

PROPOSED GORE DISTRICT PLAN SECTION 32 REPORT

MANA WHENUA



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List of Abbreviations

Resource Management Act 1991	RMA
Gore District Council	GDC or 'the Council'
Operative District Plan	ODP
Proposed District Plan	PDP
National Planning Standards 2019	PS
Southland Regional Policy Statement 2017	RPS
National Policy Statements	NPS
National Policy Statement for Freshwater Management	NPS-FM
National Policy Statement for Urban Development	NPS-UD
National Environmental Standards	NES
National Environmental Standard for Freshwater 2020	NES-F
National Environmental Standards for Plantation Forestry 2017	NES-PF
National Environmental Standards for Telecommunications Facilities 2016	NES-TF
Mana Whenua	MW
Sites of Significance to Māori	SASM
Māori Purpose Zone	MPZ
Department of Conservation	DoC

1. Executive Summary

1.1 Introduction

Section 32 of the Act requires objectives in plan change proposals to be examined for their appropriateness in achieving the purpose of the Resource Management Act 1991 (RMA), and the policies and methods are the most appropriate to achieve the objectives assessing their efficiency and effectiveness compared with the main alternative proposals. The assessment must consider the costs and benefits of the environment, social, economic and cultural effects from implementation of the provisions, quantified wherever possible. The analysis set out in this report is to fulfil the obligations of the Council under s32 of the RMA.

This section 32 evaluation report relates to the Mana Whenua Chapter, Sites of Significance to Māori Chapter and Māori Purpose Zone Chapter. The three chapters are contained within different sections of the Proposed District Plan, as set out below, and combined provide direction for the management of resources in the Gore district consistent with Mana Whenua values.

Mana Whenua (MW) - within Part 1 Introduction and General Provisions

Sites of Significance to Māori (SASM) - within Part 2 District-Wide Matters

Māori Purpose Zone (MPZ) – within Part 3 within Area Specific Matters

Te Rūnanga o Ngāi Tahu represents the tribal collective of Ngāi Tahu whānui which is the “Iwi Authority” for the purposes of the Resource Management Act 1991. Hokonui Rūnanga are one of the 18 Papatipu Rūnanga that make up Te Rūnanga o Ngāi Tahu, and are mandated to represent Ngāi Tahu within the Māruawai area within which the Gore District sits. The proposed Plan also sets out the roles and responsibilities of other mana whenua-mandated organisations, namely Hokonui Rūnanga Kaupapa Taiao, who are authorised by Hokonui Rūnanga to represent their interests in resource management matters within the Gore District.

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. Gore District Council is required to engage with Hokonui Rūnanga in accordance with 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.

The purpose of the RMA - to promote the sustainable management of natural and physical resources - includes to enable people and communities to provide for their social, economic, and cultural well-being s5(2). The Part 2 principles recognises the role that Māori play in the sustainable management of natural and physical resources by requiring the principles of the Treaty of Waitangi (s8) to be taken into account, having particular regard to kaitiakitanga and the ethic of stewardship (s7), and recognising and providing for the relationship of Māori with the natural environment, places and taonga (s6). In addition, matters of national importance recognise the importance of the protection of historic heritage (which includes sites of significance to Māori) and customary rights respectively (s6).

Section 74(2A) of the RMA requires that iwi planning documents are taken into account when preparing or changing resource management plans. Schedule 1 sets out the requirements for preparation, change, and review of policy statements and plans. Requirements include that local authorities must consult with iwi authorities in preparing plans or plan changes (Clause 3), and 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 (Clause 4A).

A district plan must give effect to any national policy statement, national planning standard, and any regional policy statement in accordance with Section 75(3) of the RMA. The Southland Regional Policy Statement objectives and policies seek effective partnerships between tangata whenua and local authorities, which provide the capacity for tangata whenua to be fully involved in council decision making processes consistent with the Treaty of Waitangi/Te Tiriti o Waitangi principles. The SRPS require sites of cultural significance wāhi tapu, wāhi taonga and sites of significance are appropriately managed and protected as a matter of national importance (consistent with Section 6 of the RMA) and include provision for the sustainable development and use of Māori land and resources to enable Māori to provide for their social, economic, and cultural wellbeing.

The Ngāi Tahu Claims Settlement Act 1998 includes specific provisions that provide for exercise of rangatiratanga and kaitiakitanga of mana whenua in respect to resource management matters. The Maitai River is listed under the Ngāi Tahu Claims Settlement Act 1998 as a Statutory Acknowledgement Area. The Maitai is an important location for mahinga kai practices, noted for its indigenous fishery. The Maitai River is home to the first freshwater mātaihai reserve in New Zealand, which centres on Te Au Nui Pihapiha Kanakana/Maitai Falls. This means that specific bylaws apply in this area under the Fisheries (South Island Customary Fishing) Regulations 1999.

‘Te Tangi a Tauira – The Cry of the People’ is the Ngai Tahu Ki Murihiku Natural Resource and Environmental Management Plan. This recognised Iwi Management Plan identifies a broad range of matters relevant to Hokonui Rūnanga when considering where and how Gore grows and develops. The guiding principle of the Iwi Management Plan is ‘Ki Uta Ki Tai’. Ki uta ki tai is an environmental philosophy that recognises that everything within the environment is connected, and must be managed as such. Ki uta ki tai reflects that environmental impacts in one area have flow on effects throughout the wider ecosystem that must be considered when making resource management decisions. Ki uta ki tai is recognised in the Southland Regional Policy Statement 2017 and National Policy Statement for Freshwater Management 2020.

Te Tangi a Tauira identifies a broad range of relevant matters when considering where and how Gore grows and develops. In particular, there is a desire to:

- Limit the impacts of climate change on indigenous species and ecosystems and the risks of natural hazards by appropriately managing urban development and providing for sustainable energy and transport systems.
- Protect sites of significance and indigenous biodiversity areas along with appropriate management of water
- Limit impacts of industrial activity and subdivision by involving iwi in decision making processes and managing land use, building and water issues
- Providing appropriate infrastructure management

Alongside the Iwi Management Plan, Hokonui Rūnanga have published Te Kawa o Te Taiao: a document that sets out the environmental associations, values, expectations, & aspirations that Hokonui Rūnanga hold specifically. Te Kawa o Te Taiao sets out a range of overarching values for environmental decision-making in the Hokonui Rūnanga takiwā, and the four principle environmental matters of interest for Hokonui Rūnanga; namely wai, whenua, mahinga kai, and ahi kā. Te Kawa o Te Taiao also outlines Hokonui Rūnanga expectations for involvement in environmental management within their takiwā.

Hokonui Rūnanga cultural associations, values, expectations, aspirations, 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 MW, SASM, and 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 ki Murihiku 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 mana whenua 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 associations with place that may be impacted.

The rights and interests of mana whenua, and cultural needs of tangata whenua, have also been recognised throughout the plan 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, Hokonui Marae, and the Hokonui Rūnanga complex. 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. Overview and Purpose

2.1 Introduction to the resource management issue(s)

In April 2021, the Hokonui Rūnanga Executive Team held a wānanga to assist them in clarifying their expectations for how the resources of the district should be regarded and managed over the next decade. The Hokonui Executive expectations were determined in the context of ki uta ki tai: a Ngāi Tahu environmental philosophy, which recognises that everything is connected and must be managed as such.

This understanding of the natural environment is underpinned by numerous Ngāi Tahu concepts such as kaitiakitanga, utu, tino rangatiratanga, mauri, and mahinga kai. These

concepts reflect a mix of core values, beliefs, principles, and behaviours that are sustained through Ngāi Tahu associations, uses, and practices. Collectively, they represent a management ethic similar to sustainable management and use of the environment which is dependent on a healthy functioning environment. These concepts also shape the kawa and tikanga of Ngāi Tahu, and guide Hokonui Rūnanga in the appropriate articulation and application of their expectations for each situation.

The Hokonui Executive identified the following matters to be of particular relevance to the District Plan Review:

- Infrastructure performance and future proofing, particularly for 3 Waters.
- Freshwater – consenting, compliance and monitoring.
- Agricultural and farming practices.
- Acknowledgement of Te Tiriti o Waitangi/Treaty of Waitangi and mātauranga Māori in frameworks and processes for decision making, problem definition and solutions/outcomes.
- Recognition and implementation of the Ngāi Tahu Treaty Claims/Claims Settlement Act and their provisions.
- Encouragement and use of innovative solutions.

Then, using the matters raised in Te Tangi a Tauira chapter Te Rā a Takitimu – Southland Plains, the Hokonui Executive ranked the pressures in the district on the following (listed highest to lowest pressure):

1. Water Quality
2. Wastewater disposal
3. Mahinga Kai
4. Freshwater Fisheries
5. Solid Waste Management Industry
6. Discharge to water
7. Farm Effluent Management
8. Air Quality
9. Ngā pononga a Tāne a Tangaroa Wetlands
10. Forestry
11. Protection significant sites
12. Riparian Areas
13. Wāhi ingoa
14. Subdivision and Development
15. Stock Transport
16. Earthworks mining

This list is not reflective of cumulative effects or the significance of the matter to Hokonui Rūnanga. The Rūnanga does not consider each matter in isolation – the components are interconnected and should be managed as such, ki uta ki tai. The list is where Hokonui Rūnanga sees increasing pressures, often without strong enough regulatory controls or oversight.

Some of these matters relate to the functions of regional councils not district councils under the RMA, and one of the challenges in environmental management is reconciling this split in functions between councils under the RMA with the holistic and integrated approach taken by mana whenua to managing the environment ki uta ki tai.

Source: Hokonui Rūnanga Priorities for the Gore District Plan Review (2021 Memorandum)

2.2 Purpose of the report

This report contains a summary section 32 evaluation of the strategic direction, objectives, policies and methods relating to Mana Whenua, Sites and Areas of Significance to Māori and the Māori Purpose Zone in the Proposed Gore District Plan. It is important to read this report in conjunction with the section 32 overview report which contains further information and evaluation about the overall approach and direction of the District Plan review and Proposed District Plan.

3. Statutory and Policy Context

3.1 Resource Management Act

In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA.

Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources.

Sustainable management means *managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety, while –*

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

In achieving this purpose, authorities also need to recognise and provide for the matters of national importance identified in s6, have particular regard to other matters referred to in s7 and take into account the principles of the Treaty of Waitangi referred to in s8.

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, associations, rights, and interests in resource management decision-making.

The Section 6 Matters of National Importance of particular relevance to this topic that are required to be recognised and provided for include:

- 6 e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga
- 6 f) the protection of historic heritage – which includes sites of significance to Māori, including wāhi tapu - from inappropriate subdivision, use, and development
- 6 g) the protection of protected customary rights

However, almost all the section 6 matters relate to the protection of the natural environment or access to it, and are therefore relevant given the Māori worldview of everything's interconnectedness.

The Section 7 Other Matters of relevance to this topic that should be given particular regard to include:

- 7 a) and aa) The principle of kaitiakitanga and the ethic of stewardship:

Kaitiakitanga means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Maori in relation to natural and physical resources; and includes the ethic of stewardship. Hokonui Rūnanga represent Ngāi Tahu mana whenua, and exercise kaitiakitanga within the Gore District. Hokonui Rūnanga understand kaitiakitanga to govern the way humans interact with ecosystems. The notions of reciprocity and maintaining balance within nature underpin Māori uses and practices in a Māori worldview. Balance requires respect to be shown when interacting with the environment, and use of the resource (within limits) afforded by healthy ecosystems. Māori continue to have a duty to protect the natural world they are part of. Hokonui Rūnanga, as kaitiaki, work actively to ensure that spiritual, cultural, and mahinga kai values of our takiwā are upheld and sustained for future generations.

