replaced with references to rangatiratanga, and question the relevance of the Ngāi Tahu cultural values included in this provision.
44. I disagree with Ms McLeod that the drafting of SASM-O2/NTCV-O2 is not outcomes-focused. The outcome being sought is that mātauranga Māori and rangatiratanga of mana whenua is [emphasis added] recognised and provided for in decision making in certain contexts. I do, however, welcome suggested rewording of this objective if there are more appropriate ways to highlight its outcomes focus.
45. The rewording of SASM-O2/NTCV-O2 to reference rangatiratanga instead of kaitiakitanga was proposed by Hokonui Rūnanga. Therefore, I defer to them to discuss the deeper intent of this amendment. At a practical level, however, I note that amending

this provision to include a set list of Ngāi Tahu cultural values relevant to this objective created a duplication. If the original wording had been retained, then this objective would state that kaitiakitanga would be recognised and provided for when activities impacted on the value of kaitiakitanga. This would not have made sense. This, in part, resulted in the rewording Ms McLeod queries in her evidence.

46. Finally, Ms McLeod questions the relevance and appropriateness of the Ngāi Tahu cultural values listed in SASM-O2 – in particular, the concepts of utu and te reo Māori – pointing towards the specific wording of S6(e) of the RMA. Again, I defer to Hokonui Rūnanga on this point, but note that S6(e) of the RMA specifically refers to ‘taonga’. Te reo Māori is considered a taonga as per WAI262 and Māori Language Act 2016. I also note that the Ngāi Tahu cultural values listed in the PDP are consistent with the Hokonui Rūnanga cultural values listed in their resource management document, Te Kawa o Te Taiao.

MW-P1

47. Ms McLeod raises several concerns with the drafting of MW-P1. In some cases, I agree with these critiques. I agree that the wording of this policy is broad, that this content may be better suited to explanatory text, and that it duplicates other provisions already in the PDP. As discussed above, this provision was proposed in response to Minute 15 which specifically directed process-related provisions be developed for the MW chapter. In relation to its broadness and duplication, this is discussed in the SASM 42A report at paragraphs 93 & 96.
48. I also agree with Ms McLeod that MW-P1 could be improved by replacing the reference to ‘resource consents’ to a broader term that would include designations. As Ms McLeod highlights though, it is unclear if there is scope to make this amendment. If the Panel was of a mind to make this amendment, however, I would agree that it would be an improvement. Irrespective of if this, I expect that the individual chapter provisions that MW-P1 attempts to summarise would still be relevant to designation-related processes, regardless of the wording of MW-P1.
49. I disagree that MW-P1 is problematic for potentially increasing the number of resource consent applications getting unnecessarily notified. Whilst I agree that the SASM approach taken by the PDP may cause more applications to be notified, I disagree that they would be done so unnecessarily. If an application is lodged, and it is deemed that it has appropriately responded to any relevant matters relating to Ngāi Tahu cultural values, then I would not expect it to be notified on these grounds. If, however, an applicant has not addressed these matters, it may be limited notified to relevant mana whenua. Instead of considering this unnecessary, I would consider this to be the notification process working effectively.
50. If, however, Ms McLeod is suggesting that the specific wording of MW-P1 – not the PDP approach to SASM itself – is what may increase how often applications are notified, then I would be interested in exploring this further, including reconsidering whether the content of MW-P1 is better suited to explanatory text.

NTCV Chapter

51. Finally, I recognise Ms McLeod's opposition to the NTCV chapter proposed by Hokonui Rūnanga Inc via the Minute 15 response. I appreciate the opportunity to understand the Transpower position on this chapter, and defer to legal counsel on the legality of its introduction.

Appendix 1 – Proposed amendments

Note: additions proposed within the Sites and Areas of Significance to Māori chapter S42A report are red underlined, and deletions proposed within the Sites and Areas of Significance to Māori chapter S42A report are in ~~red strikethrough~~. Further additions proposed through HS8 are green underlined, and further deletions are in ~~green strikethrough~~. Further additions proposed through HS9A are purple underlined, and further deletions are in ~~purple strikethrough~~.

