MANA WHENUA - MW

1. Overview

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

1. Recognition of hapū and iwi
   (a) A history of the hapū or iwi within the District;
   (b) The relationship of hapū or iwi with their takiwā;
   (c) Environmental management perspectives and values of hapū or iwi;
   (d) A description of resources of significance to *tangata whenua* or *mana whenua;*
   (e) Where agreed with the iwi authorities, a list of relevant iwi authorities. Where possible this should include links to iwi authority websites;
   (f) where agreed with iwi authorities, a description of the relationship of hapū or iwi with ancestral lands, water, sites, wāhi tapu, and other taonga, and interests in resource management
   (g) An explanation of how hapū or iwi values have been considered when preparing the Policy Statement or Plan, or are reflected in the Policy Statement or Plan;
   (h) An overview of resource management arrangements from any Treaty settlement and post-Treaty settlement agreements;
   (i) A list of any Statutory Acknowledgements for the District and Region, and a brief explanation of how they affect the Policy Statement or Plan and are reflected in Policy Statement or Plan Provisions. Where possible this should include a link to the relevant Statutory Acknowledgement Legislation;
2. Tangata whenua/mana whenua – Local Authority relationships
   (a) A list of formal relationships agreements between *tangata whenua/mana whenua* and the Local Authority as they relate to resource management functions. These may include memoranda of understanding, mana 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 whenu*a this list should include links to these relationship agreement documents;
3. Hapū and iwi planning documents
   (a) A list of hapū or iwi planning documents lodged with the Local Authority. Where agreed with *tangata whenua/mana whenua* this should include links to the planning documents;
   (b) A description of how the Local Authority has taken the hapū or iwi planning documents into account in the Policy Statement or Plan;
   (c) An explanation of how hapū or iwi planning documents are used;
   (d) If relevant and agreed, parts of the hapū or iwi planning documents;

4. Involvement and participation with tangata whenua/mana whenua
   (a) Any specific involvement and participation or RMA consultation processes with *tangata whenua/mana whenua*: required by the RMA, in relationship agreements, or in hapū or iwi planning documents;
   (b) A description of best practice involvement, participation or RMA consultation processes with hapū or iwi, as agreed with specific hapū or iwi. This may include a link or reference to external best practice processes documents;
   (c) An explanation of the purpose of any involvement, participation or RMA consultation processes; and
   (d) How the involvement, participation or RMA consultation processes are given effect to.

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

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. mahi<u>k</u>a 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 Mataura e rere ki te moana o te Ara a Kiwa

Ko Maruawai taku whenua taurikura e takoto nei

Takoto mai ko Matamata, te mōkai tapu ō Rakitauneke, te taniwha

Ko Te Au-nui Pihapha Kanakana te rere

Ko Hoka-nui, Kowhaka-ruru, Tarahau-kapiti ngā puke

Ko Tūtemakohu raua ko Te Rakitauneke ngā tīpuna

Tū mai ko O Te Ika Rama, te whakaruruhau o te mano

Tēnei te reo ō Waitaha, Ngāti Māmoe, Ngāti Kuri, Ngāi Tahu ngā iwi

The term '*mana whenua*' refers to a specific Māori kinship group who have customary authority over, and a responsibility to, a particular geographic area and its resources. *Mana whenua* have a deep relationship with their natural *environment*, and specific rights and responsibilities to contribute to environmental decision-making, entrenched in tikanga Māori, Te Tiriti o Waitangi, and various legislation. It is this relationship and right that obligates *mana whenua* to advocate for and protect their natural *environment*. In the context of the Gore District, Ngāi Tahu whānui are recognised as *mana whenua*, and are represented locally by Hokonui Rūnanga.

2.2 Ngāi Tahu Whānui, Hokonui Rūnanga, and the Gore District

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

Ngāi Tahu have a long history and relationship with the region spanning centuries, with extended periods of settled occupation (e.g. 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. This connection also spans a continuum of time and whakapapa with metaphysical and physical elements binding us with the land, *waters*, and taonga/resources of the region. Hapū and whānau retain historical and contemporary links with mahinga kai sites in the region, especially where customary practices can be continued.

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

Zealand at Mataura, continue to build the modern history of Ngāi Tahu in the region - as do our long-standing Ngāi Tahu residents, and the contributions Hokonui Rūnanga make to the wider community.