As noted above, given Māori worldviews, most of the other section 7 matters also have relevance to this mana whenua topic, in particular those that relate to, or impact on, the natural environment.

Section 8 of the RMA states that:

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

The purpose of the RMA - to promote the sustainable management of natural and physical resources - includes to enable people and communities to provide for their social, economic, and cultural well-being s5(2). The RMA also recognises people and communities as part of the environment, and that the effects on or by cultural conditions are considered by its definition.

The RMA recognises the role that Māori play in the sustainable management of natural and physical resources by highlighting the principles of the Treaty of Waitangi, having particular regard to kaitiakitanga, and recognising and providing for the relationship of Māori with taonga. In addition, s6(f) and s6(g) were added to the matters of national importance in 2003 and 2005 to recognise the importance of the protection of historic heritage (which includes sites of significance to Māori) and customary rights respectively. 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.

Other sections of the Resource Management Act of relevance include:

Section 33 allows a local authority to transfer powers functions or duties to other public authorities, including an iwi authority, if it represents the appropriate community of interest, is more efficient, and has special capabilities or technical expertise.

Section 35A requires local authorities to keep and maintain records about iwi and hapu and relevant iwi planning documents.

Section 58M-U relates to Mana Whakahono a Rohe and provides a mechanism for iwi authorities and local authorities to formalise how iwi authorities participate in Resource Management and decision making under the RMA.

Section 74(2A) requires that iwi planning documents are taken in to account when preparing or changing resource management plans.

Schedule 1 sets out the requirements for preparation, change, and review of policy statements and plans and includes:

- Clause 1A requires that a proposed plan is prepared in accordance with Mana Whakahono a Rohe.
- Clauses 3 and 3B set out that local authorities must consult with iwi authorities in preparing plans or plan changes and how.
- 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.

3.2 National Policy Statements

A district plan must give effect to any national policy statement in accordance with Section 75(3)(a) of the Act. The Section 32 - Overview and Urban Form and Development Evaluation Report includes details and a brief assessment of all National Policy Statements (NPS).

The following National Policy Statements have particular relevance to the topic to:

- NPS for Freshwater Management 2020
- NPS on Urban Development 2020

National Policy Statement for Freshwater Management 2020 (as amended in February 2023)

The National Policy Statement for Freshwater 2020 provides local authorities with updated direction on how they should manage freshwater under the RMA, and reinforces Māori participation in decisions relating to water management.

The fundamental concept of the NPS is 'Te Mana o te Wai' that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o

te Wai is about restoring and preserving the balance between the water, the wider environment, and the community and puts haurora, or health, of the waterbody first.

Many of the requirements under the NPS relate to regional council functions, however those covering integrated management, and tangata whenua roles and interests are of relevance to the Council. Provisions relating to the management of the use and development of land to safeguard water will also be relevant to the Proposed Gore District Plan, but will need to be implemented in close co-ordination with Environment Southland in order to avoid overlap and duplication.

For the purpose of the District Plan, key requirements of the Freshwater NPS include to:

- Manage freshwater in a way that ‘gives effect’ to Te Mana o te Wai:
 - through involving tangata whenua
 - working with tangata whenua to ensure Māori freshwater values are identified and provided for in the district plan
 - prioritising the health and wellbeing of water bodies, then the essential needs of people, followed by other uses.
- Adopting an integrated approach to land use and development and freshwater management that recognises the interconnectedness of the whole environment. This includes to:
 - Include provision in the district plan to promote positive effects and manage adverse effects of land use and development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments via such matters as controlling the location and extent of rural lifestyle development and requiring appropriate on site water management and adequate provision of infrastructure to service development

National Policy Statement Urban Development 2020 (updated May 2022)

The NPS-UD 2020 requires councils to plan for growth and ensure a well-functioning urban environment for all people, communities and future generations. This includes to improve housing affordability by ensuring that plans make room for growth both ‘up’ and ‘out’, and that rules are not unnecessarily constraining growth. A well-functioning urban environment also specifically includes having or enabling a variety of homes that enable Māori to express their cultural traditions and norms. A more compact urban form is encouraged to support reductions in greenhouse gas emissions, and urban environments that are resilient to the current and future effects of climate change.

The NPS seeks to ensure urban development occurs in a way that takes into account the principles of the Treaty of Waitangi including requiring local authorities to:

- involve hapū and iwi in the preparation of RMA planning documents
- take into account the values and aspirations of hapū and iwi for urban development
- provide opportunities in appropriate circumstances for Māori involvement in decision-making
- operate in a way that is consistent with iwi participation legislation

3.3 National Environmental Standards

The Section 32 - Overview Evaluation Report includes details and a brief assessment of all National Environmental Standards (NES).

The following National Environmental Standards have particular relevance to the topic:

- NES for Plantation Forestry 2017
- NES for Freshwater 2020
- NES for Telecommunication Facilities 2016

National Environmental Standards for Plantation Forestry 2017

The NES for Plantation Forestry applies to a range of forestry and ancillary activities, including earthworks, river crossings, quarrying, vegetation clearance and discharges and disturbances, including in relation indigenous species.

The objectives of the NES are to maintain or improve the environmental outcomes associated with plantation forestry activities nationally, and increase certainty and efficiency in the management of plantation forestry activities.

The NES sets out that rules in district plans can be more stringent than the regulations if they:

- give effect to the National Policy Statement for Freshwater Management
- provide for protection of Outstanding Natural Features and Landscapes, or Significant Natural Areas (section 6 (b) and (c) of the Act)
- manage unique and sensitive environments such as:
 - separation point granite soils
 - geothermal area or any karst geology
 - drinking water supplies

The NES does not list specific protections or considerations relating to Māori values, however offers a degree of protection through the concept of Te Mana o Te Wai (NPS FM) and district wide plan provisions relating to landscapes and significant natural areas where these are identified in the District Plan.

National Environmental Standard for Freshwater 2020

The NES and consenting requirements are managed by regional councils. The Freshwater NES sets requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems. Standards are designed to protect wetlands and streams from infilling, maintain fish passage, manage feedlots, stockholding areas, and winter grazing practices, restrict agricultural intensification, and limit fertiliser discharges.

There is also a General condition relating to historic heritage (Section 55(10)) which applies for activities in an around wetlands. This includes the requirement to ensure the activity does not destroy, damage, or modify a site that is protected by an enactment because of the sites' historic heritage, which includes significance to Māori.

National Environmental Standard for Telecommunication Facilities 2016

The NES sets out that district plan rules may be more stringent than the regulations in relation to:

- Significant Trees
- Historic Heritage values, which includes sites of significance to Māori
- Visual amenity landscapes
- Significant habitats for indigenous vegetation or fauna

The above may all impact on the underlying relationship that Ngāi Tahu hold with the natural environment and are therefore relevant.

3.4 National Planning Standards

The National Planning Standards (NPS) 2019 requires a more specific approach to planning zones than the ODP. This includes a clearer centre hierarchy, rural settlement zones, and a wider range of residential, industrial and rural zones. The NPS also provides the structure and form for the Plan content along with definitions and mapping criteria.

The following aspects of the National Planning Standards are relevant:

- Mana Whenua chapter is to be included in Part 1 - Introduction and General Provisions in the District Plan.
- Sites and Areas of Significance to Māori, and Historic Heritage chapters are to be included in Part 2 – District Wide Matters within the Historical and Cultural Values heading if they are applicable to the district.
- Māori Purpose Zone should be included within Part 3 – Area Specific Matters within the Zones chapter.

Mana Whenua

The provisions under the Mana Whenua heading must only include context and process-related provisions. Other Mana Whenua provisions must be integrated throughout the plan where the authority deems it appropriate. Matters to consider under the Mana Whenua heading include:

- a. recognition of hapū and iwi
 - i. a history of the hapū or iwi within the rohe
 - ii. the relationship of hapū or iwi with their rohe
 - iii. environmental management perspectives and values of hapū or iwi
 - iv. a description of resources of significance to tangata whenua/mana whenua
 - v. where agreed with the iwi authorities, a list of relevant iwi authorities.
Where possible this should include links to iwi authority websites
 - vi. 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
 - vii. 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

- viii. an overview of resource management arrangements from any Treaty settlement and post-treaty settlement agreements
 - ix. 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
 - x. if a statutory acknowledgement requires a specific resource management process, identification of that process.
- b. Mana whenua – local authority relationships
 - i. a list of formal relationships agreements between 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 mana whenua this list should include links to these relationship agreement documents.
- c. Hapū and iwi planning documents
 - i. a list of hapū or iwi planning documents lodged with the local authority. Where agreed with mana whenua this should include links to the planning documents
 - ii. a description of how the local authority has taken the hapū or iwi planning documents into account in the policy statement or plan
 - iii. an explanation of how hapū or iwi planning documents are used
 - iv. if relevant and agreed, parts of the hapū or iwi planning documents.
- d. Involvement and participation with mana whenua
 - i. any specific involvement and participation or RMA consultation processes with mana whenua: required by the RMA, in relationship agreements, or in hapū or iwi planning documents
 - ii. 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
 - iii. an explanation of the purpose of any involvement, participation or RMA consultation processes
 - iv. how the involvement, participation or RMA consultation processes are given effect to.

Sites and Areas of Significance to Māori

If addressed, the Sites and Areas of Significance to Māori chapter should include:

- (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 that lists the specific or general location of sites and areas of significance to Māori when this information is provided

(e) a description of any regulatory processes for identification

Māori Purpose Zone

Māori purpose zones are areas used predominantly for a range of activities that specifically meet Māori cultural needs including but not limited to residential and commercial activities.

The Proposed Gore District Plan Mana Whenua Chapter, Sites and Areas of Significance Chapter and Maori Purpose Zone chapter have been prepared consistent with the National Planning Standard requirements and structure, and provisions relating to mana whenua values have been integrated throughout the plan.

3.5 Regional Policy Statement

The Southland Regional Policy Statement (SRPS) 2017 sets out the framework and priorities for resource management in the region. The RPS identifies the regionally significant issues around the management of the Region's natural and physical resources and sets out what needs to be achieved (objectives) and the way in which the objectives will be achieved (policies and methods). The PDP is required to give effect to the regional policy statement as required by section 75(3) of the RMA.

SRPS objectives and policies require that the principles of the Treaty of Waitangi are taken into account in a systematic way through effective partnerships between tangata whenua and local authorities, which provide the capacity for tangata whenua to be fully involved in council decision-making processes. The SRPS objectives and policies seek the sustainable management of the region's environment involves both tangata whenua and the local authorities working together in decision-making, under Treaty of Waitangi principles. This includes provision for iwi management plans which all local authority resource management processes and decisions need to consider.

SRPS objectives and policies require sites of cultural significance wāhi tapu, wāhi taonga and sites of significance are appropriately managed and protected. Their importance to the regional sense of identity is essential to providing for the social and cultural wellbeing of the community. A critical component of tangata whenua identity as a people and in maintaining their culture is that mauri and wairua are sustained or improved where degraded, and mahinga kai and customary resources are healthy, abundant and accessible to tangata whenua, and this is a requirement of the SRPS. SRPS objectives and policies also include provision for Māori land and resources Māori are able to develop and use their land and resources and provide for their social, economic, and cultural wellbeing, in a manner that is sustainable.

