

## Mana Whenua

### What is/who are mana whenua?

The term 'mana whenua' refers to a specific Māori kinship group who has 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. These rights and responsibilities are 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 the Hokonui Rūnanga.

### How does the Proposed Plan provide for mana whenua rights and interests?

The Hokonui Rūnanga's rights and interests have been considered in preparation of the Proposed District Plan through mana whenua mandated representation on our District Plan Review sub-committee. In addition, the Hokonui Rūnanga has co-drafted chapters of particular relevance to mana whenua, such as the Mana Whenua, Sites of Significance to Māori and Māori Purpose Zone chapters. Input from mana whenua has also been sought at a technical level on a matter-by-matter basis throughout the Proposed Plan. This input, alongside guidance from iwi and Rūnanga environmental planning documents, has informed the policy approach for these matters.

The Proposed Plan includes a Mana Whenua chapter that outlines the relationship Ngāi Tahu whānui and the Hokonui Rūnanga have with the Gore District, and their environmental and cultural values and priorities as they relate to district planning matters. The Mana Whenua chapter also provides useful links to a range of planning documents and statutory information along with contact details and engagement and participation guidance. The Mana Whenua chapter does not have any rules itself. Instead, the mana whenua values are integrated throughout the Proposed District Plan in objectives, policies and matters of discretion.

A specific example is the approach this Plan has taken to acknowledging the relationships Ngāi Tahu whānui 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 across various chapters.

These provisions are reinforced by objectives and policies in the SASM chapter, ensuring the relationship is considered whenever a high-risk activity takes place – as opposed to considerations of Ngāi Tahu cultural values being restricted to selected locations.

In keeping with the Charter of Understanding, the Hokonui Rūnanga will provide expert advice to us if and to what extent a potential activity impacts on our relationship. Where relevant, it will provide advice about how a development or activity could be undertaken to be more responsive to the Ngāi Tahu cultural values that may be impacted. The aim of this approach is to provide a more practical method for enabling development throughout the District, while taking sensible steps to protect Ngāi Tahu cultural values where relevant.

The rights and interests of mana whenua, and cultural needs of the wider Māori community in the Gore District, have also been recognised throughout the plan via the creation of Māori Purpose Zones. These are areas Māori communities already have longstanding relationships, such as O Te Ika Rama Marae, Mataura Marae, and the Hokonui Rūnanga complex. Alongside this, provision has been made to protect impacts on mahinga kai values in and along waterways, and views to and between landmarks of Ngāi Tahu cultural significance.

### **Why has mana whenua already had input into the Proposed District Plan?**

The Council has a Charter of Understanding with the Hokonui Rūnanga that recognises their Treaty of Waitangi obligations and partnership responsibilities, including participation in district plan development. The Resource Management Act 1991 (RMA) and Local Government Act 2002 (LGA) also places a number of statutory duties on the Council regarding engagement with mana whenua and Māori communities, and recognition of cultural values and interests in resource management decision-making. These include:

- RMA S6(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
- RMA S7(a) where decision makers must have particular regard to kaitiakitanga
- RMA S8 where persons exercising functions under the RMA shall take into account the principles of the Treaty of Waitangi
- RMA Schedule 1, clauses 3 and 3B where local authorities must consult with iwi authorities in preparing plans or plan changes
- RMA 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.
- LGA S4 where Local Government is required to maintain and improve opportunities for Māori to contribute to local government decision-making processes so as to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi
- LGA S 81(1) where a local authority must establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority, consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority, and provide relevant information to Māori to do so

### **What's different from the current District Plan**

The current Gore District Plan has a Mana Whenua chapter. It has limited explanation of mana whenua values and, as such, does not meet current requirements for district plans. Some objectives and policies in the current plan have been carried over, in principle, to the Proposed Plan.

These relate to ensuring taonga are not adversely affected by land use activities, urupā are protected, access to mahinga kai sites is maintained, and Ngāi Tahu is consulted to ensure significant resource management issues are had regard to in carrying out functions under the RMA.

There is a specific rule in the current Plan's mana whenua chapter that requires consent for earthworks proximate to the six Archaeological sites of significance to mana whenua identified in the plan. It is unclear, however, if mana whenua were involved in identifying these sites at the time the current plan was drafted. Other than this, mana whenua are typically consulted on resource consents that involve works close to streams or associated with large subdivisions. The current District Plan does not specifically provide for activities on marae sites as these either have a generic residential or rural zone.

Overall, the Proposed District Plan will provide a greater level of certainty for mana whenua and the community than the current Plan by clearly articulating mana whenua values and providing for cultural activities on marae sites.

The Sites and Areas of Significance to Māori (SASM) chapter outlines the other rules in the plan that may require mana whenua input when resource consent is required for other matters such as subdivision, earthworks, natural hazards, and works near streams and rivers.

#### **How do I know if I need to consider mana whenua values?**

Refer to the Mana Whenua and Sites and Areas of Significance to Māori chapters, and the relevant chapters these reference for guidance. Talk to our planning team, who may refer you to the Hokonui Rūnanga for further advice.

#### **Links to the Proposed Gore District Plan**

This information sheet addresses a few of the key provisions in the Proposed District Plan. It should not be used as a definitive representation of content. To view actual Proposed District Plan content, please go to [www.lets.talk.goredc.govt.nz](http://www.lets.talk.goredc.govt.nz)

#### **Make a submission**

To find out how to submit on the Proposed Gore District Plan, head to [www.lets.talk.goredc.govt.nz](http://www.lets.talk.goredc.govt.nz).