Mana Whenua – MW

1. Overview

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

1. ~~Recognition of hapū and iwi~~

- ~~(a) A history of the hapū or iwi within the District;~~
- ~~(b) The relationship of hapū or iwi with their takiwā;~~
- ~~(c) Environmental management perspectives and values of hapū or iwi;~~
- ~~(d) A description of resources of significance to tangata whenua or mana whenua;~~
- ~~(e) Where agreed with the iwi authorities, a list of relevant iwi authorities. Where possible this should include links to iwi authority websites;~~
- ~~(f) where agreed with iwi authorities, a description of the relationship of hapū or iwi with ancestral lands, water, sites, wāhi tapu, and other taonga, and interests in resource management~~
- ~~(g) 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;~~
- ~~(h) An overview of resource management arrangements from any Treaty settlement and post-Treaty settlement agreements;~~
- ~~(i) 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;~~

2. ~~Tangata whenua/mana whenua – Local Authority relationships~~

- ~~(a) 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 whakahoā 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;~~

3. ~~Hapū and iwi planning documents~~

- ~~(a) 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;~~
- ~~(b) A description of how the Local Authority has taken the hapū or iwi planning documents into account in the Policy Statement or Plan;~~

- ~~(c) — An explanation of how hapū or iwi planning documents are used;~~
- ~~(d) — If relevant and agreed, parts of the hapū or iwi planning documents;~~
- ~~4. — Involvement and participation with tangata whenua/mana whenua~~
 - ~~(a) — 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;~~
 - ~~(b) — 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;~~
 - ~~(c) — An explanation of the purpose of any involvement, participation or RMA consultation processes; and~~
 - ~~(d) — 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.~~

~~This introductory chapter provides a location for context and process-related mana whenua provisions, while all other mana whenua provisions are located throughout the Gore District Plan¹.~~

~~For example, the Ngāi Tahu Cultural Values Chapter contains overarching provisions that direct the ways in which other chapters in the Plan provide for Ngāi Tahu cultural values in the resource consenting process and contains practical information for consent applicants regarding when activities undertaken in the district need to consider the impacts on Ngāi Tahu cultural values. In addition, the Māori Purpose Zone Chapter enables a range activities to be undertaken in established Māori Purpose zones in recognition of mana whenua customs, traditions and relationships with the district and to provide for their wellbeing.~~

~~Hokonui Rūnanga co-drafted the content of this chapter with Gore District Council to ensure that their interests are accurately reflected in this chapter.~~

~~This chapter contains the following sections, with accompanying provisions located at the end of the chapter:~~

- ~~• Recognition of hapū and iwi~~
- ~~• Mana whenua- Local Authority relationships~~
- ~~• Hapū and Iwi planning documents~~
- ~~• Involvement and participation with mana whenua.~~

~~The provisions contained in this chapter provide plan users with guidance on the way in which mana whenua values and interests are provided for and protected in resource management processes.~~

~~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).~~

¹ 6. Introduction and General Provisions, National Planning Standards - Standard 25. The provisions under the mana whenua heading must only include context and process related provisions. Other mana whenua provisions must be integrated throughout the policy statement or plan where the local authority determines it is appropriate, and 1. Foundation Standard, Mandatory Direction 5. Mana whenua content must be integrated throughout the policy statement or plan where the local authority determines it appropriate.