The SRPS requires territorial authorities to establish and maintain provisions in district plans that:

- a) safeguard identified tangata whenua environmental and cultural values and resources from inappropriate subdivision, use or development, including recognising and providing for ancestral lands, wāhi tapu, wāhi taonga and recognised customary sites, activities and statutory acknowledgements;
- b) make provision for appropriate and sustainable development of land held by Māori under Te Ture Whenua Māori Act 1993, and resources while safeguarding biodiversity

and the life-supporting capacity of land, air and water.

The SRPS encourages local authorities to research and investigate by seeking cultural impact assessments and utilise cultural monitoring tools to determine the effectiveness and efficiency of plan provisions. Collaboration can include measures such as to include accredited tangata whenua commissioners on hearings panels or to consider full or partial transfer of a council's functions, duties or powers to tangata whenua through the recognised iwi authority (Section 33 of the Act), where appropriate. To actively provide for tangata whenua involvement in plan development and statutory processes can be undertaken by giving effect to and maintaining the Charter of Understanding, or other formal agreements, giving effect to Te Tangi a Tauira, encouraging and facilitating consultation with mana whenua, and advising Te Rūnanga o Ngāi Tahu and relevant Papatipu Rūnanga of notified applications. The SRPS also encourages consultation with tangata whenua and take into account Te Tangi a Tauira and other relevant iwi planning documents in plan development.

3.6 Regional Plans

Environment Southland has prepared a number of regional plans, these include:

- Regional Air Plan 2016
- Effluent Land Application Plan 1998
- Regional Water Plan 2010

Environment Southland's proposed Southland Water and Land Plan was made partially operative following a council meeting in January 2021 and will supersede the above.

The Southland Water and Land Plan (partially operative)

The Southland Water and Land Plan seeks to address activities that are known to have a significant effect on water quality, such as land use intensification, urban discharges, wintering and stock access to waterways. The entire plan is stated to embody the Ngāi Tahu philosophy of ki uta ki tai and uphold Te Mana o te Wai as the forefront of all discussions and decisions about water and land.

Given the commitment to ki uta ki tai and to uphold te mana o te wai many of the region wide objectives are relevant as they relate to the health of the water and the environment, and the integrated management of natural resources. Moreover, objectives specifically set out to maintain and enhance indigenous ecosystems and habitats, including recognising and providing for taonga species.

The region wide objectives that specifically relate to tangata whenua include:

Objective 4 - Tangata whenua values and interests are identified and reflected in the management of freshwater and associated ecosystems.

Objective 5 - Ngāi Tahu have access to and sustainable customary use of, both commercial and non-commercial, mahinga kai resources, nohoanga, mātaimai and taiāpure.

Policies include to enable papatipu rūnanga to participate and to effectively undertake their kaitiaki responsibilities, and to take into account any relevant iwi management plan in

assessing activities and taking into account Ngāi Tahu indicators of health when assessing water quantity and quality.

The above are operative provisions.

Regional Air Plan 2016

Discharges of contaminants into the air can affect the health of people and communities and the environment. The plan sets out the way in which Environment Southland will control and manage discharges, such as those from domestic sources, industrial and trade premises, other premises throughout Southland, odour, and motor vehicle emissions.

Objectives and policies of the plan include to ensure that Māori cultural and traditional beliefs are recognised and provided for when dealing with discharges to air, including contaminants into air from industry or trade premises, and air discharge effects on cultural, spiritual and traditional values are required to be managed.

Regional Effluent Land Application Plan 1998

The plan remains in operation but will be superseded by the Southland Water and Land Plan once fully operational.

This Plan covers sewerage schemes, treatment of foul water by septic tanks, toilet facilities at visitor centres, rest areas and at tramping track huts, campervan and stock truck discharges, trade wastes, and other discharges that may have an effect on groundwater and surface water quality and public health in Southland. The plan looks at how Environment Southland will manage effluent and sludge in Southland.

Objectives and policies include to recognise and provide for takata whenua concerns related to the discharge of effluent and sludge onto or into land. Wider concerns relate to the effects on the cultural values of the land including wahi tapu, ancestral sites and other taoka.

Regional Water Plan 2010

The plan remains in operation but will be superseded by the Southland Water and Land Plan once fully operational.

The purpose of this Plan is to promote the sustainable management of Southland's rivers, lakes, groundwater, surface water, and wetland resources. The plan is aimed at enabling the use and development of fresh water where this can be undertaken in a sustainable way, providing a framework for activities, such as discharges to water, taking and using water, and structures and bed disturbance activities in river beds.

Objectives and policies include to maintain or enhance the quality of surface water bodies and ensure sufficient water is available to support Ngāi Tahu cultural values, including mahinga kai. Objectives seek to manage discharges onto land so that amenity, cultural and traditional values are maintained or enhanced. It is also sought to protect significant historic heritage values (including culturally significant sites) from the adverse effects of activities in the beds of rivers and lakes. Policies also require the assessment of activities to take in to account any relevant Iwi Management Plan. Policies include to protect wetland values and avoid the loss of their extent except from the customary harvest of food or resources undertaken in accordance with tikanga Māori.

3.7 Iwi Environmental Management Plan(s)

‘Te Tangi a Taurira – The Cry of the People’ is the Ngāi Tahu Ki Murihiku Natural Resource and Environmental Management Plan. This recognised Iwi Management Plan identifies a broad range of matters relevant to Hokonui Rūnanga when considering where and how Gore grows and develops. The guiding principle of the Iwi Management Plan is ‘Ki Uta Ki Tai’. Ki uta ki tai is an environmental philosophy that recognises that everything within the environment is connected, and must be managed as such. Ki uta ki tai reflects that environmental impacts in one area have flow on effects throughout the wider ecosystem that must be considered when making resource management decisions.

The plan addresses and provides guidance for Ngā Take (issues) and Ngā Kaupapa (policy) associated with natural resource and environmental related activities and topics of importance to Ngāi Tahu ki Murihiku. Policy sections include climate change, air, and five regional areas based on natural landforms, however it is noted that there is overlap and connections between the sections. The issues and policies relating to Climate Change are summarised in Section 3.10 Climate Change of this report. The Gore District is predominately located within Te Rā a Takitimu - the Southland plains.

Air - O Te Pū Hau

The management of air quality and discharges to air is primarily a Regional Council function, however land use activities contributing to poor air quality stem from industrial, rural and domestic sectors and are therefore relevant to the District Plan.

Relevant district plan issues relate to hazardous substances and storage, noise pollution from industry, burning of vegetation near wāhi tapu, wāhi taonga sites, light pollution and reduced visibility of the night sky, offensive odours, increased vehicle emission from reliance on motorised vehicles, the impact from urban growth and tourism, and a lack of understanding of the effects of cultural well-being from air pollution.

Southland Plains - Te Rā a Takitimu

This area includes the lands, waters, mahinga kai and biodiversity from the Waiau River east, to the Mataura River and the foothills that separate the Waimea Plains from the mountain ranges. This section includes several important river catchments, including the Waiau, Aparima, Ōreti, and Mataura and Mata-au/Clutha.

The ability of freshwater and soil resources of the Southland Plains to meet current and future demands is an important kaupapa for Ngāi Tahu ki Murihiku. Protecting the productive capability and life supporting capacity of these resources, and the relationship of tangata whenua to them, is the basis of the policies for this area.

Policies and issues in this area relate to:

Land - O Te Whenua

- Farm effluent management
- Wastewater disposal
- Solid waste management
- Industry
- Forestry
- Stock transport
- Subdivision and development
- Earthworks
- Mining

Water - O Te Wai

- General Water Policy
- Rivers
- Discharge to water
- Water quality
- Water quantity
- Activities in the Beds and Margins of Rivers

Mahinga kai and Biodiversity

- Mahinga kai
- Biodiversity
- Wetlands
- Riparian areas
- Freshwater fisheries

Sacred and treasured sites - Wāhi Tapu Me Te Wāhi Taonga

- Protection of sites of significance
- Customary Place names

Key expectations across environmental management issues include:

- A high environmental standard is applied and best management practices adopted, including new technology and innovative environmentally sustainable solutions.
- Ngāi Tahu ki Murihiku participation is ensured in resource management matters and include the consideration of cultural values issues and policies and consultation.

Land - O Te Whenua

Much of the natural landscape of the Southland Plains is modified through farming activity. For mana whenua, an important kaupapa for land use in Southland is “matching land use with land capability”. This means taking a precautionary approach to land use, to ensure that what we do on land is consistent with what the lands can withstand, and not what we would like it to withstand through utilising external inputs.

For Ngāi Tahu ki Murihiku, wastewater discharges to land are preferred over discharges to water which should as far as practicable be avoided. However, if land applications are not managed appropriately, in particular in relation to dairying, and the soil suitability is not considered, these can cause pollution to waterways and groundwater. Stock transport is related to farming activities and the associated run off and disposal of effluent and spillage from these activities is also a concern.

Solid waste disposal is a significant environmental management issue for Ngāi Tahu ki Murihiku, and can have adverse effects on the mauri of water, sites of significance and taonga, such as food and weaving resources. A range of industrial activity occurs on the Southland Plains, including wood processing sites, sawmills, dairy factories, and meat processing plants. Ngāi Tahu ki Murihiku have an expectation that Southland industry will achieve high levels of innovation and overall excellence with respect to the environment and protection of cultural and community values.

Ngāi Tahu ki Murihiku policies on subdivision and development focus on the management of the effects from the intensified land use activities, and encourage developers to strive to achieve positive community outcomes, conservation outcomes, and cultural outcomes alongside economic gain. Earthworks and other ground disturbance activities have the

potential to unearth cultural materials or disturb urupā. Such activities also have potential to damage or destroy culturally important sites or places associated with particular mahinga kai resources or valued indigenous vegetation. Mining of coal and limestone occurs in Murihiku, and mining will continue to be an important activity, particularly lignite mining. Ngāi Tahu ki Murihiku intend to be proactive in terms of ensuring future mining developments do not compromise the natural environment, particularly water. Forestry plantations occur over many areas of the Southland Plains, and key concerns include soil degradation, erosion, draining of wetlands, and wilding pines.

Water - O Te Wai

Water is a taonga, or treasure of the people. It is the kaitiaki responsibility of tangata whenua to ensure that this taonga is available for future generations in as good as, if not better quality.

Water has the spiritual qualities of mauri and wairua. The continued well-being of these qualities is dependent on the physical health of the water. Water is the lifeblood of Papatūānuku, and must be protected. We need to understand that we cannot live without water and that the effects on water quality have a cumulative effect on mahinga kai and other resources.

Water is often seen as a commodity, and is thus subject to competing use demands. An understanding of the significance and value of water to Ngāi Tahu ki Murihiku and other stakeholders, is necessary to ensure that cultural and ecological values associated with water are recognised and provided for alongside consumptive uses.

Ngāi Tahu ki Murihiku recognise that the welfare of the people and the success of their activities within the environment depends on water being maintained in the best possible condition. Discharges to water should as far as practicable be avoided, even if the discharge is treated and therefore considered “clean”, it may still be culturally unacceptable. Indirect discharges from land such as run-off also have the potential to adversely affect water quality. Water quality is the Ngāi Tahu ki kaitiaki responsibility, and policies focus on improving water quality across the rohe, and a precautionary approach is applied to abstractions and the effects on the supply. Ngāi Tahu ki Murihiku policies on gravel extraction and other activities in the beds and margins of rivers focus on balancing the protection of river environments, and the cultural values associated with such environments, while recognising the need to ensure a supply of gravels/ aggregate and undertake flood works.

