

**Before Councillors and Independent Commissioners appointed
by the Gore District Council**

In the Matter of

Resource Management Act 1991
(Act)

And

In the Matter of

submissions and further
submissions on the Proposed Gore
District Plan

And

Hearing Stream 9A – Sites and
Areas of Significance to Māori, Ngāi
Tahu Cultural Values

**Supplementary Statement of Evidence of
Amy Elizabeth Beran
for Hokonui Rūnanga Incorporated**

Dated: 12 February 2025

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INTRODUCTION

Qualifications and Experience

1. My name is Amy Elizabeth Beran.
2. I am employed by Te Rūnanga o Ngāi Tahu as a Senior Environmental Advisor. I have held this position since December 2022.
3. I have the qualifications and experience set out in my statement of evidence dated 8 July 2024, which was filed in relation to Hearing Stream 3 of the Proposed District Plan (Mana Whenua).
4. I filed a statement of evidence in relation to Hearing Stream 8 (Sites and Areas of Significance to Māori) which I presented to the Panel at the hearing convened for the SASM/NTCV Chapter on 5 December 2024.
5. This additional statement of evidence supplements my earlier statement of evidence and responds to matters raised by the Panel at the hearing. Additionally, as my earlier statement of evidence for this chapter was filed prior to the evidence of submitters being filed on 28 January 2025, this supplementary evidence will also respond to matters arising in the evidence that was filed on behalf of submitters.

Code of Conduct

6. While this is not an Environment Court hearing I reconfirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. This evidence is within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

SCOPE OF EVIDENCE

7. My evidence will deal with the following:
 - (a) Response to further work directed by the Panel including:
 - (i) Ability to incorporate Ngāi Tahu Cultural Values (**NTCV**) chapter into the Mana Whenua Chapter and/or alternative options for locating the NTCV Chapter in the PDP (as provided in the National Planning Standards);

- (ii) Accidental discovery protocol;
 - (iii) Minor amendments to content contained in Mana Whenua Chapter;
 - (iv) Detailed review of GAP analysis (contained in Minute 15 further response) and proposed amendments to PDP provisions; and
 - (v) Consequential refinement of rules and standards that contain a NTCV matter of discretion or control.
- (b) Response to submitter evidence.

INFORMAL DISCUSSIONS WITH S42A REPORTING OFFICER

8. I exchanged several electronic messages (emails) with Council's planner, Courtney Bennett in December 2024 after attending the opening hearing for the SASM/NTCV chapter (HS8) on 5 December 2024. Arising from that informal correspondence, a joint statement was produced between myself and Ms Bennett, which was circulated to the Panel on 19 December 2024.
9. At the time of producing the joint response it was agreed between Ms Bennett and myself that it was not possible (due to a limited timeframe) to undertake a thorough review of the SASM/NTCV provision table that was produced for the Panel's consideration. Taking direction from Hokonui Rūnanga, I have worked directly with Rūnanga representatives since that time to respond to the Panel's questions (that were verbalised at the opening hearing) and have undertaken the required further analysis work. As such, I have not had any further discussions or reached any further agreement with Ms Bennett on the responses and detailed analysis work that is provided in my evidence below.

RESPONSE TO PANEL QUESTIONS

Ngāi Tahu Cultural Values Chapter – Context or process related and effects-based provisions

10. I understand the question about distinguishing the different provisions in the NTCV chapter was raised as the Panel is seeking to understand potential options for moving these provisions over to the Mana Whenua (**MW**) Chapter. For context, I note the National Planning Standards (**NPS**) states that the MW Chapter must only include context and process-related provisions, as all other

mana whenua provisions must be integrated throughout the plan where the local authority determines it appropriate¹.

11. To assist with answering this question I have referred to the NPS and supporting guidance documents (produced by MfE) on what constitutes 'process- related' or 'context' provisions and if any clear distinction can be made between these provisions and other provisions anticipated by the NPS. In undertaking this review I have prepared and appended an information table for the Panel's reference, that sets out relevant PDP chapters (i.e. MW, SASM, NTCV and UFD) alongside the NPS requirements and where relevant, includes information that has been sourced from MfE guidance documents. A copy of the table is contained in **Appendix A** of my evidence.
12. Based on my analysis, I note the NPS does not provide a definition or explanation for 'process-related' or 'context' provisions. It does however define 'provisions' as meaning *"all content in a plan, including background content, issues, objectives, policies, methods, rules and anticipated environmental results."*² To me this is an all-inclusive definition, as it essentially covers anything that might be found in a plan (except for diagrams or images). As such I consider process related or context provisions could include general content in a chapter (e.g. content located section of the chapter) and therefore is not limited to objectives, policies, methods or rules in a chapter.
13. The MfE guidance documents I cited specifies that locating the tangata whenua/ mana whenua heading in the 'introduction and general provisions' part of the plan was intentional and is supposed to be make it clear that the provisions in the chapter are not the 'substantive'³ (mana whenua) provisions that must be included in other relevant chapters. I note this point appears to be reinforced through two similarly worded directions in the NPS⁴. Additionally, 'general' provisions which are found in this part of the plan are described as including content that helps navigate the plan or provide context or content that is commonly included in plans, such as tangata whenua values.
14. Whilst the NPS provides no definition for 'process-related' or 'context' provisions, having reviewed available resources, I am of the view that content included in the MW Chapter is intended to provide relevant introductory or

¹ 6 Introduction and General Provisions Standard, Direction 25 (under Tangata whenua/ mana whenua heading).

² National Planning Standards 2019 at page 5.

³ The use of 'substantive' mana whenua provisions appears to be in response to a common concern that was raised by Iwi through submissions. The concern was that Māori values and perspectives need to be integrated throughout the plans and not sit in isolation in an introductory type chapter in the plan such as the MW chapter.

⁴ 1 Foundation Standard, mandatory direction 5 and 6 Introduction and General Provisions, direction 25.

general information upfront in the plan to give context to the other (substantive) mana whenua provisions that are integrated throughout the PDP (enabling mana whenua values and perspectives to be woven throughout). As such, I would not be supportive of combining the NTCV chapter with the MW chapter as I see them serving different purposes in the plan, with the MW chapter providing the general information (e.g. who are mana whenua in the district, what are mana whenua interests and values, existing agreements between council and mana whenua to support relationship between parties and aspirations of mana whenua) or more broadly 'setting the scene' for the chapters that are to follow. In contrast, the NTCV chapter specifically provides overarching direction to guide decision making in relation to providing for Ngāi Tahu connections and associated cultural values with the natural environment.

15. Based on my review of District Plans (including operative, partly operative and proposed) in the Ngāi Tahu takiwā, I have found no other examples where objectives and policies (or methods) are provided in the MW chapter, which I also view as a further indicator that taking such an approach could be out of step with the relevant directions in the NPS.
16. I consider a potential option to clarify the difference between the role of the MW chapter from the NTCV chapter, would be to have all objectives, policies and methods or supporting guidance notes located in the NTCV chapter, with the introductory or background content included in the MW chapter. I do however acknowledge that further refinements would need to be made to both the MW chapter and NTCV chapter, to improve clarity for plan users and respond to potential confusion about the intent of the different PDP chapters. As such, to assist with the Panel's considerations of this potential option, I have worked with Hokonui Rūnanga to make further refinements to both chapters. A copy of the refined chapters and an analysis of the changes proposed through this exercise is contained in **Appendix B**.
17. As a brief overview of the proposed refinements made in the revised chapters, I note the following key points in relation to the provisions in the refined NTCV chapter:
 - (a) There is a total of three overarching objectives;
 - (b) There is between three and four supporting policies (note- method 1 has been refined so that it could sit as either a method or policy in the chapter. This refinement is made in response to the Panel's concerns about the use of methods in the PDP; and

- (c) There is between two and three supporting methods or guidance notes that support the policies.

Where should the Ngāi Tahu Cultural Values Chapter sit within the PDP?

18. The NPS specifies that any additional chapter that addresses cultural values on a district-wide basis must be included alphabetically under the '*Historical and cultural values*' heading⁵. On this basis, the NTCV chapter could sit in Part 2- District-Wide Matters of the PDP under the above-mentioned heading. Given the chapters need to be arranged alphabetically, it would sit directly under the Historic Heritage (HH) Chapter. The NPS places no limitations on the types of provisions that can be included in a cultural values chapter. As such, the NTCV chapter could include general content as well as objectives, policies and other methods including rules. This can include the objectives, policies and methods that I have recommended be pulled across from the MW chapter.
19. As an alternative option, I believe most of the content of the chapter (except for the methods) could also sit in Part 2- District-Wide Matters of the PDP, under the Strategic Direction heading. Under this option, the content of the chapter would sit in its own chapter (i.e. NTCV chapter) under the Strategic Direction heading. The NPS states that an 'urban form and development' chapter must be included under the strategic direction heading⁶. Further, the NPS states that each strategic direction matter must be in its own chapter and be included alphabetically under the heading⁷. In my opinion this would allow the NTCV chapter (excluding methods) to be shifted under the strategic direction heading, separate from the notified UFD chapter, on the basis it is a specific strategic direction matter (and therefore must sit in its own chapter). As the chapters need to be arranged in an alphabetical order under the heading, the NTCV chapter would sit above the UFD chapter.
20. Regarding provisions that can be included in each strategic direction chapter, the NPS anticipates a range of provision types, which includes issues (if any), objectives and policies⁸. However, rules must not be included under the strategic direction heading⁹. As a further consideration, I note that Direction 1 of the District-Wide Matters Standard in the NPS specifies that where objectives address key strategic or significant matters for the district and guide decision making at a strategic level, and there are policies that address these matters (unless those policies are better located in other more specific chapters), they

⁵ 7 District-wide matters standard, Historical and cultural values, direction 18.

⁶ 7 District-wide matters standard, Strategic direction, direction 3.

⁷ 7 District-wide matters standard, Strategic direction, direction 4.

⁸ 7 District-wide matters standard, Strategic direction, direction 1.

⁹ 7 District-wide matters standard, Strategic direction, direction 2.

must be located under the strategic direction heading. If the Panel is of the view that the provisions contained in the NTCV chapter meet the above requirements (i.e. NTV objectives and policies), then it seems they **must** (emphasis added) sit under the strategic direction heading.

21. For the Panel's awareness, I note several proposed or partly or fully operative District Plans in the Ngāi Tahu takiwā include Mana Whenua specific strategic directions, with some sitting in individual chapters while others sit within a broader strategic direction chapter (but all are separate to UFD)¹⁰. I also note the proposed Te Tai o Poutini West Coast District Plan includes both objectives and supporting policies in the Strategic Direction chapter. As such I do not consider there to be any clear reason why policies cannot be included in the strategic direction chapter of the PDP.

Proposed Methods

22. At the opening hearing for HS8, the Panel queried whether the content of the proposed methods (as presented in the MW chapter) could be addressed in other ways, such as through explanatory text in the chapter and/or through brochures that will be available to the public or other existing arrangements that the Council has in place (e.g. the Charter of Understanding). In responding to these questions, I note that the proposed methods were further considered as part of the refinement work that I undertook with Hokonui Rūnanga (in relation to MW and NTCV chapters).
23. The content of the methods broadly pertains to:
 - (a) cultural assessments (e.g. CIA or other assessment report) and where they may be appropriate (as guided by Hokonui Rūnanga);
 - (b) producing informative resources for plan users that explains the NTCV approach and offers guidance on how to best engage with mana whenua; and
 - (c) providing opportunities for Council staff to improve their knowledge of Hokonui Rūnanga values and connections with the district to support their administration of the PDP.
24. The proposed methods have been included as I consider the content of these provisions to be important to the implementation of the policies. As an example, I note refined Policy 2 of the proposed NTCV chapter relates to Council

¹⁰ Partially operative Selwyn District Plan, Proposed Timaru District Plan, proposed Te Tai Poutini Plan, Proposed Waimakariri District Plan and the Christchurch District Plan.

establishing processes for applicants to engage with Hokonui Rūnanga (or Council consulting with Hokonui Rūnanga if engagement has not occurred) and is supported by Method 2 which specifies that Council will work with Hokonui to develop supporting information resources for applicants (e.g. a brochure that explains the NTCV approach and how applicants can engage with Hokonui Rūnanga).

25. Whilst I understand that methods do not hold the same weight as other provisions in a plan, I don't see it as a good reason to not to include them, because as alluded to above, I see the role of methods as supporting the implementation of the more important provisions (e.g. policies) in the chapter (but in a more user friendly way and clear way than a rule does). I therefore would not expect that methods hold the same weight as the policies they support. That said, I also note that by including methods alongside the relevant policies it signals to Council the need to undertake the work outlined in them and because these provisions do hold some weight, I consider their inclusion provides more certainty to plan users that the required work will be undertaken. I also consider that as the methods function together to support the policies, for clarity there is benefit in having them all sitting together in the relevant part of the PDP.
26. From another perspective, I note the high level of confusion and uncertainty that has come through in submissions made on the SASM/NTCV approach and at a practical level see the inclusion of the proposed methods as giving some assurance to the local community as to the processes and supporting information that will be available to help them navigate the proposed NTCV approach in the PDP.
27. As such, I remain supportive of retaining the proposed methods if the final location of these provisions (in the PDP) allows for their inclusion. However, if the Panel is of a mind to remove and/or replace the methods, the refinement work that Hokonui Rūnanga and myself have undertaken to the MW and NTCV provisions provides some further options to consider (e.g. inclusion as general guidance note/ advice note and further refinement of MW-M1 so that it could sit as either a policy or method).

Accidental Discovery Protocols

28. The potential issue of having different Accidental Discovery Protocols (**ADP**) in the PDP was identified by the Panel at the opening hearing for HS8, noting that the MW chapter refers to the Ngāi Tahu ki Murihiku ADP, as well as the Heritage New Zealand Pouhere Taonga ADP. To address potential uncertainty for plan

users, further refinement work to the two ADPs was requested by the Panel, with a preference of having a single ADP referenced in the MW chapter.

29. Upon further review of the PDP, I found that Standard 7 of notified Earthworks chapter (EW-S7) includes a partly combined ADP sitting within the standard, noting that it also refers plan users back to MW4.1 (Accidental Discovery Protocol) for the process that must be followed in the case of human remains/ kōiwi, taonga or Māori cultural artefact, and in-situ (natural state) pounamu/greenstone. As such, Hokonui Rūnanga has reviewed the content of the ADP in the Earthworks Chapter and confirmed they are supportive of directly including the content that is included in MW-4.1 to EW-S7, instead of cross-referencing back to the section of the MW chapter. With the proposed amendments made to EW-S7 (ADP), it was also agreed that MW4.1 should be amended to refer plan users to the ADP in the EW chapter. This will be a clearer approach for plan uses as the ADP will sit within the standard itself and avoid any potential conflicts.
30. In response to the direction provided by Hokonui Rūnanga, I have accordingly amended section MW-4.1 (to reference to the EW chapter) and have added the content from MW-4.1 to the EW-S7. A copy of the proposed changes to EW-S7 is contained in **Appendix C**. A copy of the proposed changes to the MW chapter is contained in **Appendix D**.

Other minor amendments to content in the Mana Whenua Chapter

31. At the opening hearing for HS8, the panel provided some initial feedback on minor amendments required to content contained in the chapter, to improve readability and improve consistency with the other PDP chapters. Briefly the requested changes included rewording content that appears to be written in the first person (i.e. relates to mana whenua perspectives but is ambiguous as drafted), revising MW- 2.3 in part to confirm that the specified values are exhaustive in the context of the PDP and replacing missing words (that had been inadvertently removed through previous edits).
32. In response and with support from Hokonui Rūnanga (as co-authors of the MW chapter), I have made all requested revisions which are shown as additional track changes in the appended MW chapter (refer to **Annexure D**).

Analysis of NTCV related provisions and linkages in the PDP

33. As a follow on from the initial GAP analysis that is contained in the further response to Minute 15¹¹, I have worked with Hokonui Rūnanga to undertake a detailed review of all NTCV related provisions. The analysis work has considered how the NTCV related provisions have been integrated into each chapter of the PDP, including linkages between objectives, policies and rules as well as standards (where relevant) and potential gaps or other issues that may limit implementation of the NTCV approach. Another consideration was whether the overarching provisions contained in the NTCV chapter address the potential gaps in the provisions or if additional revision work may be required to the notified PDP provisions.
34. As an output of this work, I have produced a detailed analysis table which is contained in **Appendix E** of my evidence. For ease of reference, where there are perceived gaps or other potential issues with the PDP provisions, these have been highlighted (in yellow) and a column has been included that provides detailed explanation of what I consider to be a linkage issue(s). The analysis table also identifies relevant submission points that have been made by Hokonui Rūnanga on the PDP provisions¹². A copy of the further response to Minute 15 is contained in **Appendix F**.
35. While detailed consideration of the relevant NTCV provisions is set out in the appended NTCV analysis table contained at **Appendix E**, in the following sections I discuss key findings that I have made through the analysis work that I consider will assist the Panel in understanding the source of any gaps and proposing solutions to rectifying them.

Mixed approach to including NTCV related provisions throughout the Notified Version of the PDP

36. As stated in the further response (to Minute 15), there is inconsistency in terms of how the NTCV related provisions have been woven into relevant chapters of the PDP. In preparing the table appended to the further response to Minute 15, I have concluded that it appears these gaps have attempted to be filled by the provisions contained in the separate NTCV chapter. This has resulted in some provisions sitting in separate chapters, and others sitting in the NTCV chapter.

¹¹ which lists all SASM/NTCV related provisions in the notified plan and provides a 'high-level' analysis of all SASM/NTCV related provisions included in the notified PDP.

¹² Hokonui Rūnanga made a number of individual submission points on specific PDP provisions that all broadly seek to specify the mana whenua values or concerns in relation to a particular place or activity. These submission points were made response to a whole of plan submission point was made on

37. The extent and complexity of this issue has however become apparent through the detailed review of NTCV provisions, where I have found an almost 50:50 split between the chapters where NTCV related provisions have been clearly integrated throughout and the chapters, and scenarios where there appears to be gaps because NTCV have not been clearly integrated into the provisions.
38. For example, the following chapters all include a range of provision types that refer to Ngāi Tahu relationships with the environment (or similar wording). The provisions extend from specific objective(s) through to supporting policy or policies, and associated rules, which I understand are intended to collectively enable the SASM/NTCV approach in each chapter:
- (a) ENRG- Energy Chapter;
 - (b) HAZS- Hazardous Substances Chapter;
 - (c) TREE-Notable Trees;
 - (d) ECO-Ecosystems and indigenous biodiversity;
 - (e) PA-Public Access (supports rules in SUB chapter);
 - (f) SUB-Subdivision;
 - (g) ASW-Activities on the Surface of Water;
 - (h) EW-Earthworks;
 - (i) TEMP- Temporary Activities;
 - (j) RLZ-Rural Lifestyle Zone;
 - (k) MUZ- Mixed Use Zone;
 - (l) LIZ- Light Industrial Zone;
 - (m) GIZ- General Industrial Zone;
 - (n) NOSZ- Natural Open Space Zone (the Standards are however not enabled through the Rules);
 - (o) SARZ- Sports and Recreation Zone;
 - (p) AIRPZ- Airport Zone; and
 - (q) MPZ- Māori Purpose Zone.

39. Contrary to the above findings, the chapters listed below do not follow the same approach, where instead the chapters omit NTCV provisions. This includes missing objectives (that clearly relate to the NTCV approach) and in some instances missing NTCV related policies. This difference appears to have resulted in some of the potential provision gaps and other related issues that Hokonui Rūnanga and I have been identified in the appended analysis table.

- (a) INFR- Infrastructure;
- (b) TRANS- Transport;
- (c) CL- Contaminated Land;
- (d) NH-Natural Hazards;
- (e) HH-Historic Heritage;
- (f) NOISE-Noise;
- (g) SIGN- Signs;
- (h) LLRZ- Large Lot Residential Zone;
- (i) GRZ-General Residential Zone;
- (j) MRZ-Medium Density Residential Zone;
- (k) GRUZ- General Rural Zone;
- (l) SETZ-Settlement Zone;
- (m) NCZ- Neighbourhood Centre Zones;
- (n) LCZ- Local Centres Zone;
- (o) TCZ- Town Centre Zone;
- (p) CCZ- Camp Columba Zone;
- (q) FDZ- Field Days Zone; and
- (r) DEV2- Development Zone 2

Can potential gaps in the NTCV related provisions be filled by the NTCV chapter?

40. I have concerns that relying entirely on the overarching provisions in the NTCV chapter to address potential gaps in specific chapters of the PDP could result in consent applications being processed without considering applicable NTCVs.
41. My concern centres on the lack of specificity that is available to plan users through the NTCV chapter (given the high-level nature of the provisions) and as a result, the uncertain or potentially inconsistent outcomes that might ensue through Council's administration of the PDP provisions. To demonstrate some of my concerns, I have included in the table below a practical example of where potential uncertainty could arise for a consent application.

Scenario: Building a new house in a General Residential Zone that encroaches into a required waterway setback.
- Resource consent is required (as a restricted discretionary activity) because the proposed new house can't comply with the minimum setback distance from an identified river. - As part of the consent application the potential impacts on NTCV need to be assessed (as it is one of the matters of discretion). - To understand the rationale behind the inclusion of the NTCV matter of discretion and inform the drafting of the application, the objectives and policies in the GRZ chapter are reviewed to help answer the following key questions- <i>Why is it relevant/ how does it relate to the outcomes sought in the zone?</i> <i>Which values might need to be considered in relation to the setback breach?</i> <i>Is there any guidance in provisions on how to manage the activity in relation to the values?</i> - However, because the objectives and policies in this chapter make no mention of NTCV, the above questions remain. - The NTCV chapter is reviewed to fill the potential gaps and address unanswered questions. However, the chapter does not provide this level of detail as all provisions are overarching in nature and relate to the broader outcome that will result from the NTCV approach (and the actions that are required to address it). <u>Potential worst-case outcome-</u> the NTCV matter of discretion does not get assessed in the application (because it is not considered a relevant matter) and

is unintentionally missed by a council planner processing the application and because there is no clear linkage in the chapters objectives and/or policies, the processing planner does not see a need to go to the NTCV chapter.