2. Recognition of hapū and iwi

2.1 Pepeha

Ko aku waka whakairo ko Takitimu ko Uruao

Kei runga ko Ōparure

Kei raro ko Mataura 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, and 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)~~ Within the district, 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~~ historic relationship with the district included extended periods of settled occupation (e.g. Tutarau) coupled with seasonal practices (e.g. at Te Au Nui Pihapiha Kanakana/Mataura Falls). Tūpuna and their histories are eternally acknowledged in - in the form of wāhi ingoa, or place names that remain in the landscape. This connection also spans a continuum of time and whakapapa with metaphysical and physical elements binding ~~us~~ Ngāi Tahu whānui 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 Maitara 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. Tuturau 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 Maitara, 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 and 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 ~~the 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 ~~the 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 ~~the our~~ takiwā. Gathering kai with whānau at traditional fishing places that ~~have been identified 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 the~~ 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 ~~our~~ 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 ~~the 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~~ future 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 ~~the 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 ~~the 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 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. 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 ~~the 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)~~ Ngāi Tahu Cultural Values (NTCV), 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.~~

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 Ngāi Tahu and Hokonui Rūnanga.

Sections 297 to 311 of the Ngāi Tahu Claims Settlement Act include provisions recognising Ngāi Tahu rights and interests in customary fisheries and provide for involvement in the management of these resources through the Conservation Act 1987 and the Fisheries Act 1983 and 1996. The interests of Ngāi Tahu should be recognised and provided for when considering activities under the RMA that could impact on customary fisheries. Mātaitai are a mechanism under the Fisheries Act that provide for management of customary fisheries areas. Within the Gore District, the Maitai river is also home to the first freshwater mātaitai 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: 032087954

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 ~~the 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 Taurira: 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-management-plan/documents/Te%20Tangi%20a%20Taurira%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

Hokonui Rūnanga welcomes the opportunity to assist with any possible discoveries made in the district. If in doubt, please contact the Hokonui Rūnanga office directly to report a potential discovery by phone or email, on:

03 208 7954 or Hokonui.office@ngaitahu.iwi.nz

As stated in Te Tangi a Taurira, 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)~~ Heritage New Zealand Pouhere Taonga Act 2014 there is a requirement to consult ~~the New Zealand Historical Places Trust~~ Heritage New Zealand Pouhere Taonga 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

5. 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/>

5.2 Ngāi Tahu Cultural Values Assessments

Cultural value reports document mana whenua cultural values, interests and associations with an area or natural resource in the district, and assess how a proposed activity might impact on identified cultural values. It may also recommend measures to mitigate the effects of the proposed activity. Cultural values reports are an effective means of providing cultural input, mainly with respect to resource consent applications under the RMA. Such reports can form part of a resource consent application's assessment of environmental effects. While reports may be requested by an applicant as part of pre-resource consent consultation or a resource consent assessment of effects, it is Hokonui Rūnanga that will advise if a cultural values report is required. The costs associated with preparing the report are met by the applicant.

Where resource consent is required for any activity identified in MW-P1 and impacts on Ngai Tahu cultural values need to be considered, Hokonui Rūnanga will consider the following key matters in determining the appropriateness of preparing a cultural values report:

- a. If the application is for a large, intensive or complex project;
- b. The activity is not anticipated at the proposed location or zone and may be precedent setting;
- c. An application does not include sufficient information to determine potential impacts on Ngāi Tahu cultural values; or
- d. If new or additional research is required to determine impacts on Ngāi Tahu cultural values.

Objectives

<u>MW-O1</u>	<u>Resource management in the Gore District reflects the collaborative and transparent working relationship between Council and mana whenua, prioritising the prosperity of the district, alongside the ability for mana whenua to exercise their rangatiratanga and kaitiakitanga responsibilities.</u>
<u>MW- O2</u>	<u>Resource management decisions in the Gore District reflect the relationships mana whenua hold with all land, waterbodies, natural features, and their affiliated cultural developments (such as marae, urupā, Māori Purpose Zones) within District.</u>