Many of the waterways of the Southland plains, including the Mataura River, have specific cultural associations and importance, including mahinga kai, cultural or traditional uses, wāhi tapu or wāhi taonga and are recognised as Statutory Acknowledgement areas. The significant resource management issues relating to the Mataura River include:

- The use of the river as a water source and a point of discharge for past and current industrial activities
- Changes to the natural character of the Mataura Falls
- Impacts on fish passage at Mataura Falls
- Protection of the mātaimai on the Mataura
- Customary native fishery is not compromised by the trout fishery
- Pressures on the river from tourism activities
- Protection of culturally significant sites in the catchment

Mahinga kai and Biodiversity

Mahinga kai was, and is, central to the Ngāi Tahu ki Murihiku way of life. The collection and processing of mahinga kai is an important social and economic activity. Tangata whenua aspirations and expectations for mahinga kai are a common kaupapa throughout the plan.

The loss of mahinga kai is attributed to habitat degradation, resource depletion, legislative barriers that impede access, changes in land tenure that affect ability to access resources and the introduction of predators that have severely reduced the traditional foods of Ngāi Tahu. In many parts of the takiwā, the impact of human activity on indigenous species has been significant. An important focus for Ngāi Tahu ki Murihiku is finding ways to protect, maintain and improve habitat for all biodiversity, be it in water, riparian margins, native bush or wetlands.

At one time, Murihiku had an abundance of wetlands but the majority of these have been drained over time. These ecosystems were an important natural and cultural resource to Ngāi Tahu ki Murihiku, as they were (and are) rich in biodiversity and important sources of mahinga kai, and provided important ecosystem services such as filtering of contaminants from water and soils. Riparian areas are often associated with mahinga kai and other customary use activities, these areas also have a role in maintaining or improving ecological functioning of streams and enhancing water quality. The riparian areas of many waterways have been degraded as a result of land use activities, poor management and development. Fish from Murihiku rivers are of great cultural, social and economic significance to Ngāi Tahu ki Murihiku. However, issues such as poor waterway health and private land ownership often impede the ability of tangata whenua to access and use customary fisheries.

Sacred and treasured sites - Wāhi Tapu Me Te Wāhi Taonga

The protection of significant sites from land use activities and development includes places of cultural significance that are not identified, including archaeological sites that have not yet been discovered. The strong Ngāi Tahu presence in Murihiku is evidenced in the wāhi ingoa, or place names, that remain on the landscape. These names record Ngāi Tahu history, and point to the landscape features that were significant to people for a range of reasons. Some of the names are visible on the landscape today; others remain only in customary knowledge base of tangata whenua.

The Ngāi Tahu accidental discovery protocol that must be followed if a site, artefact or material of cultural importance (wāhi tapu/taonga) are uncovered during earthworks or other activities includes:

- Kōiwi (human skeletal remains)
- Taonga or artefact material (e.g., pounamu / greenstone artefacts)
- In-situ (natural state) pounamu/greenstone

3.8 Other Legislation and Policy Documents

The following Acts also have relevance to the topic:

- Treaty of Waitangi Act 1975
- Ngāi Tahu Claims Settlement Act 1998
- Te Rūnanga o Ngāi Tahu Act 1996
- The Ngāi Tahu (Pounamu Vesting) Act 1997
- Heritage New Zealand and Puhere Taonga Act 2014
- Reserves Act 1977
- Land Transport Management Act 2003

- Local Government Act 2002
- Fisheries (South Island Customary Fishing) Regulations 1999
- Fisheries Act 1996
- Conservation Act 1987
- Te Ture Whenua Māori Act 1993
- Hazardous Substances and New Organisms Act 1996

Treaty of Waitangi Act 1975

A number of New Zealand statutes, refer to Te Tiriti o Waitangi (the Treaty of Waitangi), including the principles of the Treaty of Waitangi, such as the Part 2 purpose and principles of the Resource Management Act.

Three of the principles of the Treaty of Waitangi are expressed by the courts and the Waitangi Tribunal as:

- The principle of partnership
- The principle of active protection
- The principle of redress

Case law also sets out how the Crown must actively work towards embodying these principles to meet their treaty obligations.

Ngāi Tahu Claims Settlement Act 1998

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

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

Te Rūnanga o Ngāi Tahu Act 1996

Te Rūnanga o Ngāi Tahu Act 1996 (the TRONT Act) establishes the body corporate of Te Rūnanga o Ngāi Tahu as the tribal representative body of Ngāi Tahu Whānui and the iwi authority over the Ngāi Tahu takiwa .

The Ngāi Tahu (Pounamu Vesting) Act 1997

The Ngāi Tahu (Pounamu Vesting) Act 1997 formally made Te Rūnanga o Ngāi Tahu responsible for the ownership and management of pounamu (greenstone) within the Ngāi Tahu takiwā.

Heritage New Zealand and Puhere Taonga Act 2014

The purpose of this Act is to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand. The New Zealand Heritage List/Rārangi Kōrero, comprises historic places, historic areas, wāhi tapu, and wāhi tapu areas, and also to include wāhi tūpuna, as a means for recognising heritage values. Councils must then have particular regard to the recommendations of Heritage NZ Pouhere Taonga with respect to the historic areas or wāhi tapu. Consequently there is a need to engage with HNZ and ensure there is integrated planning and implementation of historic heritage provisions. The Act also prohibits the modification or destruction of an archaeological site, whether recorded or not, unless an authority for the modification or destruction is obtained from HNZPT.

Reserves Act 1977

The Act provides for the preservation and management for the benefit and enjoyment of the public, areas of Aotearoa that possess wildlife, indigenous flora and fauna, environmental and landscape amenity, and natural, scenic, historic, cultural, archaeological, geological or other specific feature or value.

Land Transport Management Act 2003

Section 4 of the Act acknowledges the Crown's responsibility under the Treaty of Waitangi to maintain and improve opportunities for Māori to contribute to land transport decision making processes.

Local Government Act 2002

The Local Government Act 2002 (LGA) provides for local authorities to promote the social, economic, environmental, and cultural well-being of their communities, taking a sustainable development approach. The LGA requires persons exercising functions and powers under it to recognise and respect the Crown's responsibility to take account of the Treaty of Waitangi, and to maintain and improve opportunities for Māori to contribute to local government decision-making processes. Local authorities are also required to take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga in the course of the decision-making process.

Fisheries (South Island Customary Fishing) Regulations 1999

The Regulations provide for Ngāi Tahu to be able to appoint Tangata Tiaki/Kaitiaki (customary fishery managers) to manage customary fishing, and be involved in the management of fisheries resources generally. Tangata Tiaki/Kaitiaki may authorise the taking of fish, aquatic life or seaweed for customary food gathering purposes. Customary fishery tools include mātaimai, taiāpure and temporary measures such as rāhui, and other matters.

The Maitai river is home to the first freshwater mātaimai 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.

Fisheries Act 1996

The primary purpose of the Ministry of Fisheries - Te Tautiaki i ngā tini a Tangaroa under the Fisheries Act 1996 is "to provide for the utilisation of fisheries resources while ensuring

sustainability.” Fisheries management has to be conducted in a manner consistent with the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992, and the ministry must provide for the input and participation of tangata whenua, undertake consultation and have particular regard to kaitiakitanga.

Conservation Act 1987

The Department of Conservation (DoC) - Te Papa Atawhai is responsible under the Conservation Act 1987 for the management of protected species and ecosystems, providing for public enjoyment of public conservation lands, conserving historic resources in protected areas and promoting the conservation of natural and historic resources generally. The Act is required to be interpreted and administered as to give effect to the principles of the Treaty of Waitangi.

The Ngāi Tahu Claims Settlement Act 1998 (and the Ngāi Tahu Deed of Settlement 1997), contains various provisions and responsibilities for DoC in terms of Tōpuni, Deeds of Recognition, management input (including statutory advisor, membership/appointments to Statutory Boards), place name changes, taonga species management, Department of Conservation protocols (covering for example, cultural materials, freshwater fisheries, culling of species of interest to Ngāi Tahu, historic resources, Resource Management Act 1991 involvement and visitor/public information).

Te Ture Whenua Māori Act 1993

The Act sets out the full jurisdiction and the power and limitations of the Māori Land Court and the Māori Appellate Court. The primary objective of the Māori Land Court is to promote and assist in the retention of Māori Land and General land owned by Māori in the hands of the owners and the effective use, management, and development, by and on behalf of the owners, of Māori land and general land owned by Māori. The Act also outlines the status of Māori land and the process for changing that status. This is relevant because these areas have been recognised as being of significance to Māori. Refer Appendix 6 for the maps and reference table.

Hazardous Substances and New Organisms Act 1996

The purpose of the Act is to protect the environment, and health and safety of people and communities by preventing and managing the adverse effects of hazardous substances and new organisms. All functions under the Act are required to take into account the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, valued flora and fauna, and other taonga.

3.9 Other Local Policies, Strategies, Guidelines and Plans

Gore District Council and Hokonui Rūnanga Charter of Understanding 2021

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.

Hokonui Rūnanga – Environmental Statement of Expectation 2021

The document has been drafted by Hokonui Rūnanga for the Gore District Plan Review and sets out the strategic direction for resource management issues in the district.

The document sets out the relationship of tangata whenua and mana whenua with Te Waipounamu and Murihiku and the structure of the iwi and hapū, with Hokonui Rūnanga exercising mana whenua and its associated rangatiratanga and kaitiakitanga in the local district.

The strategic vision of Hokonui Rūnanga is to work with Local Authorities and other agencies, as well as the wider Gore and Murihiku communities, on behalf of Ngāi Tahu whānui to protect and restore the hauora of te taiao (natural environment) for us and those coming after us. In turn, the environment will be able to support mana whenua in their expression of ahi kā within their takiwā now, and into the future.

The environment is conceptualised by tangata whenua as an undivided entity, this holistic perspective pervades mātauranga Māori and guides the sustainable use and resource management. Core values central to these issues include:

- Whakapapa
- Mauri
- Wairua
- Kaitiakitanga
- Tino Rangatiratanga
- Manaakitanga
- Whanaungatanga
- Utu
- Mātauranga
- Te Reo Māori
- Mahinga Kai

The key expectations for environmental management with the Gore District Council include:

- for Hokonui Rūnanga exercise their rangatiratanga and kaitiakitanga relationships and responsibilities

- a greater level of understanding by decision makers of the legal rights of Ngāi Tahu and obligations under Te Tiriti o Waitangi and recognition of their treaty partners
- building equitable Te Tiriti relationships based on good faith and co-operation with Hokonui Rūnanga

The principle matters for environmental management are based on the Ngāi Tahu whānui environmental management philosophy of 'ki uta ki tai', which recognises the interconnected nature of the environment and requires holistic resource management. This includes:

- Wai/Water – primary concerns relate to water quality and quantity, and the mismanagement, discharge, and loss of pollutants into groundwater, waterways, and wetlands. These concerns also relate to Three Waters and their management by the District Councils.

Te Mana o Te Wai is the fundamental concept for freshwater management, and provides a framework for the hauora of water, people, and the environment to be protected. Hokonui Rūnanga expects to be actively involved in all aspects of water management with its role as mana whenua acknowledged and provided for.