Table 1: example of missing provisions

42. Conversely, if the overarching provisions in the NTCV chapter are intended to have primacy over other PDP provisions where there are gaps, I also have concerns about how this would work given a hierarchical approach has not been taken in the PDP (or not that I am aware of). I also note that Hokonui Rūnanga have made a number of submissions on the PDP which broadly seek greater specificity of their values and concerns in relation to particular activities across the district. Should the identified gaps in the provisions remain, I would have concerns that the outcomes sought through these submissions might be undermined.
43. From a planner's perspective, I believe that a consistent approach is needed throughout the PDP chapters, which should involve integrating a range of NTCV provisions in all relevant chapters that are clearly connected (i.e. objective that is actioned by policy or policies, which are actioned through rules). In addition, the provisions should provide sufficient detail to plan users so that the relevant NTCV or effects on those values can be clearly identified and assessed where consent is required. I believe taking this approach would remove potential confusion and support consistent administration of the NTCV approach, while also addressing the submissions made by Hokonui Rūnanga on this very matter.

REFINEMENT OF RULES AND STANDARDS THAT INCLUDE A NTCV MATTER OF DISCRETION OR CONTROL

44. As mentioned above, the concern about ambiguity of NTCV values, is something that Hokonui Rūnanga have sought to address through individual submission points made on a range of provisions across the PDP.
45. In response to this issue and the evidence raised by submitters on the chapter regarding the quantum of the rules that had NTCV matters of discretion included in them, I have worked with Hokonui Rūnanga to undertake a detailed review of all NTCV matters of discretion (not just where there are possible gaps), on a chapter-by-chapter basis. This exercise consisted of mana whenua broadly assessing each rule (i.e. what activities might be anticipated) and identifying concerns and/or values that might need to be considered in a consent application. In some instances, mana whenua were supportive of prescribed rule requirements (including other matters of discretion) or did not have

particular concerns about the risk certain activities on Ngāi Tahu cultural values, which allowed for NTCV matters of discretion to be removed. In other instances, mana whenua identified certain risks to Ngāi Tahu cultural values and confirmed their support for the inclusion of a NTCV matter of discretion. Where this has occurred, context is provided for this position.

46. A full copy of the proposed refinements to the relevant rules and standards, and where necessary amendments to associated provisions, is contained in **Appendix G**. As a summary, I note the following key outcomes:
- (a) **Waterway setbacks-** retained NTCV matter of discretion. Mana whenua consistently raised concerns about buildings and/or structures breaching prescribed waterway setbacks;
 - (b) **Height-** mana whenua refined rules that pertain to building or structure height exceedances as follows;
 - (i) Retained the NTCV matters of discretion for height exceedances in zones where low built form and large areas of open space is anticipated and/or zones located in proximity to natural features or landscapes of importance to mana whenua; and
 - (ii) Removed the NTCV matters of discretion for height exceedance in zones where higher density/ increased built form is anticipated and/or that offer no clear views or connections to natural features or landscapes of importance to mana whenua.
 - (c) **Building size-** removed all NTCV matters of discretion for buildings that exceed permitted size in relation to a zone and activity;
 - (d) **Servicing of development-** mana whenua sought additional NTCV matters of discretion in several zone chapters to allow for their values to be considered in relation to servicing of new development (e.g. wastewater and stormwater design);
 - (e) **Retirement village, community facility, comprehensive residential development, healthcare activity in prescribed residential zones (GRZ and/or MRZ) -** removed all NTCV matters of discretion. Mana whenua clarified that their concerns relate to ensuring there is sufficient capacity to service new development in these zones. If alternative servicing is needed for new development, impacts on NTCV should be considered in relation to alternative servicing options;

- (f) **Earthworks-** refinement and removal of some NTCV matters of discretion, as follows;

- (i) EW-R1- removed NTCV matter of discretion from rule;

Instead, mana whenua supports the requirement to comply with EW-S7 (accidental discovery protocol) as well as EW-S3 (setbacks from waterways) and EW-S5 (erosion, sediment and dust control) and do not consider it necessary attach a NTCV matter of discretion to the rule. If these standards aren't met, then then mana whenua values may be considered in relation to these non-compliances;

- (ii) R2, R5, R6- removed NTCV matters of discretions from rules;

Mana whenua confirmed their support for the inclusion of standards EW-S3, S4, S5 and S7 and do not consider it necessary to attach a NTCV matter of discretion to each of the above rules. If these standards aren't met, then mana whenua values may be considered in relation to these non-compliances; and

- (iii) R13- removed NTCV matter of discretion and add to rule requirement to comply with EW-S7 (ADP).

Section 32AA consideration

47. Having carefully assessed the rule refinement exercise with Hokonui Rūnanga and having reviewed the evidence of the submitters, I consider that the refined approach (outlined above) more appropriately gives effect to the objectives of the PDP, while ensuring that consideration of NTCV is appropriately constrained and focused to the remaining rules, where the potential risk to NTCV is considered to be the greatest, as clarified by Rūnanga representatives.

OTHER ISSUES IDENTIFIED IN THE PDP PROVISIONS

48. In addition to the above issues, I have identified several discrete issues through the detailed analysis work which I consider could adversely impact on Council's administration of the PDP (not just in relation to the NTCV approach). These include:

- (a) 'Cultural activities' terminology referenced in the NOSZ, SARZ, ASW chapters¹³, with no guidance or definition provided in the PDP. The lack of specificity in the PDP makes it difficult to understand whether the notified provisions provide for these activities (or not), noting that I have only found references in objectives and policies, with no clearly related activity rules. Through discussions with Hokonui Rūnanga I also understand that mana whenua did not seek its inclusion and as such could offer no further guidance on the outcomes sought in relation to these activities. As such, Hokonui Rūnanga have confirmed they support removing this terminology from the PDP;
- (b) Varying terminology that could create ambiguity- the PDP includes a range of terminology that I have generally interpreted to relate to the NTCV approach, but I acknowledge could create uncertainty for plan users. Examples cited through the review include;
 - (i) **'Cultural effects'**- based on the context within which this terminology has been used, I have interpreted it as providing for mana whenua connections with the district, but I do believe it could be refined. I note that Hokonui Rūnanga have made several submissions on this wording which appear to address the matter by replacing it with specific NTCVs¹⁴;
 - (ii) **'Cultures' and 'cultural wellbeing'**- this terminology appears in several chapters and based on the context within which it is used, I have interpreted it to apply more broadly than to NTCV and therefore does not relate to the approach; and
 - (iii) **'Underlying relationship Ngāi Tahu hold with the natural environment'**- this wording appears in numerous objectives and policies throughout the PDP. Based on previous discussions with Ms Bennett I understand it is 'hook' wording that embeds the NTCV approach and provides connections back to the NTCV chapter. I note Hokonui Rūnanga have expressed concerns through numerous submissions about this wording being ambiguous and sought to specify wherever possible their values or concerns.
- (c) **Missing rules**- this issue has been noted in several chapters of the PDP. I set out the examples I have found below:

¹³ NOSZ-O2, SARX-O1, SARZ-P2, ASW-O2

¹⁴ s139.042-44, s139.067.

- (i) **TRANS-Transport-** TRANS-S10- the standard specifies the activity status where compliance is not achieved is 'restricted discretionary' but there is no restricted discretionary rule to support it (note- TRANS-R1 appears to be most relevant and is either permitted or fully discretionary);
- (ii) **EW-Earthworks-** EW-S7- the standard specifies the activity status where compliance is not achieved is 'non-complying' but there is no non-complying rule to support it; and
- (iii) **NOSZ-** Natural Open Space Zone- NOSZ-S1, NOSZ-S4 and NOSZ-S5- all these standards specify the activity status where compliance is not achieved is 'restricted discretionary' but there are no restricted discretionary rules to support the standards. To add to the complexity, I note that under NOSZ-R11, new or extended buildings or structures in the zone are restricted discretionary by default, regardless of whether an activity can comply with the above standards.

REFINED RELIEF SUPPORTED AND POTENTIAL WORKSTREAM TO ACHIEVE THAT

- 49. In **Annexure H** I have attached my recommended relief that responds to questions raised by the Panel (at the opening hearing for HS8), including the ability to incorporate NTCV into the MW chapter or other options, further gap analysis and the resulting refinement of NTCV matters that are appended to restricted discretionary or controlled activities throughout the PDP.
- 50. My review has also identified broader plan structure points that remain outstanding. In response to the issues that I have identified in relation to PDP provisions in my supplementary statement, I consider that a broader plan wide analysis of the PDP needs to be carried out by Council's s42A reporting officers or a lead planner for the District Plan review. I also consider that workstream should include with Hokonui Rūnanga Planning expert(s) and Hokonui Rūnanga to:
 - (a) review and where necessary revise relevant chapters of the PDP in response to identified issues to enable consistent integration of NTCV provisions; and
 - (b) Make refinements to identified PDP rules that include NTCV matters of discretion or control (as detailed in **Appendix G**).

RESPONSE TO SUBMITTER EVIDENCE

51. Southland Federated Farmers (**Federated Farmers**) and Transpower New Zealand (**Transpower**) both filed evidence in relation to HS9A (SASM/NTCV Chapter). I note that the supplementary legal submissions made by Mr Leckie on behalf of Hokonui Rūnanga for HS9A responds to several legal matters arising from the evidence of the above-mentioned submitters, and as such I have not responded to those matters (i.e. mapping of SASM, inclusion of NTCV chapter, Southland Regional Policy Statement and Section 6(e) of the RMA).

Resource consent requirements and information on NTCV

52. Federated Farmers and Transpower both raised concerns about potential consenting requirements and ambiguity of NTCVs and in part, queried the potential relevance of the values in relation to some activities. I note Federated Farmers consider that a wide range of farm activities may require consent under the PDP. Activities identified as being impacted by the PDP include earthworks relating to the construction of fences, offal holes, new farm tracks and the installation of a reticulated stock water system.
53. As outlined at paragraph 44-45 of my evidence, the submitters concern about ambiguity of NTCV is shared by Hokonui Rūnanga and is the focus of numerous submissions Hokonui Rūnanga made on individual provisions in the PDP to rectify this matter¹⁵. In addition, Hokonui Rūnanga and I have undertaken a detailed review of all NTCV matters of discretion or control attached to the PDP rules to further refine (wherever possible) these provisions, while providing context on the values or concerns associated with the activity rules.
54. A summary of the outcomes of this refinement exercise is set out at paragraph 46 of my evidence, which I briefly note includes removing the NTCV matter of discretion from EW-R1 (fences) and EW-R5 (storage tanks) on the basis that if the applicable activity standards (e.g. ADP, erosion and sediment controls and waterway setback) are followed, then Hokonui Rūnanga would have no additional concerns that would necessitate the inclusion of a specific NTCV matter for these rules. In relation to new farm tracks (EW-R9) Hokonui Rūnanga have confirmed their support for retaining the NTCV matter of discretion (attached to the rule and associated standards) and in doing so have clarified their concerns and values in the appended table (see **Appendix G**).

¹⁵ Hokonui Rūnanga made a whole of plan submission and supporting submission points, seeking to amend references to NTCV with a more detailed description of particular effects or values of concern to ensure the plan provisions are clear and that appropriate matters are assessed.

55. Based on my review of the Operative Gore District Plan's single earthwork rule¹⁶ which I believe covers all earthworks rules identified by Federated Farmers, I found it to be an ambiguous provision, as it is not written in a well expressed manner, noting the rule refers to any land use activity that involves earthworks or earthworks that result in land disturbance from commencement until completion of rehabilitation that exceeds 12 months (with some farming activities listed as being excluded). Further, after reading the earthworks rule I was immediately concerned that the rule did not clarify what constitutes rehabilitation and did not provide any guidance on how Council would monitor when earthworks commence to be able to determine the duration (and associated land disturbance) of an earthworks activity. My biggest concern however was that the operative rule does not include any minimum performance standards to manage earthworks activities. Taking guidance from the Quality Planning website¹⁷ I note the planning resource specifies that activity status and associated thresholds are a common method used by territorial authorities to manage earthworks, with thresholds based on factors such as the area, volume, height/ depth of a cut/fill or slope of an earthwork. Where the thresholds are exceeded, a resource consent (of a certain type) is generally required¹⁸. As such, I consider that the approach that has been taken in the PDP earthworks rules is consistent with the methods that are commonly used by territorial authorities to manage the effects of earthworks, as the rules include both an activity status and related activity standards to manage the effects s. I note the current District Plan became operative in 2006 and as such, the provisions in it (including the earthworks rule) may be out of step with what is now deemed common methods for managing the effects of earthworks.

General concerns raised in relation to proposed provisions

Objective MW-O1

56. Federated Farmers partly opposes the proposed objective on the basis that no public consultation has occurred and raised concerns about the wording not reflecting an objective or goal and consider it could not be implemented as it creates uncertainty as to the role of Council under the RMA. I note that further refinement work undertaken by Hokonui Rūnanga and myself (in response to questions raised by the Panel) proposes to integrate MW and NTCV provisions and as an outcome of this work, this includes removing MW-O1, noting that it is instead replaced by revised NTCV-O1. The revised NTCV-O1 is similar to the

¹⁶ Rule 4.13.1 Operative Gore District Plan.

¹⁷ Launched in 2001 the website exists to promote good practice by sharing knowledge about all aspects of practice under the RMA. It is partnership between MfE, NZPI, RMLA, NZIS, Local government NZ, and NZIA.

¹⁸ [Managing Effects of Earthworks | Quality Planning](#)

existing provision (SASM-O2/NTCV-O1) as the intent remains the same but it is more directive, as it clarifies that the objective relates to decision making.

Policy MW-P1

57. Both submitters raised concerns about the certainty in MW-P1 and consider the provision as drafted does not aid plan users and instead will create confusion. In response to these concerns, I note that as part of the proposed option of integrating of MW and NTCV provisions (refer to **Appendix H**), Hokonui Rūnanga and I have further refined this policy (which is identified as NTCV-P1) to clarify the types of activities where NTCV need to be considered. I note the level of specificity was in part made possible through the rule refinement work (where there are NTCV matters) that I undertook with Hokonui Rūnanga.
58. Whilst Council planners may have further views and suggested amendments in relation to the refined provision, I consider the revised wording is a significant improvement from the initial wording contained in MW-P1.
59. In addition, Federated Farmers provided an example of how cultural values could be categorised alongside certain activities to assist consent applicants in detailing cultural effects in their applications of the activity they are seeking consent. I note that as part of the refinement work that Hokonui Rūnanga and I undertook in relation to rules or standards that include NTCV matters, descriptions of the values and/or concerns associated with certain activities have been provided in the supporting table located in **Appendix G**.

Policy MW-P2

60. Federated Farmers partly support MW-P2 based on its intent (i.e. to establish processes that allow for consultation and engagement between Hokonui Rūnanga and applicants) but have suggested some improvements to the proposed wording.
61. In response, I note that some further refinements have been made to this provision (as part of the above-mentioned work that Hokonui Rūnanga and I have undertaken to integrate the proposed provisions) with the content of the policy narrowed to better focus its intent. This includes removing reference to the Charter of Understanding (between Council and Hokonui Rūnanga) to focus on the consultation and engagement processes that Council will establish to enable direct engagement between Hokonui Rūnanga and applicants (in relation to NTCV). The refined policy also specifies that Council will consult with Hokonui Rūnanga where prior engagement has not occurred, which I consider provides more certainty to plan users that there will be a

process in place to obtain advice from Hokonui Rūnanga (if needed) after an application is lodge with Council for processing.

62. I note a similar policy is included in the operative Christchurch District Plan¹⁹. During my time working for the local papatipu rūnanga owned environmental entity (Mahaanui Kurataiao) I was part of the team²⁰ that was tasked with establishing a 'request for advice' process to practically implement the policy. Once established, in my experience, a request for advice (from Council planners) and ensuing response (from papatipu rūnanga) all occurred within the statutory timeframe for processing a resource consent application. Where this didn't happen, other arrangements were in place to allow additional time for more fulsome responses to be provided (e.g. due to the large scale of a proposal and/or the number of papatipu rūnanga that needed to be consulted). However, I found that responses for the bulk of the advice requests were provided well within the statutory processing timeframe (20 working days). As Gore District Council has one papatipu rūnanga (Hokonui Rūnanga) that it may need to obtain advice from for certain activities and there is an established relationship between both parties, I would expect that implementing the proposed policy would be accomplishable.

Use of Methods

63. Federated Farmers support the intent of the proposed methods and consider these provisions provide some clarity to plan users (i.e. what is required and reflect the outcome of discussions between Federated Farmers and Hokonui Rūnanga). Similar to my thinking and comments made above, Federated Farmers consider that the accountability of parties to consider the methods would be lost if the provisions sat outside the PDP.
64. I agree with the position reached by Federated Farmers for the reasons outline at paragraph 22-27 of my evidence and consider that the proposed r refinements to these provisions will further support the related policies.

CONCLUSION

65. In response to a number of questions that were raised by the Panel at the opening hearing for the SASM/NTCV (HS8) in December 2024, I have since worked directly with Hokonui Rūnanga to undertake the required further analysis work. This additional work has allowed me to provide a fulsome

¹⁹ 9.5.2.2.5 Policy- Engagement with Rūnanga [Christchurch District Plan : Christchurch City Council](#)
²⁰ Christchurch City Council, Mahaanui Kurataiao and local Papatipu Rūnanga

response for the Panel consideration, which is outlined in my evidence and is included in the attached supporting documents.

66. The key outputs from the additional work include refined overarching NTCV provisions, with the provisions integrating content from the existing MW and NTCV provisions to better guide decision making in relation to providing for Ngāi Tahu connections and associated values with the natural environment, while distinguishing between the purpose of the MW chapter from the NTCV chapter. Refinements have also been made to a number of rules or standards that include either a NTCV matter of discretion or control. The refinement of relevant rules was undertaken in response to concerns raised by submitters and in light of some of the gaps in the PDP provisions that were discovered through the further analysis work that Hokonui Rūnanga and I undertook.
67. Overall, I consider that the refined approach more appropriately gives effect to the objectives of the PDP, while ensuring that consideration of NTCV is appropriately constrained and focused to the remaining rules, where the potential risk to NTCV is considered to be the greatest, as clarified by Rūnanga representatives. As such, I consider the proposed refinements better provide for the requirements of section 6(e), 7(a) and 8 of the RMA than the notified PDP provisions.
68. As outlined above, the further analysis work also identified broad plan wide issues with the PDP which I consider should be further analysed by Council's s42A reporting officers or a lead planner for the District Plan review process. The additional workstream should also allow input from Hokonui Rūnanga and planning experts for Hokonui Rūnanga given the broader issues may in part impact on the ability to implement the NTCV approach consistently through out the PDP.



Amy Elizabeth Beran

12 February 2025

APPENDIX A – NATIONAL PLANNING STANDARDS GUIDANCE TABLE

INFORMATION TABLE- NATIONAL PLANNING STANDARDS AND ASSOCIATED GUIDANCE DOCUMENTS (MfE)	
PDP CHAPTER	National Planning Standards, 2019- key takeaways (see Appendix 1 below for full details)
Mana Whenua Chapter	1. The Tangata Whenua/ Mana Whenua Chapter <u>is a mandatory requirement</u> (not optional). 2. The matters set out in direction 28 (i.e. content of MW chapter) are intended to provide guidance to Council or serve as a starting point for councils and are <u>not mandatory requirements</u>. Council is expected to engage with mana whenua to create appropriate provisions for the chapter. 3. The chapter must only contain <u>context and process related provisions</u>. 4. Mana whenua content/ provisions, <u>must be integrated throughout the plan, not located in isolation in the mana whenua chapter</u>. a. This is specified in numerous directions in the NPS¹. MfE guidance documents further explains the intent is to have mana whenua provisions/ Māori values integrated throughout provisions in plans. b. The Tangata Whenua/ Mana Whenua heading is intentionally located under 'Part 1'Introduction and General Provisions' of the district plan structure to signal that provisions in this chapter are <u>contextual and procedural related only</u>. 5. In addition, MfE have specified that the chapter sits in Part 1- (introduction and general provisions of a District Plan), to ensure that it's located alongside all other general and administrative provisions (i.e. provisions that help navigate the plan or provide context) at the front of the plan. 6. As a follow on to the above point, MfE have specified that all <u>substantive mana whenua provisions must be located in other relevant chapters</u>.
Ngāi Tahu Cultural Values Chapter (NTCV)	1. Sites and areas of significance to Māori Chapter is <u>not a mandatory requirement</u>. 2. Additional chapters that address other cultural values on a district wide basis can be included under the 'historical and cultural values' heading (as per direction 18 under Part 7). 3. The NPS is clear that additional cultural values chapters must sit alphabetically under the 'historical and cultural values' heading.
Strategic Direction UFD	1. UFD chapter must be included under the SD heading. 2. Rules must not be included under the SD heading. 3. Additional SD matters can be included & each SD matter must be in its own chapter under the SD heading. 4. Policies that address SD matters <u>can be included</u>, unless they are better located in more specific chapters.

¹ 1. Foundation Standard, direction 5 and 6. Introduction and General Provisions Standard, direction 25.