Policies

<u>MW-P1</u>	<u>The effects on relevant Ngāi Tahu cultural values are considered when resource consent is required for any of the following activities:</u> a) <u>Activities in close proximity to rivers or streams;</u> b) <u>Land disturbance (earthworks) above permitted activity levels, or with heightened sedimentation risks;</u> c) <u>Some activities breaching bulk, location, or height standards;</u> d) <u>Some activities within a zone that do not hold a permitted activity status, including unanticipated activities within a prescribed zone;</u> e) <u>Some activities within ONF/L overlays;</u> f) <u>Some permanent structures in the NOSZ;</u> g) <u>Temporary activities with extended durations, or potential to cause long-term environmental effects;</u> h) <u>Some activities breaching maximum noise limits;</u>
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	i) <u>Significant expansion to existing infrastructure;</u> j) <u>Some telecommunications infrastructure;</u> k) <u>New roads that don't meet standard design requirements;</u> l) <u>Large-scale quarrying activities;</u> m) <u>Subdivision in Development Area 1 and 2, or impacting notable trees;</u> n) <u>Tikanga-related activities, including some activities in the MPZ and the installation of cultural markers;</u> o) <u>Major events that don't meet event standards requirements for FDZ</u>
<u>MW-P2</u>	<u>Council will maintain or establish processes that:</u> a) <u>Give effect to the Charter of Understanding held between Council and Hokonui Rūnanga;</u> b) <u>Enable Hokonui Rūnanga to actively contribute to decision-making in an efficient manner from the earliest stage practicable; and</u> c) <u>Where appropriate, facilitate efficient and effective processes for resource consent applicants to engage with Hokonui Rūnanga in a best practice manner.</u>
<u>MW-P3</u>	<u>When Ngai Tahu cultural values need to be considered, mātauranga Māori and mana whenua perspectives will be incorporated into decision-making by:</u> a) <u>Taking into account relevant iwi and hapū planning documents;</u> b) <u>Requiring an Accidental Discovery Protocol to be adopted as part of earthworks-related resource consents (see MW-4.1); and</u> c) <u>Reviewing advice received from Hokonui Rūnanga regarding potential impacts of activities, such as those listed in MW-P1 on Ngāi Tahu values listed in NTCV-O2 [or SASM-O2], and potential mitigation options.</u>

Methods

The following methods are practical ways in which Council will work in partnership with Hokonui Rūnanga to support implementing the policies of this chapter to achieve the outcomes of the objectives.

Cultural Impact Assessment Requirement

MW-M1 Where resource consent is required for any activity identified in MW-P1 and impacts on Ngai Tahu Values need to be considered, Hokonui Rūnanga will consider the following key matters in determining the appropriateness of preparing a Cultural Impact Assessment report:

- e. The application is for a large, intensive or complex project.
- f. The activity is not anticipated at the proposed location or zone and may be precedent setting.
- g. The application does not include sufficient information to determine potential impacts on Ngāi Tahu cultural values.

- ~~h. New or additional research is required to determine impacts on Ngāi Tahu cultural values.~~

~~Cultural impact assessment reports are an effective means of providing cultural input, mainly with respect to resource consent applications under the RMA. Such reports can form part of a resource consent application's assessment of environmental effects. While reports may be requested by an applicant as part of pre-resource consent consultation or a resource consent assessment of effects, it is Hokonui Rūnanga that will advise if a cultural impact assessment is required. The costs associated with preparing the report are met by the applicant.~~

Education/ Resources

~~**MW M2** The Council and Hokonui Rūnanga will develop information resources (such as brochures and a website page), to communicate to plan users (including resource consent applicants):~~

- ~~1. the approach that has been taken in the Plan to recognise and provide for Ngāi Tahu cultural values held within the Gore district; and~~
- ~~2. the process for resource consent applicants to engage with Hokonui Runanga.~~

~~**MW M3** The Council will encourage staff to undertake education and training programmes to improve awareness and knowledge of tikanga and mana whenua relationships and associations with the district, including in:~~

- ~~1. Accidental discovery protocol;~~
- ~~2. Ngāi Tahu cultural values;~~
- ~~3. Te taiao matters of interest to mana whenua;~~
- ~~4. Iwi Management Plans.~~