Success includes improved:

- health of waterbodies and their water quality and quantity
 - access to waterbodies for mahinga kai and cultural uses
 - fisheries in the Mātaura Mātaitai
 - land management practices
 - Hokonui Rūnanga involvement in water management
 - Water management, treatment practices and conservation, and
 - direct discharge of wastewater to water are removed and replaced.
- Te Whenua/The Land – primary concerns include that land use, predominantly for primary production, is not matched with land capability, and in some cases, made worse by poor practices which has contributed to the degradation of biodiversity, soil, and water. Māori and Rūnanga-owned lands are also an underutilised cultural and economic resource.

Success includes improved:

- Diversification of land use and reduction of intensive practices
 - Wastewater treatment practices and discharges predominantly to land
 - access provision to and safe use of mahinga kai
 - land management practices
 - planning of subdivisions
 - restoration of degraded and modified land
 - land use activity outcomes for the environment
 - sustainable economic and cultural development opportunities for Māori land and marae.
- Mahinga kai – primary concerns relate to a lack of and degraded indigenous biodiversity, introduction of predatory and pest species, restricted access to and the

safe harvesting and use of mahinga kai. Hokonui Rūnanga expect to be able to practice mahinga kai in their takiwā at multiple locations, deliberately selected for the quality of the resource and its ability to sustain itself.

Success includes improved:

- Predator and pest management
 - Re-establishment of mahinga kai species and places
 - Protection and restoration of remnant indigenous biodiversity
 - Native environments and species in urban and rural areas, especially around waterways and wetlands
 - Natural corridors
 - Abundance of Mahinga kai
- Ahi Kā – primary concerns relate to a lack of sustainable economic opportunities for Hokonui Rūnanga and Ngāi Tahu whānui to thrive within the region.

Success includes improved:

- Economic opportunities enabling the return of the Ngāi Tahu whānui
- Cultural identity and practices amongst whānau
- Ngāi Tahu succession and mentoring opportunities
- Engagement and relationship building
- Employment opportunities
- Papakāinga housing
- Land use and development opportunities

Te Kawa o Te Taiao

Te Kawa o Te Taiao is the Hokonui Rūnanga Taiao Associations, Values, Expectations, and Aspirations. The document covers many of the matters in the Hokonui Rūnanga Environmental Statement of Expectation 2021 document above which are therefore not repeated.

The document is a collation of information for Hokonui Rūnanga kaitiaki and staff to refer to and align with when engaging in environmental management or planning processes. It is shared to provide transparency and context for our Treaty Partners and the wider community who may want to better understand the associations, values, expectations, and aspirations Hokonui Rūnanga hold for the natural environment prior to engaging directly with Hokonui kaitiaki or staff. It also outlines preferred methods of engagement for those wanting to work with Hokonui Rūnanga on environmental matters.

3.10 Climate Change

The effects of climate change have been added to other matters decision makers should have particular regard to (RMAs7(i)).

In accordance with 2020 RMA amendments, by 2022 District Plans will not only need to have regard to the effects of climate change (adaptation) but also climate change mitigation and national adaptation and emission reduction plans prepared under the Climate Change Response act 2002. A compact urban form with most activities located around good transport connections and that takes account of the changing nature of natural hazards will

help achieve these requirements. Further guidance will be provided throughout 2023 in relation to Climate change as emission targets and RMA reform progresses.

‘Te Tāhū o Te Whāriki’, the Te Rūnanga o Ngāi Tahu Climate Change Strategy establishes a Vision and Strategic Direction for each of the nine puo and heke - the tribal values and imperatives of *Ngāi Tahu 2025* - followed by Priorities for Short / Medium Term Actions – to be achieved by 2025 – and Longer Term Actions to be achieved by 2050.

The strategy identifies a need to assess future commercial risks, protect wāhi tapu, mahinga kai and other taonga, prepare plans to relocate marae and Papatipu Rūnanga facilities threatened by increasing hazards, as well as influence agencies to develop climate change responses. The strategy aims to create Ngāi Tahu responses to the risks and opportunities presented by climate change, referencing the entire tribal structure, so that iwi, hapū, and whānau aspirations can be met in a changing world.

‘Te Tangi a Tauira – The Cry of the People’ the Ngai Tahu Ki Murihiku Natural Resource and Environmental Management Plan sets out issues and policies that addresses activities relating to climate change including:

- Localised Influences on the Global Environment
- Economy and Industry
- Influences of Climate Change on Society and Health

The plan highlights a concern about local emission sources and the cumulative effects on the environment, increasing community disparities relating to health and housing and governance. Policies include a desire of active participation and raising of awareness around the issue and effects of climate change, protecting indigenous species and ecosystems, and support for environmentally sustainable transport initiatives, energy systems, and improved emissions discharge technology, as well as advocating for a coordinated government response in relation to housing, health and governance and that the Māori world view, values and knowledge is recognised in climate change responses.

4. Resource Management Issue Analysis

4.1 Background

Gore District Council has a range of responsibilities to mana whenua under the Resource Management Act 1991, most notably in recognising and providing for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga, the protection of historic heritage (including sites of significance to Māori) and protected customary rights; giving particular regard to the principle of kaitiakitanga; and taking into account the Principles of the Treaty of Waitangi.

The operative Plan has been limited in its effectiveness at upholding these responsibilities. A small number of archaeological sites are included in the operative plan as Sites of Significance to Māori, however the level of involvement mana whenua had in identifying these sites for inclusion in the Plan is unclear, and a number of non-archaeological sites that mana whenua have well-documented associations with (e.g., ancestral mountains, cultural landscapes, sites related to pūrākau and other historic events) are not included. There is also limited protection of resources of significance to mana whenua or provisions that enable direct engagement with mana whenua as kaitiaki, and no provisions for papakāinga.

Since the drafting of the operative plan there has been significant changes to what is both required under national direction, and expected as best practice when it comes to

recognising mana whenua rights and interests in planning provisions. Mana whenua have also produced a number of documents that articulate their positions and expectations in this area during the intervening years. Te Tangi a Tauira and Te Kawa o Te Taiao provide guidance for Gore District Council on how to articulate their responsibilities to mana whenua in resource management in a local context, as understood by mana whenua.

The above documents outline the relationships mana whenua have with their ancestral lands, water, sites, wāhi tapu, and other taonga, and how they expect them to be managed as mana whenua kaitiaki. They also provide guidance on how mana whenua expect the Principles of the Treaty of Waitangi to be upheld locally in resource management processes. This guidance has influenced the way mana whenua rights and interests have been recognised and provided for throughout the PDP process.

Mandated mana whenua representatives and technical advisors have been involved in the development of the PDP, and taken a leading role in chapters of particular relevance, i.e., MW, SASM, and MPZ chapters. This involvement has resulted in plan provisions that better reflect the responsibilities of Gore District Council to mana whenua under the RMA 1991.

The first is the introduction of four Māori Purpose Zones within the Gore District. These four zones reflect both mana whenua and tangata whenua relationships, culture, and traditions with place within the district. These four MPZ are located on land parcels where Māori communities have, over a long period of time, practiced their culture and traditions, and creates opportunities to strengthen mana whenua ahi kā – a principle matter of interest for Hokonui Rūnanga. The provisions attached to these sites support the expression of rangatiratanga for Māori communities, and protects their ability to continue to thrive as Māori in these spaces into the future. The introduction of these zones also upholds the responsibilities Gore District Council has under the National Policy Statement Urban Development 2020 which requires Local Authorities to take into account the values and aspirations of hapū and iwi for urban development.

Secondly, this plan has adopted the recommendations of the Stage 1 Southland Cultural Landscape Assessment Study authored by Ngāi Tahu ki Murihiku. This report promotes the understanding that the entirety of the Murihiku region is a site or area of cultural significance to mana whenua. Gore District Council has worked with mana whenua to create a bespoke approach to implementing this understanding in policy, over an approach of recognising specific and limited places as Sites and Areas of Significance to Māori. This approach has been achieved through requiring consideration of Ngāi Tahu relationships with the environment and impacts on Ngāi Tahu cultural values, for a range of historically high-risk activities, as opposed to activities in specific identified sites or locations. This approach allows Ngāi Tahu cultural values to be considered district-wide where an activity has a significant potential to adversely affect these values or relationships.

Finally, a range of provisions have been included in the PDP that reflect mana whenua priorities as kaitiaki. This range includes the location of various zones within the district based on their alignment with mana whenua environmental priorities, expanded protection of waterways, and provisions to support the ability for mana whenua to undertake cultural practices including mahinga kai.

4.2 Operative Plan Approach

Issues

According to the ODP the significant resource management issues of the district relating to Mana Whenua are:

- 1) The protection of wāhi tapu, wāhi taonga and other taonga.
- 2) The protection of urupā sites.
- 3) The Maitai River is subject to a statutory acknowledgement, as outlined in Part 12 and Schedule 42 of Ngāi Tahu Claims
- 4) Settlement Act 1998.
- 5) Access to mahinga kai sites.
- 6) Ngāi Tahu may, from time to time, identify other significant resource management issues within the Gore District.

Objectives

The District plan objectives are to:

- 1) Ensure that wāhi tapu, wāhi taonga and other taonga and mahinga kai sites are not adversely affected by land use activities.
- 2) Protect urupā sites.
- 3) Enable access to mahinga kai sites.
- 4) Facilitate consultation with Ngāi Tahu to ensure that resource management issues of significance to them are had regard to in carrying out functions under the RMA.

Policies

The District plan policies are:

- 1) Control the adverse effects of land use activities on wāhi tapu, wāhi taonga and other taonga.
- 2) Protect urupā sites and when kōiwi o ngā tūpuna (skeletal remains) are discovered, notification of Te Rūnanga o Ngai Tahu be required.
- 3) Facilitate access to mahinga kai sites.
- 4) Meet with Ngāi Tahu on a regular basis to consider resource management issues of significance to them.

Rules

District Plan rules are:

The plan identifies six archaeological sites of significance to Mana Whenua. Earthworks within 100m of a site requires discretionary activity consent.

Monitoring

Monitoring indicators include:

- 1) The degree to which known wāhi tapu, wāhi taonga and other taonga, mahinga kai sites and urupā sites are protected.
- 2) Policies that relate to Mana Whenua to ensure they meet their intent.
- 3) The number of resource consents approved and compliance with resource consent conditions.
- 4) The number of community complaints.

4.3 Effectiveness of Operative Plan

The findings of the Gore District Plan Review Efficiency and Effectiveness Report 2022 include that the ODP has not given effect to the SRPS as it was developed prior to the notification of the RPS. However, the objectives and policies of the Mana whenua chapter are generally consistent with the SRPS.

While The Council does not have a Mana Whakahono a Rohe with Hokonui Rūnanga, a Charter of Understanding was finalised in 2021 that outlines how Council will work with the Rūnanga. The Charter of understanding provides for working parties to be established to oversee a range of matters including resource management along with provision of adequate resources for the Rūnanga to participate. The Rūnanga sat on the District Plan Review Committee.

The District Plan and any replacement of it, is required to take in account the document 'Te Tangi a Tauira, The Cry of the People' and to give regard to the Ngāi Tahu Claims Settlement Act 1998. The 1998 Settlement Act identifies statutory acknowledgement areas and taonga species which will need to be reflected in the statutory plans.

More recently in second generation plans there is an emerging trend to go beyond the traditional approach for providing for tangata whenua in planning; this is to enable Māori to provide for their social, economic, and cultural well-being and health and safety. As a minimum this requires that marae, whenua tapu, wai, wāhi tapu, and other taonga continue to be protected on all lands, but that the emphasis moves from protection of Māori values to enabling of use and development in a manner that integrates tikanga.