National Planning Standards Detailed References		
PDP Chapter	What is required under the National Planning Standards (NPS)- an overview	Are there any relevant/supporting MfE guidance documents?
Mana Whenua Chapter	1. Foundation Standard Mandatory directions 1. Every plan must comply with 1. Foundation Standard (including the below directions). 4. ‘provisions’ means all content in a plan, includes (but not limited to) background content, issues, objectives, policies, methods, rules, and anticipated environmental results. 5. Tangata whenua/ mana whenua content must be integrated throughout the plan where the local authority determines it appropriate. 4. District Plan Structure Standard Mandatory directions 2. Chapters and sections that are black in table 4 must be included in the order shown. Note- the tangata whenua/ mana whenua chapter is shown in black text and is therefore a mandatory requirement in the plan. 6. Introduction and General Provisions Standard Mandatory directions Tangata whenua/ mana whenua 25. The provisions under mana whenua heading must only include context and process related provisions. Other mana whenua provisions must be integrated throughout the plan where the local authority determines it appropriate. 26. local authorities must consider the matters in direction 28 (see below) and may include provisions related to these matters. The decisions must be made after engaging with mana whenua. Provisions may include links to material outside the plan. 28. Matters to consider for provisions under mana whenua heading- a. recognition of hapū and iwi - history of hapū/ iwi within the rohe - relationship of hapū/ iwi with their rohe - environmental management perspectives and values of hapū/iwi - resources of significance to mana whenua - where agreed (with hapū/ iwi)- - list of iwi authorities. - Description of relationship of hapū or iwi with ancestral lands, water, sites, wāhi tapu, taonga, interest in resource management - Explanation of how hapū/iwi values have been considered in preparing plan - Overview of resource management arrangements from treaty settlement and post-settlement agreements. - List of statutory acknowledgements for district and brief explanation of how they affect the plan and are reflected in plan provisions. b. mana whenua- local authority relationships	<u>MfE- Guidance for District Plan Structure and Chapter Standards (September 2020)</u> Tangata whenua/ mana whenua - The matters to consider for provisions under the mana whenua heading in direction 28, are included as a starting point for councils to consider when deciding what to include in the associated chapters. - Mana whenua heading must only include context and process-related provisions. It is intended that all other mana whenua provisions are incorporated throughout the plan, to encourage integration. - There is a clear expectation that councils will engage with mana whenua to create provisions under the heading. <u>MfE- Part 1- Overall Introduction, recommendations on submissions report for the first set of National Planning Standards, April 2019</u> - Common concern raised by Iwi in submissions was to ensure that Māori values and perspectives are integrated throughout the plans. 4.5.2- recommended clearer directions to ensure Māori values are integrated throughout provisions in plan, rather than sitting in isolation in the tangata whenua/ mana whenua chapter. In particular, changing tangata whenua into a heading in the ‘introduction and general provisions’ part, to reflect that the provisions in this part of the plan are context and process related provisions. <u>The substantive provisions must be included in other relevant chapters.</u> <u>National Planning Standards- District Plan- Discussion paper B (May 2017)</u> Introduction, general and administrative provisions. - The majority of plans have a section at the front that outlines a range of general and administrative provisions, such as information to be submitted with a resource consent, where district plans sit within the RMA framework etc. A section containing tangata whenua values acknowledging the issues and importance to Iwi is commonly found at the front. <u>National Planning Standards- General provisions- Discussion paper J (May 2017)</u> - Overview of paper- discusses structure and content-related issues for a range of general plan provisions and whether some common matters should have mandatory content. - Content often included to help navigate the plan or provide context. Content that is commonly included in plans. - General provisions are often located (but not always) in an introduction chapter to a plan. - While there are many types of general provisions and other plan text, the most commonly identified in more than half of the district plans reviewed included- - user guidance about the RMA framework and plans - links to other regulatory documents - guidance on how to use the plan and the structure of the plan - how to apply for a resource consent - activity status information and how it is applied in plans (including notification provisions)

	- List of formal relationship agreements between mana whenua and the local authority as they relate to resource management functions. c. hapū and iwi planning documents - List of hapū/ iwi planning documents lodged with the local authority. Where agreed with mana whenua with a link to planning documents. - Description of how the local authority has taken the hapū/iwi planning documents into account in the plan. - Explanation of how iwi planning documents are used. d. involvement and participation with mana whenua - Specific involvement and participation or RMA consultation processes with mana whenua, as agreed with hapū/ iwi. - Description of best practice involvement, participation or RMA consultation processes with hapū/iwi, as agreed with hapū/ iwi. - An explanation of the purpose of any involvement, participation or RMA consultation processes. - How the involvement, participation or RMA consultation processes are given effect to.	- outline of rules that have legal effect - list of information to be submitted with a resource consent - tāngata whenua values - financial contributions - designations - cross-boundary provisions - monitoring strategies. - While every plan reviewed contained a section relating to Māori and tangata whenua values, these provisions were also located in many different parts of plans, including dedicated chapters at different locations within plans, as individual provisions in other chapters, or spread throughout multiple chapters. - Given the little consistency in where these provisions were located, MfE considered the option of requiring all plans to include reference and acknowledgement of tangata whenua values near the beginning of the plan. However, the location of the content in the plan was (at the time) to be discussed with iwi and there was preference to not have mandatory content included in the NPS for the provision/ tanga whenua values.
Ngāi Tahu Cultural Values Chapter	4. District Plan Structure Standard Directions for all parts 3. Unless otherwise specified, chapters and sections in grey in table 4 must be included if relevant to the district plan, in the order shown. Note- sites and areas of significance to Māori is coloured ‘grey’ in table 4. 7. District-wide Matters Standard Mandatory directions- Historical and cultural values 17. if the following matters are addressed, they must be located in the Sites and areas of significance to Māori chapter- a. descriptions of the sites and areas (eg, wāhi tapu, wāhi tūpuna, statutory acknowledgement, customary rights, historic site, cultural landscapes, taonga and other culturally important sites and areas) when there is agreement by Māori to include this information b. provisions to manage sites and areas of significance to Māori c. a description of agreed process of identification of sites and areas including an explanation of how tangata whenua or mana whenua are engaged d. a schedule(s) that lists the specific or general location of sites and areas of significance to Māori when this information is provided. This may cross-reference an appendix e. a description of any regulatory processes for identification	

	18. Any additional chapters to address other historical and cultural values on a district-wide basis must be included alphabetically under the Historical and cultural values heading.	
Strategic Direction	4. District Plan Structure Standard Mandatory directions 2. Chapters and sections that are black in table 4 must be included in the order shown. Note- UFD is the only chapter shown in black text. Other SD matters are indicated in grey text (optional). 4. if a chapter in table 4 is included, its associated heading must be included. Note- the associated heading is ‘Strategic Direction’. 7. District Wide Matters Standard Mandatory directions <i>Strategic direction</i> 1. If the following matters are addressed, they must be located under the strategic direction heading: a. an outline of the key strategic or significant resource management matters for the district; b. issues, if any, and objectives that address key strategic or significant matters for the district and guide decision making at a strategic level c. policies that address these matters, unless those policies are better located in other more specific chapters d. how resource management issues of significance to iwi authorities are addressed in the plan. 2. Rules must not be included under the Strategic direction heading. 3. An urban form and development chapter must be included under the Strategic direction heading. 4. Each strategic direction matter must be its own chapter and be included alphabetically under the Strategic direction heading.	

APPENDIX B – INTEGRATION OF MANA WHENUA AND NGĀI TAHU CULTURAL VALUES PROVISIONS

Provisions as presented at HS8- 5 December 2024	Proposed changes to enable provisions to be combined in one chapter (NTCV)	Summary
NTCV-O1 Mana Whenua traditional and contemporary relationships with land, waterbodies, natural features, and cultural structure are recognised, retained and strengthened	NTCV- O1 To recognise, retain and strengthen mana whenua relationships and associated values with land, water, wāhi tapu and other taonga in decision making.	The intent of the provision remains the same, but with more clear direction that the outcome sought in it pertains to providing for NTCV in decision making. It is proposed that refinements to this provision also allows for the removal of MW-O1 which more broadly pertains to decision making.
MW-O1 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		
MW-O2 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 the District.	NTCV-O2 To provide for mana whenua participation in resource management decision making that impact on their connections and values with land, water, wāhi tapu and other taonga.	Proposed NTCV-O2 replaces MW-O2 which seeks to enable mana whenua to participate in decision making. The refinement narrows the focus to decision making that impacts on NTCV to better align with the approach that has been taken in the PDP.
~~NTCV-O2 Mātauranga Māori and rangatiratanga of mana whenua is recognised and provided for in decisions making where activities identified in MW-P1 impact on the following Ngāi Tahu cultural values:~~ ~~a) Kaitiakitanga~~ ~~b) Whakapapa;~~ ~~c) Mauri;~~ ~~d) Manaakitanga;~~ ~~e) Wairua;~~ ~~f) Whanaungatanga;~~	No replacement proposed	As edits made to the MW chapter (in response to feedback received from the Panel) include clarifying under section 2.3 (mana whenua and Te Taiao cultural values) that the listed values are exhaustive for the purpose of the district plan, the removal of NTCV-O2 is considered to be appropriate. Further its removal addresses concerns raised by submitters regarding about the potential unnecessary duplication of NTCV throughout various PDP provisions and potential confusion it creates.

g) ~~Utu;~~ h) ~~Mātauranga;~~ i) ~~Te Reo Māori;~~ j) ~~Ki uta ki tai; and~~ k) ~~Mahinga kai~~		
NTCV-P1 Enable land use, development and subdivision, where the adverse effects on Ngāi Tahu cultural values (listed in NTCV-O2), are avoided, remedied or mitigated	NTCV-O3 to provide for land use, development and subdivision where adverse effects on Ngāi Tahu cultural values are avoided, remedied or mitigated.	The proposed objective seeks to replace NCTV-P1 to clearly indicate that it is an anticipated outcome of the approach, which is addressed/ linked with NTCV-P1 & P3.
MW-P1 The effects on relevant Ngāi Tahu cultural values are considered when resource consent is required for any of the following activities: a. Activities in close proximity to rivers or streams; b. Land disturbance (earthworks) above permitted activity levels, or with heightened sedimentation risks; c. Some activities breaching bulk, location, or height standards; d. Some activities within a zone that do not hold a permitted activity status, including unanticipated activities within a prescribed zone; e. Some activities within ONF/L overlays; f. Some permanent structures in the NOSZ; g. Temporary activities with extended durations, or potential to cause long-term environmental effects;	NTCV-P1 Impacts on Ngāi Tahu cultural values will be considered when resource consent is required for the following activities: a. Buildings and structures that breach minimum river and stream setbacks; b. Buildings and structures that exceed height limits in zones with lower built form and large areas of open space (Rural, Open Space and Recreation zones, Airport zone and Māori Purpose Zone) and/or zones near important natural features (Field Days zone, Town Centre Zone) c. Buildings and land use activities that breach servicing standards (where relevant in a zone). d. Quarrying and mining activities in rural zones that breach activity requirements and standards. e. Earthworks activities that breach required activity standards, or relate to spoil clearance from drains, and/or involve large areas of earthworks and land disturbance.	Proposed NTCV-P1 is a refined version of MW-P1 which seeks to provide guidance to plan users on the types of activities that require consideration of NTCV. The refinements made to this policy attempt to address concerns about ambiguity by increasing the level of detail of activities that are of concern/ relevant. It is however recognised that Council staff may further insights on the identified activity types.

h. Some activities breaching maximum noise limits; i. Significant expansion to existing infrastructure; j. Some telecommunications infrastructure; k. New roads that don't meet standard design requirements; l. Large-scale quarrying activities; m. Subdivision in Development Area 1 and 2, or impacting notable trees; n. Tikanga-related activities, including some activities in the MPZ and the installation of cultural markers; o. Major events that don't meet event standards requirements for FDZ	f. Energy generating activities, including small scale projects that breach required standards and new large-scale projects; g. Works associated with existing infrastructure that breach required standards, or new infrastructure near the Maitava River, or significant natural feature or landscape or archaeological site, or not otherwise anticipated infrastructure. h. Works associated with maintaining, upgrading or establishing the transport network and associated infrastructure that breach activity requirements and standards, or near the Maitava River or significant natural feature or landscape or archaeological site. i. Works within natural hazard areas that impede existing legal access to waterways for mahinga kai or near the Maitava River Floodway j. New or extension to an existing significant hazardous facility k. Works associated with Historic Heritage items and sites that impact on associated cultural values and/or impede existing legal access to mahinga kai sites. l. Indigenous vegetation clearance that breach activity standards and prescribed activities within a SNA. m. Prescribed activities that breach activity requirements within an ONL/F that hold cultural values n. Subdivision within specified development areas, or impacting on historic heritage that hold cultural values, or ONL/F, or near the Maitava River Floodway, or not otherwise provided for. o. Activities on the surface of Maitava River and tributaries that either breach activity requirements or are not otherwise provided for.	
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	p. Cultural Markers (signage) that breach required standards. q. Temporary commercial filming, military or emergency services that exceed duration limits (not short term in nature) or large-scale temporary events (exceeding more than 2500 people). r. New buildings and associated earthworks and land disturbance that breach structures in DEV2 that breach required standards.	
MW-P2 Council will maintain or establish processes that: a. Give effect to the Charter of Understanding held between Council and Hokonui Rūnanga; b. Enable Hokonui Rūnanga to actively contribute to decision-making in an efficient manner from the earliest stage practicable; and c. Where appropriate, facilitate efficient and effective processes for resource consent applicants to engage with Hokonui Rūnanga in a best practice manner.	NTCV-P2 Council will maintain or establish processes that: a. Enable landowners and resource consent applicants to engage with Hokonui Rūnanga, prior to undertaking activities and/or applying for resource consent resource consent where Ngāi Tahu cultural values need to be considered. b. Where prior engagement has not been undertaken Council will consult with Hokonui Rūnanga.	Proposed NTCV-P2 seeks to refine MW-P2 by clarifying the consultation processes that will be managed by council and removes reference to the charter of understanding to improve the focus of this matter. The proposed changes also include the addition of (b) which specifies that council will consult with Hokonui Rūnanga where prior engagement has not occurred. This is intended to signal to plan users that Council will take on the role, if an application is being processed with no clear details about any previous consultation that may have occurred.
~~NTCV-P2 The impact of land use, development and subdivision on Ngāi Tahu cultural values (listed in NTCV-Q2) is determined in partnership with Hokonui Rūnanga.~~	Remove this provision	Refinements made to NTCV-P2 and NTCV-P3 (see below) are considered to both address the content of this policy. As such, it is proposed that this policy is removed (as indicated by the strikethrough).
MW-P3 When Ngāi Tahu cultural values need to be considered, mātauranga Māori and mana whenua perspectives will be incorporated into decision-making by: a. Taking into account relevant iwi and hapū planning documents;	NTCV-P3 Mana whenua perspectives and values will be incorporated into resource management processes and decision making by: a. Taking into account relevant iwi and hapū planning documents;	Proposed NTCV-P3 seeks to replace MW-P3 with some minor amendments made in the proposed refined provision, including use of linking words to relevant objective (such as have regard to) and a small tidy up of the ADP matter.

b. Requiring an Accidental Discovery Protocol to be adopted as part of earthworks-related resource consents (see MW-4.1); and c. Reviewing advice received from Hokonui Rūnanga regarding potential impacts of activities, such as those listed in MW-P1 on Ngāi Tahu values, and potential mitigation options.	b. Requiring the adoption of the Accidental Discovery Protocol (contained in the EW-Earthworks chapter) for earthworks related resource consent; and c. Having regard to any advice received from Hokonui Rūnanga regarding potential impacts of activities and potential mitigation options.	In addition, it is considered that the policy is similar in intent to existing NTCV-P2 and P3 and therefore can also replace these provisions (as indicated by the strikethrough).
~~NTCV-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~~		
~~NTCV-P4 The ability for Mana whenua to engage in cultural practices in culturally appropriate places is recognised and provided for.~~	Remove this provision	The content in this policy are considered to be more appropriately located in specific chapters of the plan rather than as an overarching provision, which can be dealt with through providing specificity in the relevant chapters of the PDP. This matter is also further considered as part of the gap analysis outcomes.
~~NTCV-P5 where appropriate, Ngāi Tahu histories are incorporated into urban design of publicly accessible spaces.~~	Remove this provision	As part of the gap analysis work similarly worded provisions were identified in a couple of relevant area specific chapters. As such the provision has been removed due as it is considered to create duplication.
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: a. 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.	NTCV-M1 or NTCV-P4 Where Ngāi Tahu cultural values need to be considered for a resource consent, a cultural values assessment report can be requested by an applicant or landowner. Council will confirm with Hokonui Rūnanga the appropriateness of obtaining an assessment report based on the following key considerations: a. 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 precent setting.	Proposed NTCV-M1 or NTCV-P4 seeks to replace MW-M1. Amendments have been made to the content of the provision so that it could better sit as a policy (but also remain as a method). The changes proposed include requiring that Council confirms with Hokonui Rūnanga the potential need for a more detailed assessment (cultural values assessment report). Further guidance on the key considerations that may inform Hokonui Rūnanga views have also been added in and the supporting information about detailed assessment (cultural

c. The application does not include sufficient information to determine potential impacts on Ngāi Tahu cultural values. d. 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.	c. The application includes sufficient information to determine the impacts on Ngāi Tahu cultural values. d. New or additional research is required to determine impacts on Ngāi Tahu cultural values. e. If there is a functional or operational need for the activity to be undertaken in the location; f. Outcomes articulated by Mana whenua through an assessment of environmental effects, iwi planning documents or existing cultural values assessments. g. The potential to enhance the relationship of mana whenua with their taonga, commensurate with the scale and nature of the proposal. Note- Cultural values assessments are an effective means of providing cultural input, mainly with respect to resource consent applications under the RMA. The report can form part of a resource consent applications assessment of environmental effects. The costs associated with preparing the report are met by the applicant.	values assessment report) has been refined to improve readability. The term cultural values assessment has also been included instead of CIA as it is considered that using this terminology may bring preconceived views regarding the expected outputs which may not always be relevant. As such, cultural values assessment report allows Hokonui Rūnanga flexibility to determine how to best respond to a particular proposal, noting for example the use of Apiti Hono Tatai Hono reports in the district.
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.	NTCV-M1 OR MTCV-M2 OR Advice/ Guidance Note Council will work with Hokonui Rūnanga to develop information resources to communicate to plan users (including resource consent applicants): a. The approach that has been taken in the Plan to recognise and provide for Ngāi Tahu cultural values held within the district; and b. The process for resource consent applicants and landowners to engage with Hokonui Rūnanga.	Minor changes to wording in the provision. The intention is to provide stronger direction on how the provision will be actioned.

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.	NTCV-M1 OR MTCV-M2 OR Advice/Guidance Note Council will provide capability and capacity tools for staff to undertake education and training programmes to improve awareness and knowledge of Hokonui Rūnanga relationships and associated values with the district and Council's obligations under legislation, including (but not limited) to: a. Environmental matters of interest to Hokonui Rūnanga; b. Ngāi Tahu cultural values; c. Use of Iwi and hapū management Plans; d. Accidental discovery protocol .	Minor changes to wording in the provision. The intention is to provide stronger direction on how the provision will be actioned.
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APPENDIX C – AMENDED EW-S7

EW-S7

Accidental Discovery Protocol

REVISED TO COMBINE ADP CONTENT CONTAINED IN MW-4.1

All areas

In the event that any of the following is discovered or disturbed, the procedure set out below must be adhered to. This includes the ,as well as the procedures set out in MW-4.1 in the case of human remains/ kōiwi, taonga or Māori cultural artefact, and in-situ (natural state) pounamu/greenstone which are as follows:

- Human remains/ kōiwi
- An archaeological site
- A Māori cultural artefact/taonga tūturu
- In situ (natural state) pounamu/greenstone
- A protected New Zealand object as defined in the Protected Objects Act 1975 (including any fossil or sub-fossil).

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 Heritage New Zealand Pouhere Taonga Act there is a requirement to consult 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

Activity status where compliance is not achieved:

Non-complying

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
- 1.2.** 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.

- Human remains/ kōiwi
- An archaeological site
- A Māori cultural artefact/taonga tūturu

- ~~In situ (natural state) pounamu/greenstone~~
- ~~A protected New Zealand object as defined in the Protected Objects Act 1975 (including any fossil or sub-fossil).~~

1. Cease works and secure the area
 - (a) immediately cease all works within 20m of any part of the discovery, including shutting down all earth disturbing machinery and stopping all earthmoving activities
 - (b) secure the area of the discovery, including a sufficient buffer area to ensure that all *sensitive material* remains undisturbed.
2. Inform relevant authorities and parties immediately of the discovery
 - (a) the New Zealand Police if the discovery of human remains/ kōiwi.
 - (b) the Council in all cases.
 - (c) Heritage New Zealand Pouhere Taonga if the discovery is an *archaeological site*, Māori cultural artefact, human remains/ kōiwi.

- (d) *Mana Whenua* if the discovery is an *archaeological site*, Māori cultural artefact, human remains/ kōiwi or in situ (natural state) pounamu/greenstone.
 - (e) The Ministry for Culture and Heritage for protected New Zealand objects.
- 3. Wait for and enable an inspection of the *site*
 - (a) wait for and enable an inspection of the *site* by the relevant authority or agency or Hokonui Rūnanga representative (where applicable).
 - (b) following *site* inspection and consultation with all relevant parties (including owner and consent holder), the Council will determine the area within which work must cease and any changes to controls on *discharges of contaminants*.
- 4. Recommencement of work
 - (a) work within the area determined by the Council in (2) above must not recommence until all of the following requirements, so far as relevant to the discovery, have been met:
 - (i) Heritage New Zealand has confirmed that an *archaeological authority* has been approved for the work or that none is required.
 - (ii) any required notification under the Protected Objects Act 1975 has been made to the Ministry for Culture and Heritage.
 - (iii) any material of scientific or educational importance must be recorded and if appropriate, recovered and preserved.
 - (iv) where the *site* is of Māori origin and an authority from Heritage New Zealand Pouhere Taonga is

not required, the Council will confirm, in partnership with Hokonui Rūnanga that:

- any human remains/kōiwi have either been retained where discovered or removed in accordance with the appropriate tikanga; and
- any agreed revisions to the planned works to be/have been made in order to address adverse *effects* on Ngāi Tahu cultural values, including those listed in MW-2.3.

- (b) resource consent has been granted to any alteration or amendment to the *earthworks* or *land disturbance* that may be necessary to avoid the *sensitive materials* and that is not otherwise permitted under the plan or allowed by any existing resource consent.
- (c) there are no requirements in the case of *archaeological sites* that are not of Māori origin and are not covered by Heritage New Zealand Pouhere Taonga Act 2014.

Note:

Where the Heritage New Zealand Pouhere Taonga Act 2014 applies the Heritage New Zealand Pouhere Taonga Accidental Discovery Protocol manages unidentified archaeological sites that may be discovered as a result of earthworks separate to District Plan requirements.

APPENDIX D – REVISED MANA WHENUA CHAPTER

MANA WHENUA - MW

1. Overview

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.