Sites and Areas of Significance to Māori – SASM

Ngāi Tahu Cultural Values - NTCV

Overview and Purpose

To ask how significant a specific site or area is for Ngāi Tahu whānui is a meaningless and redundant question. All landscapes and elements of the natural environment are significant, given that within a Ngāi Tahu worldview all landscapes hold stories, histories, and whakapapa links to atua Māori (deities). For this reason, no specific sites or areas of ‘significance’ to Māori are singled out and listed within the Gore District Plan, as this implies that non-listed sites and areas are places that Ngāi Tahu do not hold a relationship with. Instead, all lands, waters, and natural features within Gore District are recognised as culturally significant to Ngāi Tahu whānui—just at different intensities and for varied reasons. These reasons could include Māori concepts such as mana, tapu or mauri; relationships with Ngāi Tahu deities or creation narratives, historic events or cultural practices, sites recognised as part of the Ngāi Tahu Claims Settlement Act 1998, or contemporary Māori expressions of rangatiratanga or kaitiakitanga.

The Gore District Plan manages the impacts of high-risk activities on Ngāi Tahu cultural values, as opposed to restricting a wide range of activities at specific locations. This allows decisions and, where relevant, controls to be meaningful and tailored to the relevant Ngāi Tahu cultural values that are being impacted. 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 Plan, regardless of the location. For more information on Ngāi Tahu cultural values within the Gore District, please refer to the MW—Mana Whenua chapter.

The SASM chapter consists of overarching objectives and policies that direct the ways the Gore District Plan recognises and protects the historic and contemporary relationship of Māori with the natural environment and places where cultural practices are undertaken within the Gore District. The rules that enable this recognition and protection are attached to specific activities throughout relevant chapters of this plan, and reinforced with objectives and policies that refer to the underlying relationship that Ngāi Tahu hold with the natural environment, or references to the practicing of Māori cultural activities. As indicated in other chapters, the below objectives and policies apply to activities throughout the district.

For Ngāi Tahu whānui, all landscapes and elements of the natural environment are significant, given that within a Ngāi Tahu worldview all landscapes hold stories, histories, and whakapapa links to atua Māori (deities). Mana whenua therefore do not see themselves as separate from the natural world and their hauora (well-being) is linked to the hauora of te taiao (the natural environmental). Whakapapa and the duty to protect the mauri or life-supporting capacity of the whenua, awa and ecosystems, is at the heart of mana whenua identity and hauora (well-being).

Mana whenua are also users and developers of the resources within the district and hold a fundamental duty to ensure that there are opportunities for economic development and social and cultural wellbeing in Gore district. As such, Hokonui Rūnanga as rangatira takes responsibility for the well-being of Ngāi Tahu whānui and all who reside in the district. This includes supporting economic development, meaningful employment opportunities in ways which respect and restore the health of the whenua (land) and wai (water), protect remaining taonga species, wetlands, locations, and landscapes and restores indigenous biodiversity.

For these reasons, Hokonui Rūnanga has opted to not include a ‘Sites and Areas of Significance to Māori’ chapter in the Plan, as listing specific sites or features within the district does not allow for consideration of the holistic relationships mana whenua hold with the district. Instead, Hokonui Rūnanga has worked together with the Council to develop this chapter which relates to the management of activities that have the potential to impact on Ngāi Tahu cultural values. This chapter contains overarching objectives and policies that direct the ways in which the Gore District Plan recognises and provides for Ngāi Tahu cultural values throughout the district. The below objectives and policies apply to activities throughout the district.