There is an opportunity within the PDP to investigate whether a Māori Purpose Zone could be provided to enable self-determination of social, economic, and cultural well-being on Māori owned land and allows kaitiakitanga to be practiced on other lands across the rohe. Furthermore, the Sites and Areas of Significance to Māori chapter of the plan will need to identify particular activities that will need iwi input in the absence of specific areas being identified for protection.

Based on the above information, the Operative Plan provisions have been limited in their effectiveness at achieving mana whenua requirements. The changes to national and regional direction require a focus on needing to protect values rather than a number of sites. As an example, Stage 1 of the Southland Cultural Landscape Assessment Study highlights that Ngāi Tahu cultural values are not limited to a discrete list of sites and instead encompass a holistic view of all natural features and their 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.

Issue	Comment	Response
The plan has not given effect to national and regional policy direction	The plan is out of date	Review provisions to give effect to higher order documents

Review and prepare a Plan consistent with the principles of the Treaty of Waitangi	Does not fully meet obligations under RMA	Plan provision co-written in partnership with mana whenua and consistent with Charter of Understanding
The plan does not reflect Māori cultural values or holistic environmental philosophy Ki Uta Ki Tai in resource management	Allow for kaitiakitanga to be practiced	Set out the cultural values in the Mana Whenua chapter and include matters of discretion relating to them throughout the plan
The plan offers limited protection of Sites and Areas of significance	Inadequate consideration of cultural values and mana whenua input	Instead of listing sites include cultural considerations of activities integrated across the plan
The plan provisions do not enable the use and development of Māori land in a manner that integrates tikanga	Allow for self determination	Provide for growth and activities in Māori Purpose Zones

Key Recommendations include to update the PDP to reflect national and regional direction, specifically to reflect the underlying relationship Ngāi Tahu hold with the natural environment and account for this throughout the district via provisions spread throughout various chapters. Work in partnership with Ngāi Tahu to ensure that the cultural, social, environmental, and economic wellbeing of mana whenua are provided for.

4.4 Technical Reports and Research

Āpiti Hono Tātai Hono: Ngā Whenua O Ngāi Tahu Ki Murihiku

Āpiti Hono Tātai Hono: Ngā Whenua O Ngāi Tahu Ki Murihiku is Stage 1 of the Southland Cultural Landscape Assessment Study. The study has been undertaken by Te Ao Marama Inc on behalf of Ngāi Tahu ki Murihiku *‘to provide a comprehensive understanding of the cultural values of the Southland landscape as it relates to Ngāi Tahu ki Murihiku’*. Through this study an assessment methodology has been developed called Āpiti Hono Tātai Hono which enables Ngāi Tahu to identify and assess cultural landscapes.

The study does not map cultural landscapes or Māori sites of significance, it instead outlines that all landscape is significant, and the focus is instead on ‘what is held within that landscape’, with whakapapa, mana, kawa, tikanga and mātauranga all requiring particular consideration. It is anticipated that Stage 2 of this process focus on prioritising and managing the identified cultural values of Southlands landscape and will tie into the District Plans of the region. Any policy review should be cognisant of this policy direction and act in partnership with Ngāi Tahu ki Murihiku.

Āpiti Hono Tātai Hono Assessment Report - Various Areas within Gore and Mataura

Gore District Council commissioned Hokonui Rūnanga Kaupapa Taiao to undertake six Āpiti Hono Tātai Hono cultural landscape assessments as part of the Gore District Plan Review. These assessments provided information on the cultural associations mana whenua have

with specific areas within Gore District, and provided guidance to Gore District Council on what types of activities may or may not be culturally appropriate in these areas, based on their impacts on these identified associations.

The six assessments were conducted for the following areas:

- Northwest end of Mataura township, encompassing proposed alternate stage 1 & 2 industrial growth areas
- Southwest end of Mataura township, encompassing proposed stage 1 industrial growth area
- Northeast Mataura, encompassing proposed future large lot residential zone
- West Gore, encompassing proposed future large lot & general residential zones
- McNab, encompassing proposed future large lot and industrial zones
- South Gore, encompassing proposed future industrial zone

Recommendations for Mataura included that the northwest Mataura area is inappropriate for intensification, but that southwest Mataura already is a highly modified environment and may be appropriate with opportunities to restore some values with activity and development controls, such as native planting, natural stormwater management and stream restoration. The northeast Mataura area was considered well-suited for increased residential uses, with development considerations to protect indigenous plantings, low impact design and amenity values.

Recommendations for Gore included that the west Gore area is appropriate for development, with controls to increase indigenous plantings and protect amenity values and preserves views to and between landforms of cultural significance. The McNab area is only appropriate for development that can be undertaken in a way that responds to the way water flows through the site, and is sensitive to the existence and functioning of O Te Ika Rama Marae. The South Gore area is appropriate for development, undertaken to respond to water flows and compatible with the amenity values of the proposed Charlton Road Māori Purpose Zone. Activities and development should be encouraged to increase native plantings, natural stormwater management and stream restoration and preserves views to and between landforms of cultural significance.

4.5 Analysis of Best Practice

Māori Purpose Zones

A number of resources were reviewed as part of developing the proposed MPZ chapter provisions. These included:

- Christchurch District Plan Chapter 12: Papakāinga/Kāinga Nohoanga
- Christchurch District Plan, Plan Change 8 - Papakāinga/Kāinga Nohoanga Zone Rule Amendments
- Far North Proposed District Plan: Māori Purpose
- Porirua Proposed District Plan: Māori Purpose Zone (Hongoeka)
- Selwyn Proposed District Plan: Māori Purpose Zone
- Timaru Proposed District Plan: Māori Purpose Zone
- Bennett. C, (2014). *Strengthening Papakāinga Planning*. University of Auckland [Honours research]

- Simons. M., (2022). *Te Pā o Tahu: Tū Tonu*. University of Canterbury [Masters thesis]

Plan provisions from immediately adjacent districts have not been analysed as part of this process. This is because these plans have not yet been reviewed to comply with the latest national direction – namely the National Planning Standards. Although Christchurch District Plan does not follow the National Planning Standards either, it has been included due to its recent plan review and subsequent plan change which has updated its papakāinga provisions specifically.

After reviewing a number of district plans from both inside and outside of the Ngāi Tahu takiwā, it is apparent that there is a wide range of methods for activating MPZ provisions. For example, Far North Proposed District Plan and Selwyn Proposed District Plan enables MPZ provisions to be used on all Māori ancestral land administered under the Te Ture Whenua Māori Act 1993. Porirua Proposed District Plan, however, identifies specific areas that make up historic Māori Reserves as Māori Purpose Zones within which the MPZ provisions apply. The Christchurch District Plan and Timaru Proposed District Plan take this a step further and only allow MPZ provisions to be used on properties within specifically identified Māori Purpose Zones that follow the boundaries of an historic Māori Reserve when an individual property has specific ownership features. These include:

- Land where a status declaration was made under the Māori Affairs Amendment Act 1967 converting the Māori freehold land to general title, and there have been no changes of ownership since the conversion other than to an owner's bloodline successor, or
- Land where one or more owners are able to provide written evidence of Whakapapa to the original grantees of the land as confirmed by the Te Rūnanga o Ngāi Tahu Whakapapa Unit or the Māori Land Court.
- Land which is vested in a Trust constituted pursuant to Part 12 of Te Ture Whenua Māori Act 1993 or a Māori incorporation constituted pursuant to Part 13 of the Te Ture Whenua Māori Act 1993.
- Land which is owned by a Rūnanga with authority/mana over the area in which the original Māori reserve is located.
- Māori communal land gazetted as Māori reservation under s338 Te Ture Whenua Maori Act 1993; or
- Māori customary land and Māori freehold land as defined in s4 and s129 Te Ture Whenua Maori Act 199

After considering these examples, it was decided that an approach with the highest level of certainty and clarity was most appropriate for the Gore District. Examples such as Christchurch and Selwyn included a level of specificity that was deemed unnecessary for the Gore District.

The historic context of Gore also needed to be considered – namely the fact that only one Māori Reserve was allocated as part of the Murihiku Purchase within Gore District, and due to a number of reasons Māori communities had established themselves in other locations within the district. Hokonui Rūnanga also expressed a desire to cater for Mātāwaka (non-mana whenua Māori communities) through this chapter, which further made centring MPZ on historic Māori Reserves inappropriate.

Within the Gore District, Māori cultural activities have organically centred around properties owned by specific Māori organisations: namely Mataura Marae, Hokonui Rūnanga, and Hokonui Marae. Unlike other regions analysed during this process, individual Māori Title landowners did not express a strong desire to develop land individually for papakāinga. Instead, these desires appeared to be vested in these three kaupapa Māori groups and the properties that they already owned. This led to the proposal that Māori Purpose Zones be located at the properties these three kaupapa Māori groups were already occupying: Mataura Marae in Mataura, the Hokonui Rūnanga complex at Charlton Road, Hokonui Marae at Hyde Street, and O Te Ika Rama Marae (the marae affiliated with Hokonui Rūnanga) at McNab.

After meeting with these three organisations, it was proposed that all activities currently happening at each site would make the basis of the permitted activity list. These activities were then cross-referenced with the activities permitted in the case study district plans, the natural hazards present at each site, and any plans for future development that each organisation had. This approach resulted in a two-tier set of provisions within the chapter. Tier One applies across all four MPZ and comprises of activities that are seen as crucial to enabling these sites as centres for kaupapa Māori activities. This includes permitting marae complexes, Māori customary activities, and environmental restoration activities. The second tier of provisions provides for a wider range of activities dependent on both the aspirations the relevant kaupapa Māori organisation has for their property, and the natural hazards present at place. For example, as O Te Ika Rama MPZ is within a flood zone it was not allocated residential or community activities as a permitted activity. As the other three MPZ do not have this natural hazard risk, these activities are permitted.

Bennett (2014), Simons (2022), and CCC PC8 showed that there are a number of common barriers to developing papakāinga in New Zealand – many of which are directly related to district plan provisions. Limited permitted activities, low permitted density levels, and excessive boundary setback rules were all common barriers. For this reason, it was decided that the PDP MPZ provisions should seek to have a wide range of permitted activities, including associated commercial and community activities, as well as residential activities (where environmentally and culturally appropriate). Focus was also put on securing boundary setback rules that were sensible considering the predominantly residential nature of the MPZ and their potential impact on the amount of usable land within the Zone. Finally, permitted density standards were omitted with density being controlled by built form standards and the ability for wastewater to be appropriately managed. This allowed the height and site coverage standards, and the carrying capacity of the land – particularly the ability to appropriately manage wastewater – to dictate the density of development at each MPZ.

This approach, although different to those taken in other districts, is tailored to the unique historic and cultural context of Gore District, and anchored in values held by the wider Gore and Mataura communities. The resources analysed in the drafting of this chapter have helped avoid issues experienced in other regions by removing previously documented barriers to MPZ utilisation. The proposed Gore MPZ chapter also retains some consistency with other MPZ provisions within the Ngāi Tahu Takiwā through its range of activities provided for.

Sites and Areas of Significance to Māori

The PDP approach to this chapter was influenced predominantly by the Stage 1 Southland Cultural Landscape Assessment Study, and supported by the recommendations of the Āpiti Hono Tātai Hono Implementation Workshop held in December 2021.