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 in which mana whenua values and interests are provided for and protected in resource management processes.

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

¹ 6. *Introduction and General Provisions, 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.*

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- ~~(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 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;~~

~~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;~~

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~~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.~~

~~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

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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 their whānau members to exercise these rights and responsibilities in other contexts.

~~Ngāi Tahu have a long history and relationship with the region spanning centuries~~ Ngāi Tahu historic relationship with the district included, with extended periods of settled occupation (e.g. Tuturau) 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~~ 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 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. 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

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Zealand at Mātaura, continue to build the modern history of Ngāi Tahu in the region - as do ~~our~~ the 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:~~ For the purpose of this District Plan, these are as follows:

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~~ the takiwā are upheld and sustained for future generations.

Tino Rangatiratanga: Tino Rangatiratanga is having the unlimited right to make decisions impacting the taonga and resources within the takiwā. This means, determining what, from Ngāi Tahu perspectives, represents satisfactory environmental conditions and appropriate use for Hokonui Rūnanga.

Wāhi Tapu: Wāhi Tapu are sacred sites or areas held in reverence according to whakapapa. Wāhi tapu may be associated with creation stories of mana whenua, particular events, sacred locations or sites where a particular valued resource is found. Hokonui Rūnanga holds internal information regarding areas of known Wāhi Tapu in the District. Where necessary, Hokonui Rūnanga will carefully determine (on a case-by-case basis) the extent to which any sensitive information is disclosed to Council to assist with resource management processes and decision making

Wāhi Taonga: all natural resources are part of the natural environment and are treated as taonga. Taonga are treasures, things highly prized and important to Ngāi Tahu. This includes all indigenous vegetation, with many species valued for mahinga kai (as food, fibre or used for medicinal purposes). All taonga are part of the cultural and tribal identity of an iwi.

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

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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~~the 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~~the takiwā. Gathering kai with whānau at ~~a~~ traditional fishing places that ~~have been~~we know were named ~~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 whānau.

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~~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~~future generations that are yet to come. Ki uta ki tai is the basis of Ngāi Tahu Iwi Management Plans (including Te Tangi a Taura) 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:

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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~~the *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~~the 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~~Mana Whenua have expectations –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~~Mana whenua 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*. For Hokonui Rūnanga it is critical that –existing public access is maintained in the district and wherever possible, increased public access is provided to suitable locations for mahinga kai practices to be undertaken as tipuna did. 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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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, Mātaura 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 Mātaura 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 Mātaura is an important mahinga kai, noted for its indigenous fishery. The Mātaura 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 Mātaura 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.

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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~~ 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: 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~~ has entered 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~~ its 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,

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understanding of each other's roles and responsibilities, and an implementation plan.

[Microsoft Word - Charter of Understanding for Hokonui Gore DC Final formatted.docx](#)

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-management-plan/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

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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:

032087954 or Hokonui.office@ngaitahu.iwi.nz

For further information please refer to the [Accidental Discovery Protocol](#) contained in the EW-Earthworks Chapter. ~~HNZPT Accidental Discovery Protocol~~

~~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~~

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~~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/>

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REFER TO REFINED NTCV CHAPTER FOR UPDATED OBJECTIVES AND POLICIES AND METHODS – NOTE- FINAL LOCATION TO BE DETERMINED

APPENDIX E – GAP ANALYSIS TABLE

The following table builds on the high-level GAP table contained in further response to Minute 15 (19/12/2024) by:

- Identifying the linkages/ or interactions between the proposed district plan (PDP) provisions (i.e. objectives, policies and rules and standards where applicable) that seek to manage effects or values of concern to mana whenua values (NTCV) throughout the plan. In addition, the analysis shows if there is a missing link/supporting provision or other potential implementation issues identified.
- Considering the Hokonui Rūnanga submissions made on specific plan provisions that seek to specify the effects or values of concern to mana whenua (in a bid to improve plan implementation when it comes to providing for NTCV). These submission points have generally been made at an objectives and policies level, with consequential amendments sought to specified chapter standards.
- An additional column has been added at the end of the table to provide a quick reference 'rating' system (e.g. if the notified chapter clearly enables NTCV to be considered it has a ✓. Where it is less certain it has a ? and where there are obvious implementation issues it has a ✗).

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
MW-Mana Whenua	MW-O1	MW-P2	MW-M2	N/A	N/A	Provisions support the implementation of the 'NTCV approach' throughout the PDP, utilising Council and Hokonui Rūnanga relationship to do so (i.e. working in partnership in accordance with relationship agreement).	
	MW-O2	MW-P1	MW-M1				
		MW-P3	MW-M3				
UFD-Urban and Future Development	UFD-O1	Chapter does not include policies	National Planning Standards do not allow rules in chapter. This is provided for in the zoning chapters.	No standards in Chapter (as there are no rules).	S139.041- UFD-O1 <i>Specify the effects or values of concerns to mana whenua</i> <i>Whakapapa, mauri, mahinga kai, wāhi tapu, retention of mātauranga, Kaitiakitanga, relationship of mana whenua with whenua, wai and mahinga kai.</i>	The submission point was addressed at the HS1 hearing (evidence by Lynda). No further commentary to add.	
	UFD-O7						
	UFD-O11						
ENRG-Energy	ENRG-O3* The underlying relationship NT hold with the natural environment are managed.	ENRG-P5 *Cultural effects	ENRG-R3- renewable electricity investigations, includes structures and buildings	ENRG-S4	S139.042- s130.044- ENRG-O3, ENRG-S1, S2. <i>Specify the effects or values of concerns to mana whenua</i> ENRG-O3- <i>Effects from energy generation activities on people and communities are managed, while recognising practical constraints... and</i> <i>'The Whakapapa relationship of mana whenua with whenua, wai, effects on mauri, wāhi tapu, mahinga kai, ability to offer manaakitanga, mātauranga associated with landscape, Kaitiakitanga'.</i>	In this chapter, NTCV matters of discretion are attached to ENRG Standards, there are no specific NTCV matters of discretion attached to the rules. <i>General comment- the ENRG standards read as additional rules or sub-rules that apply to specific activities, rather than associated standards.</i> <i>For example- ENRG-S1 is only applicable for 'small scale wind turbines' and ENRG-S2 is only applicable for 'small scale hydro turbines' and ENRG-S4 only applies to 'exploratory wind generation masts'.</i> Support the Note 1 box which states that the plan is to be read as a whole and that this chapter SASM and MW chapter are implemented. .	
		ENRG-P6 *Cultural effects	ENRG-R1- small scale renewable energy construction, operation, maintenance, repairs and upgrades * ALL RULES TRIGGER NTCV VIA NON-COMPLIANCE WITH IDENTIFIED STANDARDS	ENRG-S1			
				ENRG-S2 (see other commentary)			
		ENRG-P11 *NTCV	Discretionary or non-complying rules				
INFR-Infrastructure	No specific provision.	INFR-P7	INFR-R3-	INFR-S1- Lines over waterbodies	s139.039- Whole of Plan	INFR-R3- includes a specific matter of discretion ('Impacts on NTCV') in the rule	

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
	INFR-O4* <i>*Broadly refers to managing 'adverse effects'</i>	* NTCV	operation, maintenance and upgrade or repair or removal of above ground infrastructure and access tracks	INFR-S2- height of infrastructure INFR-S3- height of poles and masts INFR-S5- setbacks from waterways INFR-S6- footprints of buildings and structures INFR-S7- antennas, small cells and ancillary equipment INFR-R8*- telecommunication lines, cabinets, poles and new antennas regulated by NESTF that don't meet permitted standards. <i>*no permitted status- RD rule</i> INFR-R9* Establishment of new infrastructure <i>*no permitted status- Discretionary rule</i> Refers to SASM but there are none	remove references to SASM as mana whenua did not identify any- applies to INFR-R9. s139.045-s139.050- INFR-P7 & INFR-S2-S6 <i>Specify the effects or values of concerns to mana whenua</i> <i>'Whakapapa, mauri of natural resources, wāhi tapu, mahinga kai, exercise manaakitanga, mātauranga associated with landscape and Kaitiakitanga'.</i> N/A N/A	and refers to matters of discretion for infringed standard (s)... This allows NTCV to be considered in relation to either breaches to activity specific requirements (as specified in the rule- i.e. increases to existing structure or line) or breach of INFR standards. Note- an activity only needs to comply with either INFR standards or comply with limits specified in the rule for any prescribed works to existing structures or lines (e.g. maximum change in location, maximum increase in diameter). Submission addresses INFR-R9	?
TRANS-Transport	TRANS-O3* <i>*Broadly refers to managing 'adverse effects'</i>	TRANS-P11* <i>*refers to managing effects on NTCV and recognise the underlying relationship Ngāi Tahu hold with the natural environment.</i>	Missing RD RULE to link to TRANS standards (includes TRANS-S10)? TRANS-R1* is permitted or discretionary	TRANS-S10	S139.051- TRANS-P11 <i>Specify the effects or values of concerns to mana whenua</i> <i>'Whakapapa, mauri of whenua and wai, access to mahinga kai, disturbance of wāhi tapu or other taonga.'</i>	No RD rule to accompany TRANS-S10- road design requirements, which states that non-compliance with the standard is an RD activity status? As drafted, there is no ability to consider the matters of discretion attached to TRANS-S10, which includes consideration of NTCV.	✗
CL-Contaminated Land	CL-O1* <i>*Broadly refers to protecting the 'environment'.</i>	CL-P3	No rules in chapter	No standards in chapter	S139.053- CL-P3 <i>Specify the effects or values of concerns to mana whenua.</i> <i>Whakapapa, mauri, wāhi tapu, mahinga kai or customary uses.</i>	The chapter only contains one objective which in part refers to protecting the environment. This could allow an 'in' for considering NTCV. The RMA definition for 'environment' allows for consideration of cultural matters. It is understood the PDP has adopted this definition.	?

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
						<i>environment includes— (a)ecosystems and their constituent parts, including people and communities; and (b)all natural and physical resources; and (c)amenity values; and (d)the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters.</i> Would need to confirm with Panel if this interpretation is accepted.	
NH-Natural Hazards	NH-O2* *In part, broadly refers to avoiding or mitigating impacts on the environment.	NH-P2*	NH-R1	No standards in chapter	s139.054 & s139.056- NH-P6 & NH-R2 <i>effects on mauri, any wāhi tapu, access to and use of mahinga kai.</i>	See above commentary. In this chapter, impacts on NTCV is included as a specific matter of discretion in the rules, noting there are no standards. NH-P2 and NH-P6 refer broadly to ‘cultural values.’ specific NTCV matter of discretion attached to rules (NH-R1 and NH-R2). NH-R1 requires that pre-existing legal access to waterways for mahinga kai is retained (for an activity to be permitted). Revisions requested by HR- see revision table- at Appendix G	?
		* refers to ensuring adverse effects on cultural values are avoided or mitigated.	NH-R2				
		NH-P3*	No RD rules- non-complying rule				
		* Refers to effects on mahinga kai					
HAZS-Hazardous Substances	HASZ-O1* *Broadly refers to preventing significant adverse effects on the underlying relationships Ngāi Tahu hold with the natural environment.	NH-P6*	No RD rules- non-complying rule	No standards in chapter	S139.052-HAZS-O1 <i>Mauri of whenua and wai, wāhi tapu, access to and use of mahinga kai, and other values associated with the natural environment.</i>	This chapter does not include specific NTCV matters of discretion as there are no controlled or RD rules (D or NC). Both identified policies refer to avoiding adverse effects on NTCV, while the associated objective refers broadly to the underlying relationship NT holds with the environment. The specificity sought through the Hokonui submission provides more guidance to plan users to the types of values that are a concern for mana whenua in relation to activities anticipated in this chapter.	✓
		*refers to avoiding significant adverse effects on cultural values.					
HAZS-Hazardous Substances		HASZ-P1*	No RD rules. Discretionary or non-complying depending on zoning of site	No standards in chapter			
		*NTCV					
HAZS-Hazardous Substances		HASZ-P2*					
		*NTCV					
HH-Historic Heritage	HH-O1*	HH-P1*	No relevant rules	No standards in chapter	S139.055- HH-P4 specify effects or values of concern to mana whenua.	In this chapter, impacts on NTCV is included as a specific matter of discretion in the rules, noting there are no standards.	✓
		*Enables scheduling heritage items and settings (HH-SCHED1)					

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
	Broadly refers to recognising and protecting cultures of the district	HH-P4 See Hokonui sub-point details.	NH-R2		'continued use of heritage item in line with its recorded cultural heritage values or provide for ongoing mahinga kai access along the Mataura river and tributaries'.	Matters of discretion for the identified rules relate to- - maintaining access to culturally significant mahinga kai site or ongoing Māori cultural or customary activities on site. For works near or within a scheduled arch site, - consultation with mana whenua may be required.	
		HH-P6* Mahinga kai sites	HH-R4				
		HH-P8 Mahinga kai sites	HH-R2				
			HH-R4				
		HH-P11 Mahinga kai sites	HH-R7				
		HH-P7* <i>*Broadly refers to compatibility with historic heritage values and retention of the archaeological sites</i>	HH-R5				
		HH-P10* <i>*broadly refers to avoiding damage to archaeological sites or heritage item.</i>	HH-R6				
TREE-Notable Trees	TREE-O1	TREE-P1* *refer to Hokonui sub-point details.	N/A- policy relates to identifying trees	No standards in chapter	S139.057- TREE-P1- mana whenua are experts in their mātauranga and tikanga. 'mana whenua representative' (instead of Māori cultural expert).	The matter of discretion or control for the rules relates to undertaking works (i.e., method of trimming or method for proposed works in root protection area) in accordance with relevant Māori cultural practices. Revisions requested by HR- see revision table- at Appendix G	N/A
		TREE-P4* *Refers to undertaking works to trees in accordance with Māori cultural practices	TREE-R1- see revisions table				
		See revisions table	TREE-R3- see revisions table				

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
SASM/NTCV Chapter	NTCV-O1 + NTCV-O2	NTCV-P1	No rules in chapter	No standards in chapter		the NTCV chapter contains provisions that apply across the PDP chapters where NTCV need to be considered for consenting.	
		NTCV-P2				The provisions are overarching in nature and therefore are not detailed (this is provided in the various chapters of the PDP).	
		NTCV-P3					
		NTCV-P4					
		NTCV-P5					
ECO-Ecosystems & Indigenous Biodiversity	ECO-O2	ECO-P1	N/A- relates to identifying SNA's	No standards in chapter	Hokonui Rūnanga made a suite of submissions on the ECO provisions, which seek significant changes to the chapter. S139.011- s139.038- ECO-O2-ECO-O4, ECO-P1-P12, ECO-R1-ECO-R3.	Otherwise, it appears most activities that cannot meet the permitted threshold is discretionary (if outside an SNA) or non-complying (if within SNA).	
	ECO-O4	ECO-P2	ECO-R1* Permitted, RD, D or NC.				
		ECO-P7					
		ECO-P8					

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
		ECO-P9					
		ECO-P10					
		ECO-P11					
NFL-Natural Features & Landscapes	NFL-O1* Broadly seeks to protect the values and characteristics of ONF and ONL.	NFL-P1* * Avoid adverse effects on ONL and NFL by recognising and protecting related NTCV. NFL-P2* * Refers to the natural character of Te Au Nui Pihapiha Kanakana Mataura Falls and enabling activities that express mana whenua kaitiaki responsibilities. NFL-P4* *Resource consent within ONL & ONF need to consider the extent to which NTCV, rights and interests are recognised and provided for.	NFL-R2	No standards in chapter	S139.058- NFL-P1 The values mana whenua associate with the areas are a matter considered in identifying them and effects of proposed activities ought to be considered when assessing resource consent applications. <i>“Ensuring values mana whenua associate with areas... are recognised and provided for in both classifying and assessing effects of activities...”</i>	Potential duplication of NTCV (as a matter of discretion). NFL-R2-R6 all include a specific NTCV matter of discretion and refer to the effects on the values as listed in NFL-APP appendix 5 (i.e. where applicable this includes NTCV as values to be protected). Revisions requested by HR- see revision table- at Appendix G	 *Subject to remove NTCV matters of discretion (to remove duplication).
			NFL-R3				
			NFL-R4				
			NFL-R6				
			NFL-R6* *Duplication of provision number (but different rule) <i>*All identified rules include NTCV as a matter of discretion, which is triggered if the prescribed permitted activity requirements cannot be complied with</i>				
PA- Public access	PA-O1* Provides for access along waterbodies with NTCV	PA-P4* *Seeks to facilitate access along waterways using non-	No rules in chapter	No standards in chapter	S139.059 & s139.060-PA-O1 & PA-P3 <i>It is not always appropriate to have public access to and along waterbodies that are culturally sensitive areas.</i>	The Hokonui rūnanga submissions in part seek to specify the values of concern in relation to the chapter (i.e. mahinga kai values attributed to a waterway) and other	

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
		regulatory methods and involving mana whenua.			<i>'public access is provided to and along waterbodies with high recreational, scenic or amenity values or which are valued for mahinga kai; provided public access is appropriate considering any cultural value associated with the area such as silent files or other wāhi tapu'.</i>	values that might deem it necessary to limit public access, i.e. wāhi tapu. These matters are further considered in subdivision and Earthworks Chapter.	
	PA-O2 Refers to providing access for Mahinga kai activities	PA-P3* *Seeks to enhance mana whenua customary access along significant waterways.					
	PA-O3 Access does not result in adverse effects on cultural values.	PA-P5 Restricts access in areas that adversely impact cultural values.					
SUB-Subdivision	SUB-O4 Refers to underlying relationships NT holds with environment + SUB-O5* broadly refers to cultural values	SUB-P17* *Refers to 'cultural' broadly (i.e. cultural constraints & characteristics, culturally important attributes).	SUB-R5- all other subdivision (not otherwise provided for)* <i>*RD if SUB-S1-S3 are met or NC if any of the standards are not met.</i>	no matters of discretion in SUB standards.	S139.061- SUB-04 <i>Wherever possible the plan provisions should specify the specific particular effects or values of concern to mana whenua.</i> <i>'works with the natural contours of the land and drainage patterns, maintains and enhances wetlands, indigenous vegetation and other taonga on-site, maintains or enhances mahinga kai values, and protects wāhi tapu from inappropriate access or disturbance.'</i>	For this chapter, NTCV matters of discretion are directly in the rules (i.e. not cross referenced via standards) The SUB Standards do not include NTCV matters of discretion, because a non-compliance with a standard(s) is either, a fully discretionary or non-complying activity. No concerns with this approach. NTCV matters of discretion may need to refer back to objectives.	
			SUB-R6- subdivision in Gore South Development Area* <i>*RD if SUB-S2 and SUB-S4 are met or D if SUB-S4 not met or NC if SUB-S4 not met.</i>	no matters of discretion in SUB standards.			
			SUB-R7- subdivision in Gore West Development Area* <i>* RD or D if SUB-S5 not met or NC if SUB-S1 not met.</i>	no matters of discretion in SUB standards.			
			SUB-R8- subdivision and historic heritage RD	Rules do not make any reference to SUB-Standards.			