2.3 *Mana Whenua* and Te Taiao Cultural Values

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

Kaitiakitanga: Kaitiakitanga governs the way humans interact with ecosystems. The notions of reciprocity and maintaining balance within nature underpin Ngāi Tahu uses and practices. Balance requires respect to be shown when interacting with the *environment* and use of the resource (within limits) afforded by healthy ecosystems. Ngāi Tahu whānui continue to have a duty to protect the natural world they are part of. Hokonui Rūnanga, as kaitiaki, work actively to ensure that ecological, spiritual, cultural, and mahinga kai values of our takiwā are upheld and sustained for future generations.

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

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

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

Wairua: Whānau use different methods to feel spiritually connected with our takiwā. Gathering kai with whānau at a traditional fishing places that we know were named by our tīpuna and utilised by successive generations of our whānau is one way. Being able to contribute delicacies that our takiwā is renowned

for to cultural events, and to manaaki guests can also bring that connection. Conversely, being denied these opportunities can impact the spiritual wellbeing of whānau.

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

Utu: Utu is sometimes referred to as the principle of reciprocity or equivalence, with some regarding its main purpose as maintaining relationships. In relation to a specific issue, utu can be thought of as restoring balance and thereby maintaining whanaungatanga. There are many pathways and responses by which utu is put into practice. Hokonui Rūnanga seek to explore the practice of utu in relation to environmental issues which may provide means of restoring balance in relationships and acknowledging the obligations on this generation to seek mutual benefits to achieve improved environmental outcomes.

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

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

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

In line with the philosophy of ki uta ki tai, Hokonui Rūnanga consider all natural features & their associated resources to be ‘significant’. Ngāi Tahu, like other iwi, conceptualise the environment as an undivided entity. It is a cohesive system of lakes, rivers, wetlands, soils, plants, and animals (including humans), mountains and other terrestrial lands, and the relationships between them all. It is this holistic perspective that pervades mātauranga Māori:

science based on observations, relationships, connections, and management practices refined over generations. For the purposes of this district plan, three broad areas and their specific significances are highlighted:

2.3.1 Wai / Water

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

2.3.2 Whenua / Land

Whenua is the embodiment of Papatūānuku – one of the primordial parents within Ngāi Tahu cosmology – and is of great significance to *mana whenua.* She is the sustainer of life, and plays a cleansing and grounding role within Ngāi Tahu tikanga. Most *land* in the Hokonui takiwā has been modified, predominantly for *primary production* which is a significant contributor to the degradation of *biodiversity*, soil, and *water*. Other *land* uses including forestry, general *earthworks*, mining, and waste and hazard management practices create similar issues. Hokonui Rūnanga supports the coupling of *land* use zoning with *land* capability to reduce the negative *effects* on soils from compaction, pollution/*contaminants*, *biodiversity* loss, and erosion. It is expected that improvements will be made across the district in *land* management practices to restore soil health with these improvements also having flow on *effects* for *water* and *biodiversity*. We also expect to see many of the systemic barriers to using Māori *land* reduced and removed, so that this land can be utilised to support whānau aspirations.

2.3.3 Mahinga Kai

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

2.4 *Mana Whenua* Recognition, & Involvement in Plan Preparation

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

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

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

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

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

The Mataura 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 Mataura is an important mahinga kai, noted for its indigenous fishery. The Mataura 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 Mataura River in forming an opinion as to whether Te Rūnanga o Ngāi Tahu is a person who may be adversely affected by the granting of a resource consent for activities within, adjacent to, or impacting directly on, the statutory area. If Te Rūnanga o Ngāi Tahu is deemed to be potentially affected, Gore District Council must contact both Te Rūnanga o Ngai Tahu and Hokonui Rūnanga.

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

2.4.2 Relevant Iwi Authorities

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

Email: Hokonui.Office@ngaitahu.iwi.nz

Phone: 03 2087954

Address: 140 Charlton Road, Gore 9774

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

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

3. *Mana Whenua* – Local Authority relationships

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

3.1 Formal Relationship Agreements

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

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

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

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

4. Hapū and iwi planning documents

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

- Te Tangi a Tauira: Ngāi Tahu ki Murihiku Natural Resource & Environmental Management Plan 2008 (https://www.es.govt.nz/repository/libraries/id:26gi9ayo517q9stt81sd/hierarchy/about-us/plans-and-strategies/regional-plans/iwi-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

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

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

includes Kōiwi or human remains. Materials discovered will be handled and removed by Iwi responsible for the tikanga appropriate to their removal or preservation.

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

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

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

For further information please refer to the HNZPT Accidental Discovery Protocol

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/