The Stage 1 Southland Cultural Landscape Assessment Study was undertaken by Ngāi Tahu ki Murihiku with the aim of developing a Murihiku-centric understanding of cultural landscapes and “Sites of Significance to Māori”. This study recommended Ngāi Tahu ki Murihiku move away from spatially identifying features to label as “significant to Māori” and instead assert that all locations within Murihiku are culturally significant. In adopting these recommendations, Hokonui Rūnanga would no-longer support the mapping of “sites of significance to Māori” for use in the PDP. This meant that a new approach to meeting Council obligations under the RMA 1991 as they relate to recognising and protecting sites of significance to Māori would need to be developed for the PDP.

Research has been undertaken to inform the implementation approach taken in the PDP. This includes the December 2021 Bluff wānanga with Southland-based planning practitioners. Sixteen planning and policy practitioners from Environment Southland, Southland District Council, Invercargill City Council, Gore District Council, Te Ao Marama Incorporated, Hokonui Rūnanga Kaupapa Taiao, and Te Rūnanga o Ngāi Tahu came together to discuss potential implementation barriers and solutions for implementing the Stage 1 Southland Cultural Landscape Assessment Study recommendations in a resource management context.

Experienced consenting and policy planners have also been involved in interviews, workshops and other wānanga. It was concluded that a triggers-based approach would be useful for integrating this approach into district plans, with provisions requiring consideration of Ngāi Tahu cultural values attached to specific activities, as opposed to locations.

Based on the above research, the Stage 1 Southland Cultural Landscape Assessment Study approach was integrated into the PDP in a number of ways. First, the values underpinning this approach were introduced in the MW and SASM chapters of the plan. This includes explaining that no sites or areas of significance Māori will be listed within the planning maps, due to all areas within the district being significant to mana whenua. The SASM chapter specifically includes a selection of objectives and policies that reinforce the district’s approach to addressing and protecting cultural values and mana whenua relationships with place, but do not include any rules or standards.

Text also explains that the rules enabling the SASM policies and objectives sit within various activity-based chapters, so that mana whenua cultural values are considered based on the proposed activities on a site. For example, provisions relating to earthworks include matters of control/discretion relating to the impacts on mana whenua cultural values. This then enables the consent authority to consider mana whenua cultural values regardless of where the earthworks are proposed to take place.

To support this approach, a non-exhaustive list of mana whenua cultural values has been included in the Mana Whenua chapter to support plan users to understand the range of matters that may be considered when these provisions are triggered. These values are consistent with the “overarching values for environmental decision-making” listed in Te Kawa o Te Taiao.

Provisions have been included in chapters governing the following activities:

- Earthworks
- Subdivision
- Activities on or near waterways
- Clearance of indigenous vegetation
- Activities in or near Outstanding Natural Landscapes
- Activities in or near Māori archaeological sites
- Activities in or near Statutory Acknowledgement Areas, and other locations identified within the Ngāi Tahu Claims Settlement Act 1998 (e.g., nohoanga sites, tōpuni sites)

Each relevant plan chapter also includes at least one policy that links to recognition or protection of mana whenua cultural values. This is to indicate to the plan-user that there is a relationship between this chapter and the information in the SASM chapter. This sign-posting enables the consent authority to take impacts on mana whenua cultural values into consideration when making decisions relating to resource consent applications. Often this may be through referencing or commissioning expert cultural advice from mana whenua. More specific matters of control/discretion have also been included in rules for Controlled and Restricted Discretionary activities.

As mentioned previously, the Stage 1 Southland Cultural Landscape Assessment Study does not currently advocate for spatially identifying sites. This means that no sites are proposed to be listed on planning maps for their mana whenua cultural values. Whilst this removes the risk of restricting the assessment of mana whenua cultural values only to specifically listed sites, it adds the risk of culturally significant areas being ignored by those unfamiliar with the Stage 1 Southland Cultural Landscape Assessment Study approach. However, major locations of obvious cultural significance such as ancestral maunga and prominent mahinga kai sites have been listed under other Section 6 categories such as outstanding natural landscapes, significant natural areas, and historic heritage areas. This not only allows these locations to be protected, but represents the best practice of considering other Section 6 matters from a bicultural perspective.

5. Scale and Significance

5.1 Scale and Significance Evaluation

Section 32(1)(c) of the RMA requires that this report contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

	Comments	Assessment		
		Low	Medium	High
Degree of change from the Operative Plan	Significant change in both the MPZ and SASM Chapter. However, these changes reflect best practice that has evolved significantly since the drafting of the ODP.			X
Scale of effects – geographically (local, district wide, regional, national).	It is envisioned that the new MPZ provisions will have minimal effects as they reflect what is already present at place. The effect of the SASM approach, however, is significant regionally as it is the first Murihiku plan to implement the Stage 1 Southland		X	

	Comments	Assessment		
		Low	Medium	High
	Cultural Landscape Assessment Study recommendations.			
Effects on matters of national importance (s6 RMA)	Both the SAMS and MPZ chapters will have significant positive effects on s6 matters at they bring the plan into compliance. The Mana Whenua chapter will contribute in articulating some of the cultural values to assist in the recognition and provision for Section 6 matters.			X
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?).	The MPZ provisions will likely only affect individual landowners as their relevant planning rules are changing. The SAMS provisions will impact the public generally, however this impact is considered to be minimal as the changes will potentially only impact a small number of people applying for resource consents that trigger new provisions		X	
Scale of effects on those with specific interests, e.g., Tangata Whenua	Both the MPZ and SAMS provisions will have significant positive impacts on mana whenua and tangata whenua as they provide more fully for their legal rights and interests under the RMA 1991			X
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?	The MPZ provisions have low policy risk as they reflect best practice already in place across several district councils. The SAMS approach has a moderate degree of policy risk as it is implementing a new approach to conceptualising sites of significance to Māori. The approach has, however, undergone significant peer review and various stages of development.		X	
Likelihood of increased costs or restrictions on individuals, communities or businesses.	The MPZ provisions are anticipated to cause less cost and restrictions due to the increased number of permitted activities in each MPZ. It is expected that the new approach to SAMS may increase cost through the requirement to consider cultural impacts on a case-by-case basis where provisions are triggered. However, the nature of the Stage 1 Southland Cultural Landscape Assessment Study methodology (i.e., Āpiti Hono Tātai Hono) often reduces development restrictions at place due to its ability to provide nuanced feedback on what is and isn't appropriate at place, as opposed to restricting all activity in proximity to sites listed as having cultural significance. The Mana Whenua chapter also provides a greater degree of guidance and direction for plan users in articulating cultural values.		X	

5.2 Evaluation Summary

The scale and significance is overall considered to be medium-high. It is anticipated that the provisions will have significant positive impacts on mana whenua and tangata whenua as they provide more fully for their legal rights and interests under the RMA 1991. The degree

of change from the approach of the ODP is also significant. However, given that the changes will update the plan to reflect RMA matters of national importance, are consistent with national and regional direction and reflect current best practice, the degree of policy risk is therefore relatively low.

The effect of the SASM approach, however, is significant regionally as it is the first Murihiku plan to implement the Stage 1 Southland Cultural Landscape Assessment Study recommendations, and there is a moderate policy risk associated with this new approach. There is a cost to individuals with the new cultural impact considerations, however this is balanced with the ability to consider these on a case-by-case basis when resource consent is being applied for more generally and providing nuanced feedback rather than blanket restrictions.

Consequently, the level of detail provided within this evaluation is commensurate with the scale and significance of the environmental, economic, and cultural effects that are anticipated from the implementation of the provisions.

6. Consultation

6.1 Overview

The Section 32 – Overview Evaluation Report provides an overview of the consultation undertaken to date in respect of the PDP. Hokonui Rūnanga cultural values, aspirations, expectations, rights, and interests have been considered in preparation of the Plan through representation on the Gore District Council District Plan Review Working Group from its inception in 2021, and through Hokonui Rūnanga co-drafting chapters of particular relevance to mana whenua (such as the Mana Whenua, Sites and Areas 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 plan, and this input has informed the policy approach for these matters.

Engagement with the community on the draft District Plan was undertaken 10th August 2022 to 30th September 2022. The feedback received and the response is summarised below, and in more detail in Appendix 1.

Draft Plan Feedback

Feedback received was broadly supportive from mana whenua Partners such as Te Rūnanga o Ngāi Tahu and Te Ao Marama Inc, and individual mana whenua submitters that:

- supports the content included in the mana whenua chapter, and considers the level of detail appropriate and legally robust.
- supports the new and more nuanced approach for managing activities in sites and areas of significance to Māori, and has the potential to create better outcomes.
- supports the provisions included within the Māori Purpose Zone chapter, as well as the three locations proposed which reflect current use and provide for activities and growth.

Te Whānau o Hokonui Marae has requested that the Hyde Street Marae is included in the Māori Purpose Zone, and supportive feedback for the provisions was received from individual submitters. The Ministry of Education supports the allowance for Educational Facilities but

recommends including targeted rule provisions, and Fire and Emergency NZ support the provision for Emergency Services Facility.

Heritage NZ recommendations included to identify, schedule and include targeted provisions for Sites and Areas of Significance to Māori and to replace the accidental discovery protocol standard with HNZPT Accidental Discovery Protocol as an appendix to the plan. Southland Federated Farmers consider that the provisions require clarification of how they are interpreted on a practical level.

Response summary

The approach to resource management in the Gore District Plan, including Sites and Areas of Significance to Māori, has been informed by mana whenua and the Stage 1 Southland Cultural Landscape Assessment Study. Although this is not the traditional approach to resource management it has been developed consistent with the Treaty of Waitangi principles of partnership and participation, and reflects the overarching values for environmental decision-making and principle environmental matters of interest for Hokonui Rūnanga as described in Te Kawa o Te Taiao.

The Hyde Street Marae has been added as a fourth Māori Purpose Zone and it is recommended minor administrative changes highlighted by the feedback to improve alignment, consistency or clarity have been included in the PDP.

7. Proposed Plan Provisions

7.1 Strategic Objectives

Section 32(1)(a) of the RMA requires that this report examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act.

The following objective(s) from the Urban Form and Development are relevant:

UFD – O1 The district develops in a cohesive, compact and structured way that:

- 1. Maintains a compact urban form;*
- 2. Minimises adverse impacts on natural, historic heritage, and cultural values;*
- 3. Recognises the relationship of Māori with their culture, traditions, lands, waterbodies, sites, areas and landscapes and other taonga of significance;*
- 4. Provides for social and cultural vitality, productivity and economic growth;*
- 5. Takes into account the short-, medium-, and long-term impacts of climate change and natural hazards, and the associated uncertainty;*
- 6. Utilises existing infrastructure and/or can be efficiently serviced with new infrastructure;*
- 7. Meets the community's short, medium and long-term housing, business and social infrastructure needs;*
- 8. Responds to the underlying relationships Ngāi Tahu hold with the natural environment; and*
- 9. Manages adverse effects between incompatible activities and zones.*

- UFD – O2 There is sufficient land to meet the short-, medium-, and long-term housing demand for the district, that provides development capacity for up to 860 new dwellings as follows:*
- 1. in the short to medium term in:*
 - d. Māori Purpose Zones as deemed necessary by Māori communities;*
 - 2. in the long-term in:*
 - b. Extensions to, or new Māori Purpose Zones as deemed necessary by Māori communities*
- UFD – O3 A variety of housing types, sizes and tenures are available across the district in quality living environments to meet the community's diverse social and economic housing needs in the following locations:*
- 1. Housing within the Māori Purpose Zone where culturally and environmentally appropriate;*
- UFD – O5 The hierarchy of centres in the district is maintained in accordance with the following:*
- (e) Māori Purpose Zones provide for the specific needs of Māori communities, including small to medium-scale residential, education, commercial, community, cultural and employment opportunities.*

7.2 Structure of provisions

This section 32 evaluation report relates to the Mana Whenua Chapter, Sites of Significance to Māori Chapter and Māori Purpose Zone Chapter. The three chapters are contained within different sections of the Proposed District Plan, as set out below, and combined provide direction for the management of resources in the Gore district consistent with Mana Whenua values.