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
			SUB-R9- subdivision of notable trees RD				
ASW- Activities on the surface of water	ASW-O2* *enables mana whenua to express their relationships with the waterways and continue to practice various cultural activities or rituals without unreasonable restrictions. - See Hokonui Rūnanga sub-point details	ASW-P1 *refers to facilitating and promoting 'cultural' use of waterbodies.	Rules are either permitted or discretionary or prohibited. Hence, no rules with NTCV matter of discretion.	No standards in chapter	S139.062 ASW-O2 wherever possible should specify the particular effects or values of concern to mana whenua <i>'Activities and structures on the surface of water bodies do not impede access to and exercise of mahinga kai or degrade the mauri of the water body and enable mana whenua to express their cultural relationships with the waterways and continue to practice customary uses.'</i>	While the provisions in this chapter use broad terminology, The Hokonui Rūnanga submission addresses this in part by seeking to clarify the values or concerns to mana whenua (at an objective level). consequential amendments to the identified policies may be appropriate to align with the specificity in the objective.	
		ASW-P2 * refers to prioritising non-commercial and non-motorised 'cultural' activities.					
		ASW-P4 * refers to managing effects on NTCV					
		ASW-P5* *refers to NTCV and Māori cultural practices.					
EW- Earthworks	EW-O1 Refers to Ngāi Tahu cultural values	EW-P4 Requires ADP to be inclusive of Ngāi Tahu tikanga and values + EW-P5 Manage earthworks to maintain or enhance NTCV in relation to waterways, design, location and undertaking, protecting cultural sites of significance.	EW-R1- fences	EW-S3	S139.063 & S139.064-EW-O1 & EW-P5 <i>Wherever possible specify effects or values of concern to mana whenua.</i> <i>'EW-O1-earthworks and land disturbance for subdivision, land use and development are facilitated and undertaken in ways that:</i> <i>i. Protect the natural environment, including the mauri of whenua or wai;</i> <i>ii. Recognise and protect silent files and other wāhi tapu;</i> <i>iii. Avoid adverse effects on mahinga kai and other customary uses; and</i> <i>iv. Minimise adverse effects on the surrounding environment.</i> <i>'EW-P5- Manage earthworks that are of a nature, scale or in a location where there may be adverse effects to ensure that-</i> 2. <i>The natural character of rivers and their margins are preserved and water quality, stream health, the intrinsic values of ecosystems, mauri and mahinga kai values, and any public access, are maintained or enhanced, 3.the design, location and undertaking of earthworks recognise Ngāi</i>	EW-R1-R13 all includes a specific matter of discretion ('Impacts on NTCV') in the rules and refers to matters of discretion for infringed standard(s), which also include a NTCV matter of discretion. Hence, NTCV may need to be assessed in relation to specific activity requirements and/or EW standards. Revisions requested by HR- see revision table- at Appendix G	
				EW-S5			
				Missing a rule to support EW-S7* NC activity status if standard not complied with but this is not indicated in the rule(s).			
			EW-R2 EW-R3 EW-R4 EW-R5 EW-R6	EW-S1			
				EW-S3			
				EW-S4			
				EW-S5			

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
				EW-S7* As above	<i>Tahu cultural values associated with the area, including whakapapa and cultural landscapes, protects archaeological sites and any silent files or wāhi tapu, and mitigates any other adverse effects on mana whenua'.</i>		
			EW-R7 EW-R8 EW-R9 * Activities that cannot comply with rule requirements & undertaken in a zone not specified in rules are non-complying	EW-S1			
				EW-S2			
				EW-S3			
				EW-S4			
				EW-S5			
				EW-S7* As above			
			EW-R10 EW-R11	EW-S1			
				EW-S2			
				EW-S3			
				EW-S4			
				EW-S5			
				EW-S7* As above			
			EW-R13* * The rule refers to the matters of discretion of any infringed standard(s), but there are no standards relevant to the rule.	No associated standards			
			EW-R14	EW-S1			
				EW-S2			
				EW-S3			
				EW-S4			
				EW-S5			
				EW-S6			
				EW-S7* As above			
LIGHT-Light	No references in objectives to NTCV/ mana whenua	No policies refer broadly or explicitly to mana whenua/ NTCV.	LIGHT-R1- emission of artificial outdoor light* *Requires compliance with LIGHT-S1	LIGHT-S1* * Refers to cultural wellbeing, which is used generically alongside social, economic wellbeing. This appears to be a	No submission on this chapter.	Checked with Hokonui (no concerns). Revisions requested by HR- see revision table- at Appendix	

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
				direct reference back to purpose of the RMA (i.e. sustainable management).			
NOISE-Noise	*NOISE-O1- requires that noise generating activities are compatible with the purpose and character of each zone. Depending on the zone and anticipated character, it may enable consideration of mana whenua concerns?	No policies refer broadly or explicitly to mana whenua/ NTCV. Refer to revisions table.	NOISE-R4- Noise from temporary military training and emergency services training activities- involving fixed noise sources. NOISE-R5- Noise from temporary military training and emergency services training activities- involving mobile noise sources. NOISE-R10- Noise from Temporary Events <i>*All identified rules include NTCV as a matter of discretion, which is triggered if the prescribed permitted activity requirements cannot be complied with.</i>	No NOISE standards refer to NTCV as a matter of discretion.	No submissions on this chapter	Unclear why there are NTCV matters of discretion attached to the identified NOISE rules. NTCV sits alongside 'amenity values' (as a matter of discretion), but there is no clear guidance/ rational provided in other provisions in the chapter (i.e. objective or policies). Also note that no specific submission points were not made by Hokonui on this chapter. To be confirmed with Hokonui Rūnanga. The noise activities relate to Temporary activities that also include NTCV as a matter of discretion. Revisions requested by HR- see revision table- at Appendix G.	?
SIGN-Signs	*SIGN-O1- requires that signage is consistent with the purpose, character and amenity of the zone. If other zones (i.e. Māori purpose, open space, recreation zones) enable this type of signage/ activity, then there is a link.	SIGN-P1* *Broadly refers to 'cultural associations' SIGN-P3* * Broadly refers to 'cultural relationships'	SIGN-R6- cultural markers Refer to commentary	SIGN-S1- requirements for signs	No submissions on this chapter	SIGN-R6 covers cultural markers in the Māori purpose, open space and recreation zones. Matter of discretion refers to NTCV and extent to which tikanga dictate the form or location of the cultural marker. Revisions requested by HR- see revision table- at Appendix G	?
TEMP-Temporary activities	TEMP-O1* *Refers to underlying relationships NT hold with Natural environment.	TEMP-P1* Refers to not impacting significantly on NTCV.	TEMP-R4- commercial filming	No standards in the chapter	S139.065 & s139.066- TEMP-O1 & TEMP-P1- Wherever possible specify effects or values of concern to mana whenua.	Specific NTCV matter of discretion contained in the TEMP-R4, R5 & R7. The identified rules all specify maximum duration for temporary activities (between 30	

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
					‘TEMP-O1 temporary activities are planned, located and managed to minimise adverse effects on amenity values, people or activities, the natural environment and the relationship of mana whenua with the Whenua (land), Wai (Water), wāhi tapu and mahinga kai’. ‘TEMP-P1- Enable temporary activities provided their effects are compatible with the level of amenity anticipated for the site and surrounding environment, and any adverse effects on mauri, mahinga kai or other cultural values are avoided or are within a range that can be tolerated given their short-term nature’.	& 31 days with additional time for set up and take down) and tidy up requirements, which if not met then trigger consideration of NTCV. Hokonui submissions on this chapter seek to clarify the values of concern for mana whenua (i.e. mauri, mahinga kai and other values).	
	TEMP-O2		TEMP-R5- temporary military training				
	Refers to temporary events contributing to cultural well-being of communities.		TEMP-R7- Emergency services activity				
LLRZ- Large Lot Residential Zone	No references in objectives to NTCV/ mana whenua See commentary for suggested amendment to LLRZ-O2.	LLRZ-P2*	No ability to consider NTCV in relation to servicing of sites under LLRZ rules (i.e. LLRZ-R1-R5)	LLRZ-S2* servicing	S139.067- LLRZ-P3 Ambiguous wording. Amend to read- <i>‘Require development to be of a height and bulk, and have sufficient setbacks and open space to-</i> <i>Maintain greenspace, natural drainage patterns and riparian margins’.</i>	LLRZ-S2 is potentially missing a NTCV matter of discretion (to enable consideration of servicing impacts on NTCV)? Objectives are missing ‘hook’ wording which refers to the <i>‘underlying relationship Ngāi Tahu hold with the natural environment’</i>. there is however some commentary/ direction provided in the overview section. Based on discussions with s42A officer, it is understood this ‘hook’ wording is supposed to be included throughout the plan to guide plan users back to SASM provisions. Example of potential change- <u>LLRZ-O2-</u> <u>4. responds to the underlying relationship Ngāi Tahu holds with the natural environment.</u> NOTE- This suggested amendment is similar to wording provided in RLZ-O2	?
		LLRZ-P3*	LLRZ-R1 LLRZ-R2 LLRZ-R3 LLRZ-R4 LLRZ-R5 LLRZ-PREC12-R1 <i>* ALL RULES TRIGGER NTCV VIA NON-COMPLIANCE WITH IDENTIFIED STANDARDS</i>	LLRZ-S7- waterway setback			

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
GRZ-General Residential Zone	No references in objectives to NTCV/ mana whenua	No clear references in policies to NTCV/ mana whenua Note- *GRZ-P3- broadly refers to mitigating adverse effects of building height, bulk and location and protection of waterways from inappropriate built form.	GRZ-R1 GRZ-R2 GRZ-R3 GRZ-R4 GRZ-R5 * ALL RULES TRIGGER NTCV VIA NON-COMPLIANCE WITH IDENTIFIED STANDARD	GRZ-S7* Relates to waterway setback requirements.	No submissions on this chapter.	For GRZ-R1-GRZ-R5, NTCV need to be considered if an activity cannot comply with GRZ-S7. GRZ-R9-R12 all include NTCV as a specific matter of discretion. Having the matter of discretion attached to directly the RD rules allows for NTCV to be considered in relation to the activity itself (i.e. locating a retirement village, community facility, comprehensive residential development, healthcare activity in a GRZ). Potential issues- - Lack of clear direction in chapter provisions (objs and pols). - Note- GRZ-S2 relates to servicing residential units but there is no matter of discretion for NTCV (also no policy direction).	?
			GRZ-R9* <i>*RD or D if any of the identified GRZ standards are not met.</i>	NTCV not triggered by standards (triggered by activity itself).			
			GRZ-R10* <i>*RD or D if any of the identified GRZ standards are not met.</i>				
			GRZ-R11* <i>*RD, or D or NC (depending on the non-compliance).</i>				
			GRZ-R12 <i>*RD or D if any of the identified GRZ standards are not met.</i>				

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
MRZ-Medium Density Residential Zone	No references in objectives to NTCV/ mana whenua etc	MRZ-P2* *Broadly refers to enabling a variety of housing forms while mitigating cultural effects through bulk and location controls.	MRZ-R1 MRZ-R2 MRZ-R3 MRZ-R4 MRZ-R5 MRZ-R8 * ALL RULES TRIGGER NTCV VIA NON-COMPLIANCE WITH IDENTIFIED STANDARDS	MRZ-S6* *Relates to waterway setback requirements	No submissions on this chapter.	For MRZ-R1- R8 NTCV need to be considered if an activity cannot comply with MRZ-S6 (i.e. structures or buildings that intrude into a prescribed minimum waterway setback). include NTCV as a specific matter of discretion. Having the matter of discretion attached to directly the RD rules allows for NTCV to be considered in relation to the activity itself (i.e. retirement village and community facility), rather considering NTCV in relation to non-compliance with a relevant standard (i.e. MRZ- S6). Revisions requested by HR- see revision table- at Appendix G.	?
			MRZ-R9* *RD or D if any of the identified MRZ standards are not met.	NTCV not triggered by standards.			
			MRZ-R10* *RD or D if any of the identified MRZ standards are not met.				
GRUZ-General Rural Zone	No references in objectives to NTCV/ mana whenua etc.	GRUZ-P2* *Relates to rural industry activities	GRUZ-R4 *Rural industry activities * RULE TRIGGERS NTCV VIA NON-COMPLIANCE WITH IDENTIFIED STANDARDS	~~GRUZ-S3*~~ ~~*Relates to building size- Maximum building sizes (m2) prescribed for activities (i.e. primary production & rural industry). Limit 500m² for any other building.~~	S139.068-S139.070- GRUZ-P2, GRUZ-P6, GRUZ-P13 Specify the particular effects or values of concern to mana whenua GRUZ-P2- Enable rural industry activities whilst preserving rural character, rural amenity, the mauri of whenua, wai and ecosystems... GRUZ-P6- Manage quarrying and mining activities to: i. avoid adverse effects on the environment, and ii. Where it is not possible to avoid adverse effects from quarrying or mining, require these effects to be mitigated or offset. GRUZ-P13- Provide for regionally significant infrastructure in the General Rural Zone, except where: i. the activity would be	GRUZ-R4- NTCV need to be considered if an activity cannot comply with the identified standards. GRUZ-R3 includes 'Impacts on NTCV' as a specific matter of discretion and refers to 'matters of discretion of any infringed standard'. NTCV need to be considered in relation to non-compliances with specified activity requirements/standards (e.g., maximum area of extraction, setbacks from site boundaries & sensitive activities), and in relation to infringed zone standards for buildings or structures (e.g., building size, height and waterway setback) and any breached earthworks standards (waterway setback, erosion, sediment and dust controls, ADP).	?

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
				Mataura Falls, Hokonui Hills, and/or Tuturau'	<i>inappropriate in an area of ONL, ONF or SNA, ii. There is an unacceptable natural hazard risk, or iii. The site is wāhi tapu or the activity has a significant effect on cultural values that cannot be avoided or mitigated to an appropriate level.</i>	For GRUZ-R1, R7, R8, R9, R10, while there are no NTCV matters of discretion specified in the rules, NTCV need to be considered if activity cannot comply with either GRUZ-S3 (building size) or GRUZ-S7 (waterway setback).	
		GRUZ-P6* * Quarrying and mining activities	GRUZ-R3* * Quarrying activities	~~GRUZ-S3~~		Revisions requested by HR- see revision table- at Appendix G	
				GRUZ-S7			
				GRUZ-S8*			
				-			
				EW-S3			
				EW-S5			
				EW-S7- ADP			
		GRUZ-P12* * Broad policy applies alongside all other policies in the chapter. requires that development maintains the underlying NT relationships.	<i>GRUZ-R1 GRUZ-R7 GRUZ-R8 GRUZ-R9 GRUZ-R10 * ALL RULES TRIGGER NTCV VIA NON-COMPLIANCE WITH IDENTIFIED STANDARDS</i>	~~GRUZ-S3~~			
				GRUZ-S7			
				GRUZ-S8*			
		GRUZ-P13* Incorrectly refers to SASM (which are not identified in PDP).	No applicable rules	No applicable standards			
RLZ-Rural Lifestyle Zone	RLZ-O2	RLZ-P1- <i>seeks to limit range, scale, siting of activities and</i>	<i>RLZ-R2 RLZ-R4</i>	RLZ-S2	S1239.071- RLZ-P5 Specify effects or values of concern to mana whenua.	For RLZ-R2, R4, R5 & R8, If a building or structure associated with the prescribed activities cannot comply with	?

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
		<i>buildings to protect character of zone and underlying Ngāi Tahu relationships with the natural environment.</i> RLZ-P5 <i>Enables building and structures for permitted activities that maintain character of zone by requiring appropriate waterway setbacks to maintain NTCV.</i>	RLZ-R5 RLZ-R8 * ALL RULES TRIGGER NTCV VIA NON-COMPLIANCE WITH IDENTIFIED STANDARDS	* Impacts on views of the Maitara Falls, Hokonui Hills, and/or Tutarau. RLZ-S5 ~~* max. size of any building is 500m²~~ RLZ-S7	<i>‘Appropriate setbacks to waterways to maintain and enhance amenity values, ecological values, maintain access to mahinga kai, and reduce effects on mauri, ki uta ki tai, and natural character.</i>	RLZ-S2, S5 or S7, it requires consideration of NTCV.	
SETZ-Settlement Zone	No references in objectives to NTCV/ mana whenua etc.	SETZ-P2 (see other commentary)	SETZ-R1 SETZ-R2 SETZ-R4 SETZ-R6 SETZ-R7 SETZ-PREC8-R1 SETZ-PREC8-R2 SETZ-PREC8-R3 SETZ-PREC8-R4 SETZ-PREC8-R5 SETZ-PREC8-R7 SETZ-PREC8-R8 SETZ-PREC8-R9 SETZ-PREC8-R10 * ALL RULES TRIGGER NTCV VIA NON-COMPLIANCE WITH IDENTIFIED STANDARDS	SETZ-S7* Building or structure setback from waterways (rivers and streams).	S139.072- SETZ-P2 Clause 2 as currently written is ambiguous 2. ‘maintain greenspace, natural drainage patterns and riparian margins...’	All identified SETZ rules require NTCV to be considered if a building or structure cannot comply with the waterway setback requirements (set under SETZ-S7). SETZ-P2 refers to development being of a height and bulk and having sufficient setbacks to maintain the ‘<i>underlying relationship NT hold with the natural environment</i>’, but only setback to waterway standard (SETZ-S7) allows for consideration of NTCV. Revisions requested by HR- see revision table- at Appendix G	?

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
NCZ- Neighbourhood Centre Zones	No references in objectives to NTCV/ mana whenua etc.	NCZ-P3* *Makes two separate references- 1. Waterway setbacks maintain and enhance NTCV and 2. development responds to underlying relationship NT holds with natural environment.	NCZ-R1 NCZ-R2 NCZ-R3 NCZ-R4 NCZ-R5 NCZ-R6 NCZ-R7 NCZ-R8 NCZ-R9 * ALL RULES TRIGGER NTCV VIA NON-COMPLIANCE WITH IDENTIFIED STANDARDS	NCZ-S5* *Setbacks to rivers and streams	S139.076 NCZ-P3 Wherever possible specify the effects or values of concern to mana whenua. <i>'provide for built development in the neighbourhood centre that-</i> <i>3. has appropriate setbacks to waterways to maintain and enhance their amenity and ecological values, maintain access to mahinga kai, and reduce effects on mauri, ki uta ki tai and natural character.'</i>	Revisions requested by HR- see revision table- at Appendix G	?
LCZ- Local Centres Zone	LCZ-O2* *Broadly refers to cultural identity.	LCZ-P2* *Refers to underlying relationship NT holds with the natural environment. LCZ-P3* NTCV considered in relation to providing public access to Mataura River and having appropriate setbacks to waterways. LCZ-P5* Encourages urban design that contributes to NT cultural identity.	LCZ-R1 LCZ-R2 LCZ-R4 LCZ-R5 LCZ-R6 LCZ-R7 LCZ-R8 LCZ-R9 LCZ-R10 LCZ-R11 LCZ-R13 (see 'other commentary') * ALL RULES TRIGGER NTCV VIA NON-COMPLIANCE WITH IDENTIFIED STANDARDS	LCZ-S4* *Height – Refers to views to and between features of importance to Ngāi Tahu LCZ-S6* *Setbacks to waterways (rivers and streams)	S139.073- LCZ-P2 <i>Clause 6 is ambiguous. Wherever possible, specify the effects or values of concern to mana whenua.</i> <i>6. recognises and incorporates Ngāi Tahu history and association with Mataura and Gore area in building layout and design and maintenance of greenspace.</i>	Potentially some duplication in LCZ provisions. LCZ-R13 appears to result in duplication in rules. It is Unclear why there is a standalone rule for building activity (LCZ-R13) when it is also dealt with in other activity rules (as identified)? NTCV-PS5 seems to duplicate the content of LCZ-P5 (urban design consideration). Hokonui submission on the chapter seeks to clarify the concerns of mana whenua in relation to development activities undertaken in the zone. The changes sought appears to better align LCZ-P2 with LCZ-P3 & P5. Refer to revision table at Appendix G	?

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
MUZ-Mixed Use Zone	MUZ-O1* <i>*refers to providing for a range of activities in the zone to meet the economic, cultural, and social needs of the district. This wording appears to be intentionally like wording used in the RMA (i.e. purpose of the RMA).</i>	MUZ-P4* <i>*Specifically refers to waterway setbacks to maintain & enhance NTCV.</i>	MUZ-R1 MUZ-R2 MUZ-R3 MUZ-R4 MUZ-R5 MUZ-R6 MUZ-R7 MUZ-R8 MUZ-R9 MUZ-R10 MUZ-R11 MUZ-R12 <i>* ALL RULES TRIGGER NTCV VIA NON-COMPLIANCE WITH IDENTIFIED STANDARDS</i>	MUZ-S5- waterway setback	S139.075- MUZ-P4 <i>Wherever possible, specify the effects or values of concern to mana whenua.</i> 4. Requiring appropriate setbacks to waterways which are appropriate to maintain and enhance amenity and ecological values, maintain access to mahinga kai, and reduce effects on mauri, ki uta ki tai and natural character.	Unclear if MUZ-S1 (height) requires NTCV matter of discretion? The matter of discretion states ' <i>Impacts on views to and between features of importance to NT</i> ' See revision table at Appendix G	
	MUZ-O4 Broadly refers to managing adverse effects on NTCV.			MUZ-S1* height ~~Check with Hokonui~~			
TCZ- Town Centre Zone	TCZ-O1* In part, refers to cultural identity of the district. assumed to apply more broadly than just NTCV but may allow for consideration of mana whenua values.	TCZ-P3 Makes two separate references- 1. Waterway setbacks maintain and enhance NTCV and 2. development responds to underlying relationship NT holds with natural environment.	TCZ-R1 TCZ-R2 TCZ-R3 TCZ-R4 TCZ-R5 TCZ-R6 TCZ-R7 TCZ-R8 TCZ-R9 TCZ-R10 TCZ-R11 TCZ-R13 (2) <i>* ALL RULES TRIGGER NTCV VIA NON-COMPLIANCE WITH IDENTIFIED STANDARDS</i>	~~TCZ-S4- height~~	S139.077- TCZ-P3 <i>'provide for built development in the Town centre that-</i> <i>5. has appropriate setbacks to waterways to maintain and enhance their amenity and ecological values, maintain access to mahinga kai, and reduce effects on mauri, ki uta ki tai and natural character.'</i> Delete clause 6	Same comments as per LCZ. - Potential duplication in provisions- i.e. TCZ-P5 and NTCV-P5 (both relate to urban design to provide for NTCV). - Also- TCZ-R13 (2) which provides for building activity in the zone (but new buildings and structures are also covered in other activity rules as identified) Refer to revision table at Appendix G	
		TCZ-P5* <i>* Encourages urban design that contributes to NT cultural identity</i>		TCZ-S6- waterway setback			

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
LIZ- Light Industrial Zone	LIZ-O5* Refers to effects or impacts on NTCV	LIZ-P4* *Makes two separate references- 1. Waterway setbacks maintain and enhance NTCV and 2. development responds to underlying relationship NT holds with natural environment.	LIZ-R1 LIZ-R2 LIZ-R3 LIZ-R4 ~~LIZ-R5-PREC1 (large format retail precinct)*~~ also includes NTCV as a specific matter of discretion <i>*ALL RULES TRIGGER NTCV VIA NON-COMPLIANCE WITH IDENTIFIED STANDARDS</i>	LIZ-S1 height	S139.079- LIZ-P4 <i>Wherever possible specify the effects or values of concern to mana whenua.</i> 3. 'Requiring appropriate setbacks to waterways to maintain and enhance amenity and ecological values, maintain access to mahinga kai, and reduce effects on mauri, ki uta ki tai and natural character. Delete clause 5.	As noted, all rules trigger consideration of NTCV if an activity cannot comply with LIZ-S1 or S5. LIZ-R5 PREC1 also includes a specific NTCV matter of discretion in the rule. This is presumed to relate to the specific activity requirement listed in the rule (i.e. retail activity has minimum floor area of 450m2) Refer to revision table at Appendix G	
				LIZ-S5- Waterway setback			
GIZ- General Industrial Zone	GIZ-O4* *Refers to effects or impacts on NTCV	GIZ-P5* *Requires appropriate waterway setbacks to maintain and enhance NTCV.	GIZ-R1 GIZ-R2 GIZ-R3 GIZ-R4	GIZ-S5- Setbacks to waterways (streams and rivers)	S139.081-GIZ-P5- <i>Wherever possible specify the effects or values of concern to mana whenua.</i> 3. 'Requiring appropriate setbacks to waterways to maintain and enhance amenity and ecological values, maintain access to mahinga kai, and reduce effects on mauri, ki uta ki tai and natural character.	All identified activity rules (GIZ-R1-R6, R8 & R11) trigger consideration of NTCV if an activity cannot comply with GIZ-S5.	?
	GIZ-PREC10-O1 (Mataura Mill Precinct) * *Refers to maintaining and enhancing access for traditional mahinga kai gathering.	GIZ-PREC10-P1* *covers same matters as objective- access for mahinga kai gathering.	GIZ-R5 GIZ-R6 GIZ-R8 GIZ-R11 <i>* ALL RULES TRIGGER NTCV VIA NON-COMPLIANCE WITH IDENTIFIED STANDARDS</i>				