Information for Plan Users and Resource Consent Applicants

- Ngāi Tahu cultural values need to be considered when resource consent is required for any of the activities identified in the mana whenua chapter (refer to MW-P1).
- Where Ngāi Tahu cultural values need to be considered, this is indicated by a specific matter of discretion (e.g. that directly refers to Ngāi Tahu cultural values), that is linked to a relevant rule (s) in other chapters of the Plan.
 - **Note 1** below sets out all applicable chapters of the Plan that the provisions in this chapter link into.
- Where applicable, if an activity (as per MW-P1) can comply with the relevant permitted activity rule requirements, then Ngāi Tahu cultural values do not need to be considered regardless of the location of the activity.
- In some instances, Ngāi Tahu cultural values will need to be considered if resource consent is required for a discretionary or non-complying activity, noting that there are no restrictions on the Council’s discretion for these activity types and a full assessment is required to determine whether these activities would be appropriate (in terms of the provisions of the Plan, the effects of the activity on the environment and suitability of the proposed location).
 - Refer to ‘How the Plan Works’ Chapter for further information on the activity classifications that apply in the District Plan.

Objectives

- | | |
|----------------|--|
| <u>SASM-O1</u> | ~~All land, waterbodies, natural features, and marae within Gore District are recognised as sites and areas of cultural significance to mana whenua and/or tangata whenua, and are afforded appropriate considerations in relation to their management, development, and use.~~ |
| <u>NTCV-O1</u> | <u>Mana whenua traditional and contemporary relationships with land, waterbodies, natural features, and cultural structures are recognised, retained, and strengthened.</u> |

~~SASM-O2~~	~~Traditional and contemporary mana whenua and tangata whenua relationships with land, waterbodies, natural features, and cultural structures are recognised, retained, and strengthened.~~
~~SASM-O1~~	
~~SASM-O3~~	~~Mātauranga Māori~~ Recognise and provide for the mātauranga and rangatiratanga kaitiakitanga of mana whenua is recognised and provided for in decision-making where activities identified in MW-P1 impact relating to impacts of activities on the following Ngāi Tahu cultural values:
~~NTCVSASM-O2~~	a) <u>Kaitiakitanga;</u> b) <u>Whakapapa;</u> c) <u>Mauri;</u> d) <u>Manaakitanga;</u> e) <u>Wairua;</u> f) <u>Whanaungatanga;</u> g) <u>Utu;</u> h) <u>Mātauranga;</u> i) <u>Te Reo Māori;</u> j) <u>Ki uta ki tai; and</u> k) <u>Mahinga kai.</u> the underlying relationship Ngāi Tahu hold with the natural environment.

Policies

~~SASMNTCV-P1~~	~~Enable land use, development and subdivision, and development is enabled where adverse effects on Ngāi Tahu cultural values, including those (listed in NTCV-O2 MW-2.3 SASM-O2), are avoided, remedied or mitigated.~~
~~SASMNTCV-P2~~	~~The impact of land use, development and subdivision proposed activities on Ngāi Tahu cultural values (listed in SASMNTCV-O2), and their underlying relationship with the natural environment is determined in partnership with Hokonui Rūnanga.~~
~~SASMNTCV-P3~~	~~Mātauranga relating to Ngāi Tahu cultural values is cared for as a taonga by Hokonui Rūnanga, and shared with Gore District Council on a case-by-case basis, as needed to support Council decision-making~~
~~SASMNTCV-P4~~	~~The ability for Māori mana whenua to engage in cultural practices in culturally appropriate places is recognised and provided for.~~
~~SASMNTCV-P5~~	~~Where appropriate, Ngāi Tahu cultural values and histories are incorporated into urban design of publicly accessible spaces.~~

Notes

Note 1 Provisions in Other Chapters

The objectives and policies in this chapter apply to the provisions of other chapters in the District Plan, including the following:

- Energy
- Infrastructure
- Transport
- Hazardous Substances
- Natural Hazards
- Public Access
- Zones – Setbacks from Streams, Reserve Land, buildings in Rural Zones exceeding height and coverage controls, and activities in the Natural Open Space Zone and Field Days Zone.
- Subdivision
- Activities on Surface of Water
- Earthworks
- Noise
- Temporary Activities
- Ecosystems and Indigenous Biodiversity
- Natural Features and Landscapes