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?		
NOSZ- Natural Open Space Zone	NOSZ-O1* * Refers to retaining NTCV and minimal built form in the zone. (Also refers to amenity values and natural character)	Potential Policy gaps NOSZ-P1- supports NOSZ-O1 & O2 but makes no reference to either NCTV (only refers to ‘the character and amenity’ of sites and surroundings). NOSZ-P2 also supports NOSZ-O1 but only refers to managing built form within the zone to minimise ‘adverse visual amenity and natural space character effects’ and – ‘protecting rivers waterways from inappropriate built form’. In addition, none of the policies refer to cultural activities, so it’s unclear how this is enabled/ what constitutes cultural activities.	NOSZ-R6- visitor accommodation	None of the rules allow for consideration of the matters of discretion contained in the NOSZ standards. The rules (as drafted) specify that the activity status where compliance is not achieved with the standards is either Discretionary (under NOSZ-R11, NOSZ-R12) or Non-complying (under NOSZ-R13). As such there are no RD rules that link with NOSZ-standards. This contradicts the activity status specified under the standards (i.e. RD if an activity can’t comply with a standard). The following standards include NTCV as a matter of discretion (i.e. where new or additions to a building cannot comply with the standards) - NOSZ-S1- height - NOSZ-S4- setbacks - NOSZ-S5- Building coverage.	<i>S139.082-83- NOSZ-O1 and NOSZ-P3</i> <i>Where possible specify the effects or values of concern to mana whenua.</i> <i>NOSZ-O1- Natural character, biodiversity and amenity values are retained and the values mana whenua hold in relation to the mauri of whenua, wai and ecosystems, mahinga kai, the whakapapa of place and the ethic of ki uta ki tai are recognised and provided for.</i> <i>NOSZ-P3-</i> <i>3. the scale, design, layout of the activity and any associated built form is compatible with the character, and amenity of the natural open space area the activity is proposing to locate in including any values mana whenua associate with the whakapapa or mauri of the land and any sites of wāhi tapu or mahinga kai values.</i>	Issues identified in this chapter include- - Potential gaps in the chapters policies (i.e. creates a disconnect between the objectives and rules). o This appears to limit consideration NTCV to education activities (and associated built form). o However, NTCV matters of discretion have been applied to other activities (NOSZ-R6-R8 and R11). - No rules enable consideration of the matters of discretion contained in NOSZ standards. - What is cultural activities? And what is other cultural values (matter of discretion wording used in NOSZ-R8). o Is it covered by other activities prescribed in the zone, i.e. a conservation activity, community facility or? o NOSZ-P1, NOSZ-P2 could be amended to include references to NTCV (with specified values included as per submission).			
	NOSZ-O2* *Broadly refers to enabling use of the zone for leisure and cultural activities		NOSZ-R7- rural commercial recreation activity					NOSZ-R8- commercial activity (refers to NTCV and <u>other cultural values</u>)	NOSZ-R11- Buildings <i>*the above rules include NTCV as a matter of discretion, which is triggered if the prescribed permitted activity requirements cannot be complied with.</i>
	NOSZ-P3* * Relates to education activities in the zone. Requires education activities to be compatible with NTCV (i.e. scale, design, lay and built form) and adverse effects on cultural or NTCV are to be managed (i.e. avoid, remedy, mitigate).		NOSZ-R12 * Education facility As above- triggered through non-compliance with activity specific requirements aren’t met (rather than not complying with standards).						

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
SARZ- Sports and Recreation Zone	SARZ-O1* *Refers to use of the zone including for cultural activities	SARZ-P2* * Refers to enabling activities that contribute to cultural wellbeing of Māori communities.	Potential rule gap? what is a cultural activity and is it covered by other activities specified in the rules for this chapter (i.e. conservation activity, community facility)?		S139.084-86- SARZ-P2, P4, P6 SARZ-P2 Tangata whenua is a more appropriate reference here than Māori communities. 2. contribute to the overall health and wellbeing of the community, including the wellbeing of tangata whenua. <i>Wherever possible specify the effects or values of concern to mana whenua.</i>	Potential gaps identified- - Unclear what constitutes cultural activities and how these activities are provided for in the rules? - Use of terminology in the provisions- i.e. Māori cultural well-being and if support remains for rewording of this provision (i.e. SARZ-P2), noting the above concern about the rules.. Revisions requested by HR- see revision table- at Appendix G	?
	SARZ-O2* * Refers to character of the zone including cultural values.	SARZ-P4* * Manages activities that are compatible with the zone and includes having regard to NTCV.	SARZ-R1 SARZ-R2 SARZ-R3 SARZ-R4 SARZ-R5	SARZ-S1- height- - Impacts on NTCV (refers to MW2.3)	SARZ-P4 <i>5. values mana whenua associate with the whakapapa or mauri of the zone and any sites of wāhi tapu or mahinga kai and other values listed in MW2.3.</i> SARZ-P6 2(b) adverse effects on cultural, spiritual and/or historical values and interests or associations mana whenua have with place.		
		SARZ-P6* *Seeks to avoid incompatible activities occurring in the zone resulting in adverse effects on cultural or associations of importance to tangata whenua.	*ALL RULES TRIGGER NTCV VIA NON-COMPLIANCE WITH IDENTIFIED STANDARDS	SARZ-S5- Setbacks to waterways (rivers and streams)			
AIRPZ- Airport Zone	AIRPZ-O2* * Broadly refers to underlying Ngāi Tahu relationships with the natural environment	AIRPZ-P2* *Broadly refers to providing for a range of activities in the zone to support cultural needs of the community.	AIRPZ-R1 AIRPZ-R2 AIRPZ-R3 AIRPZ-R4 AIRPZ-R5 AIRPZ-R6 AIRPZ-R7 AIRPZ-R8 AIRPZ-R9 * ALL RULES TRIGGER NTCV VIA NON-COMPLIANCE WITH IDENTIFIED STANDARDS	AIRPZ-S2- height* *Refers to impact on views of the Mataura Falls, Hokonui Hills and/or Tūturu	S139.087- AIRPZ-O2 <i>Wherever possible specify the effects or values of concern to mana whenua.</i> 'New or expanded activities within the Airport Zone are managed to minimise adverse effects on cultural, spiritual and/or historic values and interests or associations mana whenua have with place.'	The policies in this chapter are quite broad which makes it more difficult to understand whether the AIRPZ Standards which contain NTCV as a matter of discretion (i.e. where an activity breaches a standard) are appropriate. Also, as previously noted- the matter of discretion associated with AIRPZ-S2 (height breach) is broad but appears to enable mana whenua input. Revisions requested by HR- see revision table- at Appendix G	✓
		AIRPZ-P3* * Refers to designing, locating and operating activities and development in the zone which respond to the underlying NT relationships with the natural environment.		AIRPZ-S4- setbacks to waterways			

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
MPZ-Māori Purpose Zone	MPZ-O1* Broadly refers to enabling a range of cultural development that supports mana whenua relationships with the natural environment.	MPZ-P1* Enables incorporation of values (whanaungatanga, mātauranga, tikanga) in use and decision-making for development in the zone.	MPZ-R1 MPZ-R2 MPZ-R3 MPZ-R4 MPZ-R5 MPZ-R6 MPZ-R7 MPZ-R8 MPZ-R9 MPZ-R10 MPZ-R12 <i>All rules refer to the matters of discretion of any infringed standard and include a specific matter of discretion (any tikanga related requirements).</i>	MPZ-S1- height	Submissions related to this chapter have been addressed at HS4.	Appears it would be up to Council (as decision maker) to assess & determine tikanga matters which may not be appropriate?	
	MPZ-O2* Enables mana whenua to exercise their rangatira and kaitiakitanga.			MPZ-S5- setbacks to waterways (streams and rivers)			
CCZ- Camp Columba Zone	CCZ-O1* *Broadly refers to recognising contributions made by the camp to the social, cultural and health wellbeing of people and communities in the district and beyond	CCZ-P4* Refers to managing adverse effects of activities within the zone.	CCZ-R1 CCZ-R2 CCZ-R3 CCZ-R4 CCZ-R5 CCZ-R6	CCZ-S2- Setbacks to waterways (streams and rivers)	No submissions made on this chapter.	One broad objective may allow for consideration of NTCV in relation to activities undertaken in the zone, and CCZ-P4 broadly refers to managing adverse effects of activities in the zone. Having NTCV as a matter of discretion for any buildings or structures that breach waterway setbacks is a consistent approach that has been taken across the PDP.	
FDZ- Field Days Zone	FDZ-O1* *Refers to activities in the zone contributing to social, economic and cultural well-being of communities. FDZ-O2* *In part refers to activities being planned, located and managed to minimise adverse effects on the natural environment	FDZ-P2* *Includes broad reference to cultural wellbeing	FDZ-R2- Temporary events * NTCV matters of discretion are triggered via non-compliance with any of the identified standards.	FDZ-S1- Height * Impact on views of the Matura Falls, Hokonui Hills, and/or tūturu	S139.088-89- FDZ-P5 & P6 <i>Wherever possible specify the effects or values of concern to mana whenua.</i> FDZ-P5- enable development that retains the open, rural character as viewed from public places and adjacent properties; Recognises ki uta ki tai; and Minimises effects on mauri of the land, and protects sites of wāhi tapu, and mahinga kai. FDZ-P6- require buildings to be setback a minimum distance from zone boundaries, stream boundaries and road boundaries to:	FDZ-P6 specifically refers to minimum building setbacks (road, zone boundaries and stream) in relation to mitigating adverse effects on NTCV. As such, it appears these matters are of concern to mana whenua (in relation to built form in the zone). FDZ-P5 broadly refers to development retaining NTCV. Submissions made by Hokonui Rūnanga on this chapter provides more specificity/ certainty regarding effects and values of concern.	
				FDZ-S2- Setbacks to waterways (rivers and streams)			
				FDZ-S6-events *Sets out requirements for large events (i.e. more than 2500 people).			

Chapter	Objectives 	Policies 	Rules or other methods	 Standards	Relevant Hokonui sub-point?	Other commentary/ Hokonui review of provision	Does the notified chapter work (enable consideration NTCV)?
		FDZ-P5* *Development retains NTCV. FDZ-P6* *Requires buildings to be setback minimum distance from zone boundaries, stream and road boundaries to mitigate adverse effects on NTCV (along with other specified values/ matters).	FDZ-R3 FDZ-R4 FDZ-R5 FDZ-R7 *ALL RULES TRIGGER NTCV VIA NON-COMPLIANCE WITH IDENTIFIED STANDARDS	FDZ-S1 FDZ-S2	Mitigate potential adverse effects on open space, ecological values, visual amenity, and outlook from neighbouring properties; and reduce the impact on the mauri, mahinga kai and other cultural values associated with waterbodies.		
DEV1- Development Zone 1	DEV-O1- * Broadly refers to development enabling underlying relationship between NT and the natural environment.	DEV1-P2 *In part refers to impact of subdivision and development and activities on NTCV	DEV-R1 Note-rule is discretionary if buildings are not serviced by Council reticulated network or onsite servicing, or buildings aren't located in accordance with ODP.		S139.090- DEV-O1 Delete clause 4-it is ambiguous. DEV1-P2 <i>Wherever possible specify the effects or values of concern to mana whenua.</i> 2. any potential impacts on the mauri of natural resources, sites of wāhi tapu, mahinga kai or other values mana whenua associate with the area.	No further refinements.	✓
DEV2- Development Zone 2	GAP No objectives	GAP No policies	DEV2-R2- new buildings, earthworks, land disturbance NTCV Matter of discretion attached to the rule	No NTCV matters of discretion in standards as non-compliance with standards is either D or NC activity	No submissions on this chapter	Gaps- No DEV2 objectives or policies refer to NTCV, but there is a rule which includes NTCV as a matter of discretion. As drafted the PDP provisions do not provide consistent linkage between the objectives-policies-rules in this chapter. relying on the NTCV provisions to fill these gaps will not provide the level of specificity that has been provided in other chapters of the PDP and could result in uncertain outcomes on how NTCV are identified and assessed in decision making. Could potentially include wording similar to that provided in Hokonui Submission for DEV1-P2 to address gaps in objectives and policies.	✗

**APPENDIX F – FURTHER RESPONSE TO MINUTE 15 PREPARED
BY COURTNEY BENNETT AND AMY BERAN**

Before the Hearing Panel

Under the Resource Management Act 1991

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

Minute 15 further response: Mana whenua and Sites and Areas of Significance to Māori
chapters

29/12/2024

Minute 15 further directions

1. The Hearings Panel for the hearing of submissions and further submissions on the Proposed Gore District Plan (PDP) issued Minute 15 on 6 August 2024, which made directions concerning the Mana Whenua Chapter of the PDP, and the Sites and Areas of Significance to Māori chapter of the PDP.
2. As directed, the S42A reporting officer & planning experts representing Hokonui Rūnanga (the Parties) provided a joint response to Minute 15 as part of the Hearing Stream 8 – Sites and Areas of Significance to Māori Section 42A Report. After considering this response during Hearing Stream 8, the Hearings Panel verbally requested that the Parties provide further information on this topic.
3. The Parties were directed towards Minute 18, which includes a table setting out the relationships between various Natural Character provisions in the PDP. The Panel requested that a similar table be provided, showing the location of all SASM/NTCV-related in the PDP. Its purpose would be to assist the Panel's understanding of how provisions within the SASM/NTCV chapter work together with provisions in other chapters to meet the PDP's S6(e) requirements.

Composition of SASM/NTCV provisions table

4. As directed, the Parties have produced a table similar to that included in Minute 18 that lists all SASM/NTCV-related provisions in the PDP. This table is attached as Appendix 1. The table provides a high-level 'triaging' of relevant provisions, as they appear in the Notified version of the PDP. Due to the significant changes that have been proposed to the MW and SASM chapters through the initial Minute 15 response, however, updated versions of these provisions have been used instead of Notified versions. These updated provisions have been taken from the Statement of supplementary planning evidence of Gore District Council for Hearing Stream 8 – Sites and Areas of Significance to Māori, dated 4 December 2024.
5. The table organises relevant provisions by both chapter and provision type to show where any gaps in the policy framework may be. Two additional columns have also been added to further assist the Panel. The first provides commentary on any specific gaps, overlaps, or inconsistencies that have been identified whilst preparing the table. The second provides additional commentary, where relevant, to contextualise any gaps, inconsistencies, or overlaps uncovered by the table.
6. The objectives and policies from the NTCV chapter have been included in the table alongside the provisions for most chapters. This is because, due to the structure of the PDP, they apply in addition to the provisions listed in many individual chapters. This is not unusual, and is highlighted in advice notes in both the NTCV chapter and all other relevant chapters.

Initial table analysis

7. This exercise has proved extremely useful for the Parties. When reading the table, it is clear that the management of Ngāi Tahu cultural values has been woven throughout the PDP as initially intended. The objectives and policies in the NTCV chapter function as 'anchors' to

rules and standards in almost all chapters. This approach ensures consistency at an objective and policy level for decision makers, whilst providing specificity and clarity for where Ngāi Tahu cultural values are relevant at an individual activity level.

8. This exercise has also identified where some refinements could be made through either the resumed HS9A – Sites and Areas of Significance to Māori/Ngāi Tahu Cultural Values, or the HS12 ‘wrap-up’ hearing. Due to time constraints, the Parties plan to present these recommendations as part of HS9A. A summary, however, is provided below:
 - There is inconsistency regarding which chapters have their own anchoring NTCV-related objectives and policies, and which chapters rely on NTCV chapter provisions to act as anchors
 - There is a wide variety of terminology used across PDP provisions to refer broadly to NTCV-related matters. This potentially weakens the relationship between chapter-specific provisions and their anchoring NTCV chapter provisions (and, in some cases, their in-chapter anchoring provisions)
 - Note: these matters have been substantially addressed through submissions
 - NTCV-related matters of discretion missing from some height, building coverage, and servicing standards in some zone chapters
9. Many of the provisions listed in the table have been subject to submissions. It is therefore possible that some of these matters have been addressed through chapter-specific hearings, or will be in hearings yet to come. However, it is equally possible that some of these matters have become more pronounced. It is also likely that some perceived gaps are intentional, based on activities mana whenua consider more or less likely to impact Ngāi Tahu cultural values. A more detailed analysis would be required to provide this level of context – something Hokonui Rūnanga have signalled via their Memorandum of Counsel dated 19/12/2024 that they intend to provide via their HS9A supplementary/rebuttal evidence.
10. The Parties consider there to be adequate scope to address the types of matters listed above, based on submissions lodged by Hokonui Rūnanga.

19 December 2024



Courtney Bennett – S42 Reporting Officer



Amy Beran – Technical planning expert, Hokonui Rūnanga

Appendix 1: PDP SASM/NTCV Provisions Table

Note: This table was prepared using the notified version of PDP, except for MW & SASM/NTCV chapters, where the recommended provisions as per the Statement of supplementary planning evidence of Gore District Council for Hearing Stream 8 – Sites and Areas of Significance to Māori, dated 4 December 2024, was used. This means that some of these provisions may be subject to recommended amendments that change their function within the PDP. Therefore, this table is indicative only for the purposes of high-level analysis of PDP structure.

Chapter	Objectives	Policies	Rules	Standards	Potential gap or duplication	Reporting officer commentary
<i>MW – Mana Whenua</i>	MW-O1 MW-O2	MW-P1 MW-P2 MW-P3	<i>(Chapter does not use rules)</i>	<i>(Chapter does not use standards)</i>	None identified	-
<i>UFD – Urban & Future Development</i>	UFD-O1 UFD-O7 UFD-O11	<i>(Chapter does not use policies)</i>	<i>(Chapter does not use rules)</i>	<i>(Chapter does not use standards)</i>	UFD-O1 potentially has some duplication between clause 2,3, & 8.	UFD-O7 references recognising ‘cultural histories’ in urban environments. ‘Culture’, in this context, is wider than just Ngāi Tahu culture (e.g., rural Southland culture, early settler culture, country music/trout fishing culture). It does, however, connect with NTCV-P5, LTC-O2, and TCZ-O1 which emphasise the Ngāi Tahu aspect of this objective.
<i>ENRG - Energy</i>	ENRG-O3 NTCV-O1 NTCV-O2	ENRG-P5 ENRG-P6 ENRG-P11 NTCV-P1	<i>(See reporting officer commentary)</i>	ENRG-S1 ENRG-S2 ENRG-S4	ENRG-P5 & ENRG-P6 reference the more generic ‘cultural values’. Whilst the standards in the chapter clarify that Ngāi Tahu	There are no NTCV references in this chapter’s rules because, where activities are RD, the matters of discretion direct you to the built form standards

Chapter	Objectives	Policies	Rules	Standards	Potential gap or duplication	Reporting officer commentary
<i>INFR - Infrastructure</i>		NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5			cultural values are relevant in their contexts, this inconsistency (unless intentional to incorporate other cultural values) could create confusion.	where references to NTCV are in matters of discretion. When an activity is D or NC, multiple policies and objectives referencing NTCV become relevant.
	NTCV-O1 NTCV-O2	INFR-P7 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	INFR-R3 INFR-R8 INFR-R9	INFR-S1 INFR-S2 INFR-S3 INFR-S5 INFR-S6 INFR-S7	INFR-R9 makes reference to 'Sites of Significance to Māori'. This has been recommended for removal through submissions. If removed, prominent natural features such as the Maitava River, and Hokonui Hills will still trigger consideration of NTCV under this rule.	-
<i>TRANS - Transport</i>	NTCV-O1 NTCV-O2	TRANS-P11 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(See reporting officer commentary)	TRANS-S10	TRANS-S10 references 'Ngāi Tahu cultural values, including those listed in the Mana Whenua chapter MW-2.3 Mana Whenua & Te Taiao Cultural Values.' This cross-referencing is inconsistent with other chapters.	There are no NTCV references in this chapter's rules because, where activities are RD, the matters of discretion direct you to the built form standards where references to NTCV are in matters of discretion. When an activity is D or NC, multiple policies and objectives referencing NTCV become relevant.
<i>CL – Contaminated Land</i>	NTCV-O1 NTCV-O2	CL-P3 NTCV-P1 NTCV-P2	(Chapter does not use rules)	(Chapter does not use standards)	Note 1 does not specify that that SASM/NTCV & MW apply to this chapter. Instead, it generically	CL-P3 broadly refers to impact site values to 'Māori communities. This encapsulates mana whenua

Chapter	Objectives	Policies	Rules	Standards	Potential gap or duplication	Reporting officer commentary
		NTCV-P3 NTCV-P4 NTCV-P5			states that “The provisions in this chapter apply in addition to the provisions of the other chapters in the District Plan and the plan should be read as a whole.”	and mātāwaka to create scope for considering impact on mātāwaka-affiliated MPZ.
NH – Natural Hazards	NTCV-O1 NTCV-O2	NH-P2 NH-P3 NH-P6 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	NH-R1 NH-R2	(Chapter does not use standards)	NH-P2 & NH-P6 reference the more generic ‘cultural values’. Whilst some rules in the chapter specify that they are referring specifically to Ngāi Tahu cultural values, this inconsistency (unless intentional to incorporate other cultural values) could create confusion.	- -
HAZS – Hazardous Substances	HASZ-O1 NTCV-O1 NTCV-O2	HASZ-P1 HASZ-P2 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(See reporting officer commentary)	(Chapter does not use standards)	None identified.	There are no NTCV-related references in this chapter’s rules because all activities in this chapter are either P, D, or NC. When an activity is D or NC, multiple policies and objectives referencing NTCV become relevant.
HH – Historic Heritage	NTCV-O1 NTCV-O2	HH-P1 HH-P4 HH-P6 HH-P8 HH-P11	HH-R2 HH-R4 HH-R5 HH-R6 HH-R7	(Chapter does not use standards)	HH-R5 uses the term ‘tangata whenua’ which is inconsistent with terminology used more commonly across the PDP.	This chapter focuses on managing heritage values as listed in individual heritage item schedules. Where NTCV contribute to the heritage value

Chapter	Objectives	Policies	Rules	Standards	Potential gap or duplication	Reporting officer commentary
		NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5			.	of a building or site, this is incorporated in the schedule. Provision in this chapter reference the more generic ‘cultural values’ as opposed to ‘Ngāi Tahu cultural values. However, this is likely more appropriate for the HH chapter as it is concerned with a broader range of cultural values than solely Ngāi Tahu cultural values. Most of the relevant provisions in this chapter relate directly to the bespoke management of either the Mātaura Paper Mill or former Mātaura Dairy factory (now used as Mātaura Marae). These provisions, however, have a direct link to NTCV-O1 and NTCV-P4 as they function to enable Ngāi Tahu customary activities to be recognised and provided for in culturally appropriate places.
<i>TREE – Notable Trees</i>	TREE-O1 NTCV-O1 NTCV-O2	TREE-P4 NTCV-P1 NTCV-P2 NTCV-P3	TREE-R1 TREE-R3	<i>(Chapter does not use standards)</i>	TREE-O1 references the more generic ‘cultural values’. Whilst some policies and rules in the chapter specify that these	

Chapter	Objectives	Policies	Rules	Standards	Potential gap or duplication	Reporting officer commentary
		NTCV-P4 NTCV-P5			are Māori cultural values are relevant in their context, this inconsistency (unless intentional to incorporate other cultural values) could create confusion. Policies and rules refer to 'Māori' cultural experts, as opposed to specifying 'mana whenua' cultural experts. This could be considered an inconsistency, unless wording is intentional. Rules refer to 'Māori cultural practices'. This term isn't used anywhere else in the PDP and is not defined. This terms should either be defined, or updated to a more consistent term already used within the PDP (if culturally appropriate to do so).	-
SASM/NTCV – Sites and Areas of Significance to Māori/Ngāi	NTCV-O1 NTCV-O2	NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4	<i>(Chapter does not use rules)</i>	<i>(Chapter does not use standards)</i>	Note 1 of this chapter doesn't list all chapters where SASM/NTCV provisions apply.	Due to the structure of the PDP, all provisions in this chapter apply alongside provisions in multiple other

Chapter	Objectives	Policies	Rules	Standards	Potential gap or duplication	Reporting officer commentary
<i>Tahu Cultural Values</i>		NTCV-P5				chapters, similar to how provisions in the Earthworks or Infrastructure chapter apply district-wide as well.
<i>ECO – Ecosystems & Indigenous Biodiversity</i>	ECO-O2 ECO-O4 NTCV-O1 NTCV-O2	ECO-P1 ECO-P2 ECO-P7 ECO-P8 ECO-P9 ECO-P10 ECO-P11 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	ECO-R1	<i>(Chapter does not use standards)</i>	ECO-O2 and ECO-P1 have some crossover with MW-O1 & NTCV-P2, potentially because ECO-O2 and ECO-P1 are procedural in nature. Policies in this chapter frequently use the phrases ‘Ngāi Tahu cultural purpose’ and ‘mana whenua cultural purpose’ This phrasing isn’t used anywhere else in the PDP, and the difference in meaning between the two variations of this phrase within the chapter is unclear. Wording of multiple policies weaken the intended link with relevant provisions in the MW and NTCV chapter.	
<i>NFL – Natural Features & Landscapes</i>	NTCV-O1 NTCV-O2	NFL-P1 NFL-P2 NFL-P4	NFL-R2 NFL-R3 NFL-R4	<i>(Chapter does not</i>	None identified.	This chapter protects specific place-based values as listed in individual ONF and ONL

Chapter	Objectives	Policies	Rules	Standards	Potential gap or duplication	Reporting officer commentary
		NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	NFL-R5 NFL-R6 NFL-R6 (duplicated provision number)	use standards)		schedules. Where NTCV contribute to the values of a landscape or feature, this information is included in the schedule.
PA – Public Access	PA-O1 PA-O2 PA-O3 NTCV-O1 NTCV-O2	PA-P3 PA-P4 PA-P5 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(Chapter does not use rules)	(Chapter does not use standards)	PA-O3 and PA-P5 reference the more generic ‘cultural values’. Whilst PA-P3 & PA-P4 specify that these are mana whenua cultural values (specifically related to access), this inconsistency – particularly in the context of PA-P5 (unless intentional to incorporate other cultural values) could create confusion.	-
SUB - Subdivision	SUB-O4 SUB-O5 NTCV-O1 NTCV-O2	SUB-P17 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	SUB-R5 SUB-R6 SUB-R7 SUB-R8 SUB-R9		SUB-O5, SUB-P17 reference the more generic ‘cultural values’. Whilst some rules specify that Ngāi Tahu cultural values are the specific cultural values relevant in their context, this inconsistency (unless intentional to incorporate other cultural values) could create confusion.	There are no NTCV references in this chapter’s standards because all activities that cannot comply with a standard become either D, or NC. When an activity is D or NC, multiple policies and objectives referencing NTCV become relevant.

Chapter	Objectives	Policies	Rules	Standards	Potential gap or duplication	Reporting officer commentary
					There appears to be some duplication between SUB-R6(11) & SUB-R6(13), and SUB-R7(11) & SUB-R7(13); unless the generic term 'cultural values' has intentionally been used in SUB-R6(11) & SUB-R7(11) to incorporate other cultural values.	
ASW – Activities on the Surface of Water	ASW-O2 NTCV-O1 NTCV-O2	ASW-P1 ASW-P2 ASW-P4 ASW-P5 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(See reporting officer commentary)	(Chapter does not use standards)	There is inconsistency between the use of the terms 'mana whenua', 'tangata whenua', 'Māori', and 'Ngāi Tahu' in this chapter, which may both cause confusion.	There are no references to NTCV in rules because all activities are either P, D, or PR. When an activity is D, multiple policies and objectives referencing NTCV become relevant.
EW - Earthworks	EW-O1 NTCV-O1 NTCV-O2	EW-P4 EW-P5 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	EW-R1 EW-R2 EW-R3 EW-R4 EW-R5 EW-R6 EW-R7 EW-R8 EW-R9 EW-R10 EW-R11	EW-S1 EW-S2 EW-S3 EW-S4 EW-S5 EW-S6 EW-S7	EW-P5 makes reference to 'cultural sites of significance'. This is not a term intended for use in the PDP, and removal has been requested through submissions. If removed, EW-P5 will still reference NTCV through other wording in the Policy.	-

Chapter	Objectives	Policies	Rules	Standards	Potential gap or duplication	Reporting officer commentary
LIGHT - Light			EW-R13 EW-R14			
	NTCV-O1 NTCV-O2	NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(See reporting officer commentary)	LIGHT-S1	Note 1 does not specify that that SASM/NTCV & MW apply to this chapter. Instead, it generically states that: “The provisions in this chapter apply in addition to the provisions of the other chapters in the District Plan and the plan should be read as a whole.” LIGHT-S1 uses the term ‘cultural wellbeing’. This term is not used anywhere else in the PDP, or defined within the PDP.	There are no NTCV references in this chapter’s rules because, where activities are RD, the matters of discretion direct you to the built form standards where references to NTCV are in matters of discretion. When an activity is D or NC, multiple policies and objectives referencing NTCV become relevant.
NOISE - Noise	NTCV-O1 NTCV-O2	NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	NOISE-R4 NOISE-R5 NOISE-R10		There are no overt references to NTCV in this chapter’s standards. However, this may be intentional if mana whenua considered it unnecessary in the context of this chapter.	-
SIGN - Signs	NTCV-O1 NTCV-O2	SIGN-P1 SIGN-P3 NTCV-P1	SIGN-R6	SIGN-S1	Note 1 does not specify that that SASM/NTCV & MW apply to this chapter. Instead, it generically	Relevant provisions in this chapter relate predominantly to the erection of cultural

Chapter	Objectives	Policies	Rules	Standards	Potential gap or duplication	Reporting officer commentary
TEMP – Temporary Activities		NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5			states that “The provisions in this chapter apply in addition to the provisions of the other chapters in the District Plan and the plan should be read as a whole.”	markers (e.g., mana whenua-related carvings).
	TEMP-O1 NTCV-O1 NTCV-O2	TEMP-P1 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	TEMP-R4 TEMP-R5 TEMP-R7	(Chapter does not use standards)	None identified.	-
	LLRZ – Large Lot Residential Zone	NTCV-O1 NTCV-O2	(See reporting officer commentary)	LLRZ-S7	LLRZ-P2 reference the more generic term ‘cultural values’, as opposed to ‘Ngāi Tahu cultural values’. This inconsistency (unless intentional to incorporate other cultural values) could create confusion. LLRZ-P2 requires decisions regarding servicing to have particular regard for cultural effects of on-site services. However, there is no reference to NTCV in standards for servicing (LLRZ-S2).	There are no NTCV references in this chapter’s rules because, where activities are RD, the matters of discretion direct you to the built form standards where references to NTCV are in matters of discretion. When an activity is D or NC, multiple policies and objectives referencing NTCV become relevant.

Chapter	Objectives	Policies	Rules	Standards	Potential gap or duplication	Reporting officer commentary
					LLRZ-P3 requires developments to respond to NTCV through height, bulk, and setbacks. However, there are no references to NTCV in standards for height (LLRZ-S3) or bulk (LLRZ-S8).	
<i>GRZ – General Residential Zone</i>	NTCV-O1 NTCV-O2	NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	GRZ-R9 GRZ-R10 GRZ-R11 GRZ-R12	GRZ-S7	Based on other zone chapters, it would be expected that, along with GRZ-S7 (setbacks to rivers and streams), impacts on NTCV would also be listed as a matter of discretion for activities not complying with height (GRZ-S3), building coverage (GRZ-S8), and servicing (GRZ-S2).	-
<i>MRZ – Medium Density Residential Zone</i>	NTCV-O1 NTCV-O2	MRZ-P2 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	MRZ-R9 MRZ-R10	MRZ-S6	MRZ-P2 reference the more generic term ‘cultural values’, as opposed to ‘Ngāi Tahu cultural values’. Whilst wording in rules and standards clarify that Ngāi Tahu cultural values are specifically relevant, this inconsistency (unless intentional to incorporate	-

<i>Chapter</i>	<i>Objectives</i>	<i>Policies</i>	<i>Rules</i>	<i>Standards</i>	<i>Potential gap or duplication</i>	<i>Reporting officer commentary</i>
					other cultural values) could create confusion. Based on other zone chapters, it would be expected that, along with MRZ-S6 (setbacks to rivers and streams), impacts on NTCV would also be listed as a matter of discretion for activities not complying with height(MRZ-S2) & building coverage (MRZ-S7).	
<i>GRUZ – General Rural Zone</i>	NTCV-O1 NTCV-O2	GRUZ-P2 GRUZ-P6 GRUZ-P12 GRUZ-P13 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	GRUZ-R3	GRUZ-S3 GRUZ-S7 GRUZ-S8	Potential duplication between GRUZ-P6 & GRUZ-P12. GRUZ-P2 reference the more generic term ‘cultural’, as opposed to ‘Ngāi Tahu cultural’. Whilst wording in rules and standards clarify that Ngāi Tahu cultural values are specifically relevant, this inconsistency (unless intentional to incorporate other cultural values) could create confusion.	

Chapter	Objectives	Policies	Rules	Standards	Potential gap or duplication	Reporting officer commentary
					GRUZ-P13 makes reference to 'Sites of Significance to Māori'. This is not a term intended for use in the PDP, and removal has been requested through submissions.	
<i>RLZ – Rural Lifestyle Zone</i>	RLZ-O2 NTCV-O1 NTCV-O2	RLZ-P1 RLZ-P5 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(See reporting officer commentary)	RLZ-S2 RLZ-S5 RLZ-S7	None identified.	There are no NTCV references in this chapter's rules because, where activities are RD, the matters of discretion direct you to the built form standards where references to NTCV are in matters of discretion. When an activity is D, multiple policies and objectives referencing NTCV become relevant.
<i>SETZ – Settlement Zone</i>	NTCV-O1 NTCV-O2	SETZ-P2 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(See reporting officer commentary)	SETZ-S7	SETZ-P2 requires developments to respond to NTCV through height, bulk, and setbacks. However, there are no references to NTCV in standards for hight (LLRZ-S3) or bulk (LLRZ-S8).	There are no NTCV references in this chapter's rules because, where activities are RD, the matters of discretion direct you to the built form standards where references to NTCV are in matters of discretion. When an activity is D or NC, multiple policies and objectives referencing NTCV become relevant.

Chapter	Objectives	Policies	Rules	Standards	Potential gap or duplication	Reporting officer commentary
<i>NCZ – Neighbourhood Centres Zone</i>	NTCV-O1 NTCV-O2	NCZ-P3 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(See reporting officer commentary)	NCZ-S5	NCZ-P3 requires developments to respond to NTCV through built form. Based on other Zone chapters, it would be expected that, along with NCZ-S5 (setbacks to rivers and streams), impacts on NTCV would also be listed as a matter of discretion for activities not complying with height standards (NCZ-S3).	There are no NTCV references in this chapter's rules because, where activities are RD, the matters of discretion direct you to the built form standards where references to NTCV are included in matters of discretion. When an activity is D or NC, multiple policies and objectives referencing NTCV become relevant.
<i>LCZ – Local Centres Zone</i>	LCZ-O2 NTCV-O1 NTCV-O2	LCZ-P2 LCZ-P3 LCZ-P5 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(See reporting officer commentary)	LCZ-S4 LCZ-S6	None identified.	There are no NTCV references in this chapter's rules because, where activities are RD, the matters of discretion direct you to the built form standards where references to NTCV are included in matters of discretion. When an activity is D or NC, multiple policies and objectives referencing NTCV become relevant.
<i>MUZ – Mixed Use Zone</i>	MUZ-O4 NTCV-O1 NTCV-O2	MUZ-P4 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(See reporting officer commentary)	MUZ-S1 MUZ-S5	MUS-S1 attaches consideration of NTCV to activities breaching maximum height standards, however this isn't as clearly linked to policy as MUS-S5	There are no NTCV references in this chapter's rules because, where activities are RD, the matters of discretion direct you to the built form standards where references to NTCV are in matters of discretion. When an activity is D or NC, multiple

Chapter	Objectives	Policies	Rules	Standards	Potential gap or duplication	Reporting officer commentary
					(setbacks to rivers and streams) is.	policies and objectives referencing NTCV become relevant.
<i>TCZ – Town Centre Zone</i>	NTCV-O1 NTCV-O2	TCZ-P3 TCZ-P5 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(See reporting officer commentary)	TCZ-S4 TCZ-S6	None identified.	There are no NTCV references in this chapter's rules because, where activities are RD, the matters of discretion direct you to the built form standards where references to NTCV are in matters of discretion. When an activity is D or NC, multiple policies and objectives referencing NTCV become relevant.
<i>LIZ – Light Industrial Zone</i>	LIZ-O5 NTCV-O1 NTCV-O2	LIZ-P4 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	LIZ-R5	LIZ-S1 LIZ-S5	None identified.	-
<i>GIZ – General Industrial Zone</i>	GIZ-O4 GIZ-PREC10-O1 NTCV-O1 NTCV-O2	GIZ-P5 GIZ-PREC10-P1 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(See reporting officer commentary)	GIZ-S5	Based on other Zone chapters, it would be expected that, along with GIZ-S7 (setbacks to rivers and streams), impacts on NTCV would also be listed as a matter of discretion for activities not complying with height standards (GIZ-S1).	There are no NTCV references in this chapter's rules because, where activities are RD, the matters of discretion direct you to the built form standards where references to NTCV are in matters of discretion. When an activity is D or NC, multiple policies and objectives referencing NTCV become relevant.

Chapter	Objectives	Policies	Rules	Standards	Potential gap or duplication	Reporting officer commentary
						GIZ-PREC10-O1 & GIZ-PREC10-P1 relate directly to the bespoke management of the Mataura Paper Mill. This links back to NTCV-O1 & NTCV-P4.
NOSZ – Natural Open Space Zone	NOSZ-O1 NOSZ-O2 NTCV-O1 NTCV-O2	NOSZ-P3 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	NOSZ-R6 NOSZ-R7 NOSZ-R8 NOSZ-R11 NOSZ-R12	NOSZ-S1 NOSZ-S4 NOSZ-S5	None identified.	-
SARZ – Sports and Recreation Zone	SARZ-O2 NTCV-O1 NTCV-O2	SARZ-P2 SARZ-P4 SARZ-P6 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(See reporting officer commentary)	SARZ-S1 SARZ-S5	Provisions in this chapter use terms such as ‘Māori values’, ‘Māori cultural wellbeing’, ‘cultural values’, and ‘tangata whenua’ in ways that are inconsistent with the rest of the PDP. This could cause confusion, as it is unclear why different terms are used. This inconsistency also potentially weakens connections between SARZ provisions and NTCV and MW provisions.	There are no NTCV references in this chapter’s rules because, where activities are RD, the matters of discretion direct you to the built form standards where references to NTCV are in matters of discretion. When an activity is D or NC, multiple policies and objectives referencing NTCV become relevant.

<i>Chapter</i>	<i>Objectives</i>	<i>Policies</i>	<i>Rules</i>	<i>Standards</i>	<i>Potential gap or duplication</i>	<i>Reporting officer commentary</i>
					Based on other Zone chapters, it would be expected that, along with SARZ-S1 (height) & SARZ-S5 (setbacks to rivers and streams), impacts on NTCV would also be listed as a matter of discretion for activities not complying with building coverage standards (SARZ-S6).	
<i>AIRPZ – Airport Zone</i>	AIRPZ-O2 NTCV-O1 NTCV-O2	AIRPZ-P3 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(See reporting officer commentary)	AIRPZ-S2 AIRPZ-S4	NTCV-related matters of discretion for height in AIRP-S2 list views toward specific geographic features that should be considered when making decisions under this standard. This level of specificity is inconsistent with NTCV-related height standards across other chapters of the PDP.	There are no NTCV references in this chapter's rules because, where activities are RD, the matters of discretion direct you to the built form standards where references to NTCV are in matters of discretion. When an activity is D or NC, multiple policies and objectives referencing NTCV become relevant.
<i>MPZ – Māori Purpose Zone</i>	MPZ-O2 NTCV-O1 NTCV-O2	MPZ-P1 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(See reporting officer commentary)	MPZ-S1 MPZ-S5	Based on other Zone chapters, it would be expected that, along with MPZ-S1 (height) & MPZ-S5 (setbacks to rivers and streams), impacts on NTCV would also be listed as a matter of discretion for activities not complying	There are no NTCV references in this chapter's rules because, where activities are RD, the matters of discretion direct you to the built form standards where references to NTCV are in matters of discretion. When an activity is D, multiple policies and objectives

Chapter	Objectives	Policies	Rules	Standards	Potential gap or duplication	Reporting officer commentary
<i>CCZ – Camp Columba Zone</i>					with building coverage standards (MPZ-S6).	referencing NTCV become relevant.
	NTCV-O1 NTCV-O2	NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(See reporting officer commentary)	CCZ-S2	Based on other Zone chapters, it would be expected that, along with CCZ-S5 (setbacks to rivers and streams), impacts on NTCV would also be listed as a matter of discretion for activities not complying with height standards (CCZ-S3).	There are no NTCV references in this chapter's rules because, where activities are RD, the matters of discretion direct you to the built form standards where references to NTCV are in matters of discretion. When an activity is D or NC, multiple policies and objectives referencing NTCV become relevant.
<i>FDZ – Field Days Zone</i>	NTCV-O1 NTCV-O2	FDZ-P5 FDZ-P6 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(See reporting officer commentary)	FDZ-S1 FDZ-S5 FDZ-S6	NTCV-related matters of discretion for height (FDZ-S1) lists views of specific geographic features that should be considered in decision making such as Mataura Falls, Hokonui Hills, and Tuturau. This level of specificity is inconsistent with NTCV-related height standards across other chapters of the PDP. Based on other Zone chapters, it would be expected that, along with FDZ-S1(height), FDZ-S5 (setbacks to rivers and	There are no NTCV references in this chapter's rules because, where activities are RD, the matters of discretion direct you to the built form standards where references to NTCV are in matters of discretion. When an activity is D or NC, multiple policies and objectives referencing NTCV become relevant.

Chapter	Objectives	Policies	Rules	Standards	Potential gap or duplication	Reporting officer commentary
					streams), & FDZ-S6 (Events), impacts on NTCV would also be listed as a matter of discretion for activities not complying with building coverage standards (FDZ-S2).	
<i>DEV1 – Development Zone 1</i>	DEV1-O1 NTCV-O1 NTCV-O2	DEV1-P2 NTCV-P1 NTCV-P2 NTCV-P3 NTCV-P4 NTCV-P5	(See reporting officer commentary)		There are no NTCV-related rules or standards in this chapter, despite there being relevant objectives and policies.	-
<i>DEV2 – Development Zone 2</i>			DEV2-R2		This chapter has a single NTCV-related rule, but no anchoring objectives and policies.	-

APPENDIX G – PROPOSED REVISIONS TO PDP RULES AND STANDARDS

Review & Refinement of NTCV Matters of control or discretion with Hokonui Rūnanga

Key

Red= remove reference to Ngāi Tahu cultural values or other similar wording

Green= add reference to Ngāi Tahu cultural values

No colour= no change

yellow= issue with implementation of provision

PDP provision	Hokonui Rūnanga agreed	Outcome of revision
ENRG-S1	No changes	Mana whenua support the ability to have their values considered in relation to new energy structures and buildings, including investigation works, where standards cannot be met. Potential concerns include mana whenua relationship with whenua, wai, effects on mauri, wāhi tapu, mahinga kai, mātauranga associated with landscape and Kaitiakitanga.
ENRG-S2		
ENRG-S4		
INFR-R3 & R4 (in prescribed zones) • INFR-S1 • INFR-S2 • INFR-S3 • INFR-S5 • INFR-S6 • INFR-S7		
INFR-R8		
INFR-R9* Removed as not applicable (no SASM).	Delete reference to SASM	
TRANS-S10	Change need to enable standard	There is no rule in the chapter that triggers the matters of discretion attached to this standard. TRANS-R1 is permitted or discretionary. It is therefore unclear how the matters of discretion in this standard would be triggered.

		Concerns identified include mauri of whenua, access to mahinga kai, disturbance of wāhi tapu or other taonga.
NH-R1	No changes	Support the ability to consider consent applications that may impact on existing access to mahinga kai.
NH-R2	Remove wording that refers to NTCV from matter of discretion (3)	Mana whenua do not hold specific concerns with buildings that can't meet minimum floor requirements and therefore seek to remove this matter of discretion.
HH-R2	No changes	Support the ability to provide for ongoing mahinga kai access along Maitara River and tributaries. Additional concerns include impact on mauri and any wāhi tapu.
HH-R4		
HH-R5		
HH-R6		
HH-R7		
ECO-R1	No further changes (note- separate submission made on provision)	Support ability to consider mana whenua relationship with indigenous vegetation as a taonga. Mauri of whenua, wait and environment, mahinga kai, exercise of Kaitiakitanga.
NFL-R2	Remove NTCV matters of discretion from all rules.	The inclusion of a specific matter of discretion (for RD rules) is not needed as where an identified natural feature or landscape

NFL-R3		holds cultural values these will be listed in NFL-APP appendix 5. As such including a NTCV matter of discretion in addition to the details provided for feature or landscape is considered to create duplication and confusion for plan users (i.e. if there is a feature or landscape that is not of importance to mana whenua).
NFL-R4		
NFL-R6		
NFL-R6* (different rule same provision number)		
TREE-R1	Remove matter of discretion (7) where it refers to 'including any relevant Māori cultural practices.'	Resource consents required under these rules do not require mana whenua input.
TREE-R3	Remove matters of control (2) and matter of discretion (2)- 'including any relevant Māori cultural practices.'	
SUB-R5	No changes	Mana whenua support the ability to consider new subdivision proposals including in new development areas, as well as historic heritage. Concerns or values retaining natural contours of the land and drainage patterns, maintaining and enhancing wetlands, indigenous vegetation, other taonga, mahinga kai and protection of wāhi tapu.
SUB-R6		
SUB-R7		
SUB-R8		
SUB-R9	Remove matter of discretion	As noted above resource consents pertaining to notable trees are not of concern to mana whenua at this time, noting that none of the notable trees are of were identified or assessed by mana whenua.
EW-R1	Remove matter of discretion (6) which refers to impacts on NTCV.	Mana whenua are supportive of works being undertaken in accordance with an ADP (EW-S7), setback from rivers and streams (EW-S3) and erosion, sediment and dust control (EW-S5). As such, mana whenua have no other concerns that necessitate the inclusion of the specific matter of discretion.

		Note all identified EW standards include a NTCV matter of discretion where compliance is not achieved.
EW-R2, R3, R5 and R6	Remove matter of discretion (6) which refers to impacts on NTCV. Amend EW-S1 for EW-R2, R3, R5 & R6 to require compliance with ADP/ EW-S7 (as the matter of discretion instead of 'NTCV').	Rules EW-R2-R6 are grouped together, with all rules requiring compliance with the same matters to be permitted activities. Mana Whenua have considered these rules individually and are supportive of works being undertaken in accordance with EW standards EW-S3, EW-S4, EW-S5 and EW-S7. If all these Standards are met, there are no other concerns that necessitate the inclusion of the specific matter of discretion. Further, if EW-S1 is breached, mana whenua is supportive of works being undertaken in accordance with EW-S7 (ADP).
EW-R4	No changes	Mana whenua are particularly concerned about potential impacts on mauri of wai and whenua, mahinga kai, access to wai in relation to this activity (disposal of spoil from drain clearance).
EW-R7, EW-R8, R9	No changes	Given that earthworks activities could involve large areas of earthworks being undertaken at any one time and works could involve excavation to significant depths below ground level, mana whenua hold concerns regarding potential wāhi tapu discovery and impacts on natural landforms and landscapes (and mana whenua connection to these).
EW-R10-R11	No changes	Same reasons as above.
EW-R13	Remove matter of discretion (4) which refers to impacts on NTCV. Add additional permitted rule matter/ requirement- that requires work are undertaken in accordance with EW-S7 (ADP).	Mana whenua have considered this rule and are supportive of an ADP requirement (rather than a specific NTCV matter of discretion). If an activity does not comply with the ADP requirement, input may need be required from mana whenua.
EW-R14	No changes	Mana whenua understands this is a 'catch all' rule for earthworks activities not otherwise specified. Given the uncertainty with the

		types of works that might trigger this rule, mana whenua supports the ability to consider future applications on a case-by-case basis. The values of particular concern have been articulated in the revisions sought to EW-O1 and EW-P5 (through submissions made by Hokonui Rūnanga) and include- protection of mauri of whenua or wai, protection of wāhi tapu and mahinga kai values.
LIGHT-R1	No changes	Mana whenua is supportive of the rule as drafted including matters of discretion (if compliance is not achieved), including impacts on indigenous biodiversity and benefits for the community and have no further concerns. It is note that this rule does not specifically require consideration of mana whenua values.
NOISE-R4	Remove 'Ngāi Tahu cultural values' from (1) matter of control.	Mana whenua have considered these temporary activity noise rules and confirmed consideration of their values is not required, given the anticipated limited duration (not permanent). In relation to temporary events (R10), mana whenua are supportive of matter of discretion (4) which requires notification and communication with affected sites prior to activities commencing and revised matter of discretion (1) which allows for consideration of adverse impacts on the character or amenity values of adjacent activities.
NOISE-R5	Remove 'Ngāi Tahu cultural values' from (1) matter of control.	
NOISE-R10	Remove 'Ngāi Tahu cultural values' from (1) matter of discretion	
SIGN-R6	Amend matter of discretion (4) to remove 'tikanga' and generic NTCV and replace with: <i>'Whether Hokonui rūnanga has been consulted, the outcome of the consultation and whether the activity responds to or incorporates the outcome of that consultation.'</i> <i>'Whether the activity provides an opportunity to recognise Ngāi Tahu culture, history and identity associated with specific places.'</i>	Mana whenua generally support the activity (cultural markers in prescribed zones) but consider the inclusion of 'tikanga' as an assessment matter may require that Council (as decision maker) determines tikanga (on a case-by-case basis), which may be inappropriate. Instead, it is proposed that more specific wording is included to provide clearer direction to plan users.
SIGN-S1	Remove matter of discretion (6) which refers to NTCV and tikanga.	Mana whenua is supportive of the other matters of discretion attached to this standard (which

		broadly relate to managing traffic and pedestrian safety) and see no need to separately consider potential cultural values.
TEMP-R4	No changes	Mana whenua wish to retain consideration of their values, given the potential longer-term nature of these activities (includes buildings and structures) and the uncertainty of the potential impacts on whenua, wai, wāhi tapu and mahinga kai.
TEMP-R5		
TEMP-R7		
LLRZ-S2	Amend standard to allow consideration of NTCV (as a matter of discretion) to align with direction provided in LLRZ-P2. Additional wording to be confirmed.	Mana whenua are particularly concerned about potential alternative onsite servicing (e.g., wastewater and stormwater treatment and disposal) and the impacts these could have on their values, specifically on mauri of whenua and wai, mahinga kai including riparian margins/habitat.
LLRZ-S7	No changes.	Mana whenua consistently supports the ability to consider structure or buildings that intrude prescribed waterway setbacks throughout the district. This is confirmed through a number of submission points made by Hokonui Rūnanga. Concerns identified include- access to mahinga kai, effects on mauri of waterways, ki uta ki tai.
GRZ-R9	Remove matter of discretion (7) which refers to NTCV.	Mana whenua have considered these activities in relation to the zone (general residential) and are generally support their establishment, provided servicing available to a site has the capacity to support associated development. As such, mana whenua do not wish to include a specific matter of discretion (NTCV) for the activity itself and instead are supportive of adding a NTCV matter of discretion to the servicing standard (S2), so that their values can be considered in relation to activities that breach this standard (e.g., wastewater or stormwater management).
GRZ-R10	Remove matter of discretion (10) which refers to NTCV	
GRZ-R11	Remove matter of discretion (8) which refers to NTCV	
GRZ-R12	Remove matter of discretion (9) which refers to NTCV	
GRZ-S2	Amend standard to allow consideration of NTCV (as a matter of discretion) in relation to the appropriateness of 'alternative onsite services' additional wording could include-	As above, mana whenua are concerned about potential servicing of development within the zone, rather than particular activities. Concerns in relation to servicing are outlined above (LLRZ-S2).

	<i>'potential impacts on Ngāi Tahu cultural values as outlined in this chapter'.</i>	
MRZ-R9	Remove matter of discretion (7) which refers to NTCV.	As noted above mana whenua are generally supportive of these activities establishing in residential zones. Rather ensuring that there is capacity to service new development is the concern. It is assumed that there is no servicing standard in MRZ as there is sufficient capacity for anticipated intensification in the zone.
MRZ-R10	Remove matter of discretion (10) which refers to NTCV	
GRUZ-R3	No changes	Mana whenua support the ability to consider consent applications that may impact on the mauri of whenua, wai and ecosystems, wāhi tapu.
GRUZ-R4	No changes	
GRUZ-S7	No changes	Waterway setback breach (for buildings and structures). See LLRZ-S7 for more details
GRUZ-S8	No changes	height breach (for buildings and structures). See GRUZ-S3 for more details.

GRUZ-S3	Remove matter of discretion (3) which refers to NTCV.	Mana whenua have closely considered these standards (building size) and have determined that an oversized building or structure is not a matter of concern. Rather, the height (greater than 12m in the general rural zone and 8m in the lifestyle rural zone) and breaches of waterway setbacks are the matters of concern for mana whenua.
RLZ-S5	Remove matter of discretion (3) which refers to NTCV	Regarding height, mana whenua seeks to protect their whakapapa connection with natural features and areas, such as the Hokonui Hills, by maintaining appropriate building heights in the rural zones, where large areas of open space and low built form is anticipated, enabling connections to the natural features to be maintained.
RLZ-S2	No changes	Height breach- See above comments.
RLZ-S7	No changes	Waterway setback breach- see above comments
SETZ-S3	Include an additional matter of discretion that refers to impacts on NTCV to align with the direction provided in SETZ-P2.	As noted above, building height exceedances in the rural zone is a concern for mana whenua.
SETZ-S7	No changes	Waterway setback breach- see above comments.
NCZ-S5	No changes	Waterway setback breach- see above comments.
LCZ-S4	No changes	Mana whenua have considered built form in the zone and have given the zones proximity to Mataura River and other identified natural features (falls), are supportive of retaining this matter of discretion. As noted in the related submission point (s139.073), mana whenua seeks to incorporate their history and association with the district in building layout, design and greenspace.

LCZ-S6	No changes	See above reasons- proximity to Mataura River and support ability to consider buildings or structures that intrude prescribed waterway setbacks throughout the district.
MUZ-S1	Remove NTCV wording from matter of discretion (2).	Mana whenua have reviewed this standard (in relation to the zone) and do not consider it necessary to include this NTCV matter of discretion in this zone given the varying range of development/built form that is anticipated.
MUZ-S5	No changes	Waterway setback breach. See above comments.
TCZ- S4	Remove NTCV wording from matter of discretion (2).	As above (see MUZ-S1). In addition, the town centre does not provide views to/ is not located near any natural features that may necessitate the inclusion of this matter of discretion.
TCZ-S6	No changes	Waterway setback breach. See above comments.
LIZ-S1	Remove NTCV wording from matter of discretion (2).	As above. In addition, it is noted that this consistent with the approach taken for other industrial zones (i.e. does not include NTCV matter of discretion for building height breaches)
LIZ-S5	No changes	Waterway setback breach. See above comments.
LIZ-R5 PREC1	Remove matter of discretion (3) which refers to NTCV.	Mana whenua have reviewed this rule and do not consider it necessary to include a specific NTCV matter of discretion for this activity (retail in large format retail precinct). It is considered that relevant built form standards (i.e. LIZ-S1 height and LIZ-S5 waterway setbacks) enable consideration of mana whenua values should a building or structure be unable to comply. This is also a consistent approach taken throughout the PDP.
GIZ-S5	No changes	Waterway setback breach. See above comments.
NOSZ-R6	No changes	Mana whenua concerns primarily relate to appropriately servicing sites for these activities (e.g. wastewater, stormwater management) and how this could impact on mauri of whenua, wai, mahinga kai, taonga (e.g. indigenous vegetation), noting it is unclear if these matters would always be captured by NOSZ-R11 (buildings and structures).
NOSZ-R7		
NOSZ-R8		

NOSZ-R11	No change	For building activities in the zone, mana whenua concerns are similar to the above. In addition, mana whenua are supportive of the opportunity to consider integrating mana whenua identity into building designs in the zone.
NOSZ-R12	No change	
NOSZ-S1	There is no ability to consider the matters of discretion in these standards	It is currently unclear how matters of discretion included in the standards are triggered through the rules (i.e. there are no rules that enable consideration)? As above, ability to consider height exceedances given the minimal built form anticipated in the zone and their desire to maintain connection with key features in the district such as the Hokonui Hills. As above- mana whenua consistently supports having the ability to consider buildings or structures that intrude prescribed waterway setbacks throughout the district
NOSZ-S4		
NOSZ-S5		
SARZ-S1*	No change	See above considerations regarding waterway setback and height exceedances. *For SARZ Chapter refer to comments regarding removing 'cultural activities' wording.
SARZ-S5*		
AIRPZ-S2		
AIRPZ-S4		
MPZ-R1-R10 & R12	Remove wording that refers to 'tikanga need' or 'tikanga related requirements' from the matters of discretion from these rules.	As above, mana whenua consider the inclusion of 'tikanga' as an assessment matter may require that Council (as decision maker) determines tikanga (on a case-by-case basis), which may be inappropriate and therefore seeks its removal.
MPZ-S1	Remove wording that refers to "tikanga need" or 'tikanga related requirements' from the matters of discretion from these standards.	
MPZ-S5		
FDZ-S1	No change	See reasons above in relation to height in rural setting, waterway setback and servicing
FDZ-S2		
FDZ-S6		

DEV2-R2	No change	See reasons above in relation to earthworks/ land disturbance, new buildings that may breach waterway setbacks.
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APPENDIX H – AMENDED NTCV CHAPTER

SITES AND AREAS OF SIGNIFICANCE TO MĀORI – SASM NGĀI TAHU CULTURAL VALUES (NTCV)

Overview

Information for Plan Users and Resource Consent Applicants

The Plan provides for Hokonui Rūnanga connections and associated values with the environment in decision making by taking a 'matter of discretion' or 'matter of control' approach (termed the NTCV approach). In practice this means:

- A range of 'controlled' and 'restricted discretionary' activity rules throughout the Plan contain a specific Ngāi Tahu cultural values matter of control or discretion (along with other relevant matters).
 - The Ngāi Tahu cultural values matter of control or discretion may be specified directly in a rule or linked through a relevant standard.
- Where a Ngāi Tahu cultural values matter is identified it signals the need to consider Ngāi Tahu cultural values in relation to the activity associated with the rule.
- Where relevant, if an activity can comply with the 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 also 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.
- Whilst policy NTCV-P1 provides guidance on the types of non-permitted activities that may require consideration of Ngāi Tahu cultural values, further detail should be sought from the specific chapters of the Plan.

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~~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 For more information on Ngāi Tahu cultural values within the Gore District, please refer to the MW – *Mana Whenua* chapter. impacts of high risk activities on Ngāi Tahu cultural values, as opposed 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.~~

Objectives

~~SASM-O1 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.~~

~~SASM-O2 Traditional and contemporary *mana whenua* and *tangata whenua* relationships with land, *waterbodies*, *natural* features, and cultural structures are recognised, retained, and strengthened.~~

~~NTCV-O1 To recognise the importance of and provide for mana whenua relationships and associated values with land, water, wāhi tapu and other taonga in decision making.~~

~~NTCV-O2 To enable mana whenua to participate in resource management decision making that impact on their connections and values with land, water, wāhi tapu and other taonga.~~

~~NTCV-O3~~

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To provide for land use, development and subdivision where adverse effects on Ngāi Tahu cultural values are avoided, remedied or mitigated.

NTCV-P1

Impacts on Ngāi Tahu cultural values will be considered when resource consent is required for the following activities:

- a. Buildings and structures that breach minimum river and stream setbacks;
- b. Buildings and structures that exceed height limits in zones with lower built form and large areas of open space (Rural, Open Space and Recreation zones, Airport zone and Māori Purpose Zone) and/or zones near important natural features (Field Days zone, Town Centre Zone)
- c. Buildings and land use activities that breach servicing standards (where relevant in a zone).
- d. Quarrying and mining activities in rural zones that breach activity requirements and standards.
- e. Earthworks activities that breach required activity standards, or relate to spoil clearance from drains, and/or involve large areas of earthworks and land disturbance.
- f. Energy generating activities, including small scale projects that breach required standards and new large-scale projects;
- g. Works associated with existing infrastructure that breach required standards, or new infrastructure near the Maitara River, or significant natural feature or landscape or archaeological site, or not otherwise anticipated infrastructure.
- h. Works associated with maintaining, upgrading or establishing the transport network and associated infrastructure that breach activity requirements and standards, or near the Maitara River or significant natural feature or landscape or archaeological site.
- i. Works within natural hazard areas that impede existing legal access to waterways for mahinga kai or near the Maitara River Floodway
- j. New or extension to an existing significant hazardous facility
- k. Works associated with Historic Heritage items and sites that impact on associated cultural values and/or impede existing legal access to mahinga kai sites.
- l. Indigenous vegetation clearance that breach activity standards and prescribed activities within a SNA.
- m. Prescribed activities that breach activity requirements within an ONL/F that hold cultural values
- n. Subdivision within specified development areas, or impacting on historic heritage that hold cultural values, or ONL/F, or near the Maitara River Floodway, or not otherwise provided for.
- o. Activities on the surface of Maitara River and tributaries that either breach activity requirements or are not otherwise provided for.
- p. Cultural Markers (signage) that breach required standards.
- q. Temporary commercial filming, military or emergency services that exceed duration limits (not short term in nature) or large-scale temporary events (exceeding more than 2500 people).
- r. New buildings and associated earthworks and land disturbance that breach structures in DEV2 that breach required standards.

NTCV-P2

Council will maintain or establish processes that:

- a. Enable landowners and resource consents applicants to engage with Hokonui Rūnanga, prior to undertaking activities and/or applying for

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NTCV-P3	<u>resource consent where Ngāi Tahu cultural values need to be considered.</u> <u>b. Where prior engagement has not been undertaken Council will consult with Hokonui Rūnanga.</u>
NTCV-M1 OR	<u>Mana whenua perspectives and values will be incorporated into resource management processes and decision making by:</u> <u>a. Taking into account relevant iwi and hapū planning documents;</u> <u>b. Requiring the adoption of the Accidental Discovery Protocol (contained in the EW-Earthworks chapter) for earthworks related resource consent; and</u> <u>c. Having regard to any advice received from Hokonui Rūnanga reading potential impacts of activities and potential mitigation options.</u>
NTCV-P4	<u>Where Ngāi Tahu cultural values need to be considered for a resource consent, a cultural values assessment report can be requested by an applicant or landowner. Council will confirm with Hokonui Rūnanga the appropriateness of obtaining an assessment report based on the following key considerations:</u> <u>a. The application is for a large, intensive or complex project.</u> <u>b. The activity is not anticipated at the proposed location or zone and may be precent setting.</u> <u>c. The application includes sufficient information to determine the impacts on Ngāi Tahu cultural values.</u> <u>d. New or additional research is required to determine impacts on Ngāi Tahu cultural values.</u> <u>e. If there is a functional or operational need for the activity to be undertaken in the location;</u> <u>f. Outcomes articulated by Mana whenua through an assessment of environmental effects, iwi planning documents or existing cultural impact assessments.</u> <u>g. The potential to enhance the relationship of mana whenua with their taonga, commensurate with the scale and nature of the proposal;</u>
NTCV-M1 OR ADVICE/ NOTE	<u>Note- Cultural values assessments are an effective means of providing cultural input, mainly with respect to resource consent applications under the RMA. The report can form part of a resource consent applications assessment of environmental effects. The costs associated with preparing the report are met by the applicant.</u> <u>Council will work with Hokonui Rūnanga to develop information resources to communicate to plan users (including resource consent applicants):</u> <u>a. The approach that has been taken in the Plan to recognise and provide for Ngāi Tahu cultural values held within the district; and</u> <u>b. The process for resource consent applicants and landowners to engage with Hokonui Rūnanga.</u>
NTCV-M2 OR	

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ADVICE/NO Council will provide capability and capacity tools for staff to undertake education and training programmes to improve awareness and
TE knowledge of Hokonui Rūnanga relationships and associated values with the district and Council's obligations under legislation, including
(but not limited) to:

- a. Environmental matters of interest to Hokonui Rūnanga;
- b. Ngāi Tahu cultural values;
- c. Use of Iwi and hapū management Plans;
- d. Accidental discovery protocol

Note- As well as within the planning legislation, Gore District Council also has requirements under the Local Government Act 2002 that requires this knowledge.

SASM-O3 Recognise and provide for the mātauranga and kaitiakitanga of mana whenua in decision-making relating impacts on the underlying relationship Ngāi Tahu hold with the natural *environment*.

Policies

SASM-P1 Use, *subdivision*, and development is enabled where adverse *effects* on Ngāi Tahu cultural values, including those listed in MW 2.3, are avoided, remedied or mitigated.

SASM-P2 The impact of proposed activities on Ngāi Tahu cultural values, and their underlying relationship with the natural environment is determined in partnership with Hokonui Rūnanga.

SASM-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.

SASM-P4 The ability for Māori to engage in cultural practices in culturally appropriate places is recognised and provided for.

SASM-P5 Where appropriate, Ngāi Tahu cultural values and histories are incorporated into urban design of publicly accessible spaces.

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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- All in relation to building and structure setbacks from rivers and streams, building height exceedances in rural, open space and recreation zones, town centre, Field Day, Airport 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
- Sign- cultural markers
- Noise
- Temporary Activities
- Ecosystems and Indigenous Biodiversity
- Natural Features and Landscapes