Mana Whenua (MW) - within Part 1 Introduction and General Provisions

Sites and Areas of Significance to Māori (SASM) - within Part 2 District-Wide Matters

Maori Purpose Zone (MPZ) – within Part 3 within Area Specific Matters

The Mana Whenua chapter gives recognition of Ngāi Tahu whānui as mana whenua and Treaty Partners, and provides an overview of cultural values and the environmental philosophy for resource management. The chapter contains no objectives, policies or rules but is given effect to throughout the other chapters of the District Plan.

The Sites and Areas of Significance to Māori 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.

The Māori Purpose Zones recognise and further enable whānau Māori within the Gore District to provide for their cultural, social, environmental, and economic wellbeing in ways that reflect their unique rights and interests as mana whenua and tangata whenua.

There are four Māori Purpose Zones included in the Gore District Plan. They are:

- Hokonui Rūnanga (Charlton Road, Gore)
- Mataura Marae (Dorset Street, Mataura)
- Te Ika Rama Marae (McKinnon Road, McNab)
- Hokonui Marae (Hyde Street, Gore)

7.3 Objectives and Policies

Mana Whenua

The Mana Whenua chapter, as stated above, does not contain objectives, policies or rules. The chapter does however guide decision-making by setting out the overarching Hokonui Rūnanga cultural values and principles for environmental management. The chapter also provides details of relevant iwi and mana whenua planning documents and outlines the statutory duties and obligations under the Act with respect to engagement with mana whenua, and recognition of cultural values and interests in resource management decision-making.

Sites and Areas of Significance to Māori

The objectives and policies in the Sites and Areas of Significance to Māori apply to activities throughout the district.

The objectives seek to recognise:

- That all land, waterbodies, natural features, and marae within Gore District as sites and areas of cultural significance to mana whenua
- The special relationships mana whenua and tangata whenua hold with the natural environment
- The mātauranga and kaitiakitanga of mana whenua in decision-making

The policies seek to:

- Enable land use, subdivision, and development that do not adversely impact on Ngāi Tahu cultural values
- Determine the impact of proposed activities on Ngāi Tahu cultural values in partnership with Hokonui Rūnanga
- Provide for Māori to engage in cultural practices in culturally appropriate places and Ngāi Tahu cultural values and histories to be incorporated into the urban design of public places

Māori Purpose Zone

The Māori Purpose Zones provide for a range of activities to be undertaken on Māori land.

The objectives of the zone seek to:

- Enable a range of social, cultural, environmental, and economic development opportunities to support mana whenua and tangata whenua whilst managing adverse effects
- Allow for mana whenua and tangata whenua to exercise rangatiratanga and kaitiakitanga within the zone

Policies seek to:

- Enable a range of activities such as Māori cultural hubs (including marae complexes), papakāinga, community-focused activities, and environmental and economic activities which support Māori values and aspirations
- Restrict activities that are inconsistent with the purpose of the zone

7.4 Rules

The proposed Gore District Plan manages the 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. The Mana Whenua chapter provides details of Ngāi Tahu cultural values within the Gore District to guide decision making.

Māori Purpose Zone

The rules recognise that there are some activities that should be permitted across all Māori Purpose Zones (such as cultural activities), whilst other activities (such as residential activities or commercial activities) may be appropriate only in specific zones, depending on the constraints of the site.

7.5 Definitions

Key definitions which are particularly relevant to the chapters include:

accidental discovery Means the discovery of previously unrecorded human remains/kōiwi, an archaeological site, a Māori cultural artefact/taonga tūturu, a protected New Zealand object as defined in the Protected Objects Act 1975 (including any fossil or sub-fossil).

Note: In the event of an accidental discovery the Accidental Discovery Protocol set out in EW-S7 should be followed 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.

cluster housing (MPZ) Means two to ten primarily residential dwellings, with shared infrastructure and ancillary communal facilities for the primary use of the dwelling residents, that is intended to function as an extended familial community. Ancillary activities may include multi-

	purpose shared indoor areas (including, where desired, kitchen or ablution facilities), outdoor recreation or community facilities, and small-scale community or commercial activities for the primary use of residents.
conservation activity	Means the use of land for the management, maintenance and enhancement of ecological values for indigenous vegetation and fauna and their habitats. It includes: (a) both western Science or mātauranga Māori; (b) weed and pest control; (c) fencing; and (d) restoration planting.
cultural markers	Pouwhenua (carved posts), interpretation panels, Māori art installations, and other kaupapa Māori markers of place, or relationship of mana whenua to place.
Māori customary activities	Activities relating to the expression and revitalisation of Māori culture, including mahinga kai activities, performing arts/sporting activities, tangihanga and other mourning rituals, Matariki or Pūanga observance activities, wānanga, hui, short-term (under 7 days) events or festivals, temporary (under 14 days) camping that facilitates involvement in Māori customary activities, and other activities that reflect the special relationship mana whenua and tangata whenua have to place, including any ancillary structures.
Marae or Papatipu Rūnanga complex	Means kaupapa Māori cultural complex centred around a wharehui (meeting house) and/or Papatipu Rūnanga. A complex can also include a range of ancillary structures and activities such as wharekai (kitchen & dining facilities), a whare moe (sleeping spaces), whare hui (meeting spaces), ablution blocks, administration spaces, whare taonga (spaces for displaying treasures), permanent hāngī pits, outdoor food preparation areas, small-scale associated storage areas, carving installations, and landscaped outdoor areas.
Urupā	Means kaupapa Māori cemetery/burial grounds, both historic and under active use, including any ancillary structures.

8. Evaluation of Objectives

8.1 MPZ Chapter

This section of the report evaluates the proposed objectives as to whether they are the most appropriate to achieve the purpose of the Act.

Existing Objective	Appropriateness to achieve the purpose of the Act
The operative plan does not contain a Māori Purpose Zone chapter, and therefore has no objectives relating to Māori housing	Relevance The absence of provisions relating to Māori Purpose Zones, papakāinga, or Māori housing aspirations more generally means that this resource management issue is not addressed in the ODP or assist the Council to undertake its functions under s31. The absence of objectives relating to this resource management issue does not give effect to higher order documents, particularly the NPS: Urban Development which directs Local Authorities to “take into account the values and aspirations of hapū and iwi for urban development”. Usefulness: The absence of provisions relating to Māori Purpose Zones, papakāinga, or Māori housing aspirations more generally results in the operative plan having no guidance for decision-making related to papakāinga developments or other activities expected within a Māori Purpose Zone. This also results in decision-makers having no clear direction on papakāinga and other kaupapa Māori cultural activities within the Gore District. Reasonableness: The absence of provisions relating to Māori Purpose Zones, papakāinga, or Māori housing aspirations more generally creates an unacceptable level of uncertainty and risk for those wanting to develop papakāinga and other kaupapa Māori cultural activities. This vacuum has the flow on effect of creating unnecessary compliance costs for Māori communities who have no permitted avenue for undertaking these developments, meaning they will always need to apply for resource consent. Achievability: The absence of provisions relating to Māori Purpose Zones, papakāinga, or Māori housing aspirations more generally is inconsistent with identified mana whenua and tangata whenua outcomes – specifically outcomes relating to ahi kā within Te Kawa o Te Taiao.

Proposed Objective	Appropriateness to achieve the purpose of the Act
MPZ-O1 - The Māori Purpose Zone enables a range of social, cultural, environmental, and economic development opportunities that support the occupation, use, development, and ongoing relationship between mana whenua and tangata whenua, and both their ancestral lands and the natural environment.	The objective is considered the most appropriate way to achieve the purpose of the Act because it: Recognises and provides for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga Relevance This objective addresses the resource management issue of recognising and providing for relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga. This is because it enables both mana whenua and tangata whenua to deepen their relationship with their whenua, and provides space for culture and traditions to be practiced and passed on. It also further enables rangatiratanga and kaitiakitanga by reducing barriers for developing and managing whenua that Māori communities have an enduring relationship with. This objective enables Councils to better meet their s31 obligations to ensure that there is sufficient development capacity within the district for kaupapa Māori activities as part of integrated management. This objective also gives effect to NPS: Urban Development which directs Local Authorities to “take into account the values and aspirations of hapū and iwi for urban development”. Usefulness: This objective guides decision-making and reflects best practice by both describing the range of activities anticipated within the zone and the anticipated purpose of these activities. Reasonableness: This objective is not anticipated to create any additional costs to any part of the community. Rather, it is anticipated to remove an existing high cost of consenting that is experienced by those wanting to develop papakāinga currently, as the lack of existing guidance in the OP results in many developments requiring resource consent. Whilst the broad nature of activities expected in a Māori Purpose Zone under this objective may create some uncertainty and risk, this is balanced by the right Māori have for rangatiratanga.

	Achievability: This objective is consistent with both principle environmental matters of interest to Hokonui Rūnanga as recorded in Te Kawa o Te Taiao (namely Ahi Kā), and feedback received by council from both Mātaura and Hokonui Marae communities who have expressed aspirations to further develop their marae complexes. The Council can realistically achieve this objective as it is enabling activities that are already occurring at place.
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Proposed Objective	Appropriateness to achieve the purpose of the Act
MPZ-O2 - Mana whenua and tangata whenua are able to exercise rangatiratanga and kaitiakitanga to the fullest extent practicable within a Māori Purpose Zone.	The objective is considered the most appropriate way to achieve the purpose of the Act because it: - Is consistent with S7 requirements to have regard for the principle of kaitiakitanga - Is consistent with S8 requirements to take into account the principles of the Treaty of Waitangi Relevance This objective addresses a range of relevant resource management issues as they relate to enabling Māori to exercise their kaitiakitanga responsibilities, make decisions informed by mātauranga Māori, and express rangatiratanga. Usefulness: This objective guides decision making by confirming the approach the Council is expected to take when considering activities within the MPZ. Reasonableness: This objective is not anticipated to create any additional costs to any part of the community. Rather, it is anticipated to remove an existing high cost of consenting that is experienced by those wanting to develop papakāinga currently, as the lack of existing guidance in the OP results in all developments requiring resource consent. Whilst the flexibility afforded to MPZ owners under this objective may create some uncertainty and risk, this is balanced by the right Māori have for rangatiratanga. Achievability: This objective is consistent with both Hokonui Rūnanga overarching values for environmental decision-making as recorded in Te Kawa o Te Taiao (namely rangatiratanga and kaitiakitanga), and feedback received by council from both Mātaura and Hokonui Marae communities who have expressed aspirations to further develop their MPZ with as much flexibility as possible. The Council can realistically achieve this objective as it will reduce both consenting and compliance activity within the MPZ.

Proposed Objective	Appropriateness to achieve the purpose of the Act
MPZ-O3 - Use and development in the Māori Purpose Zone reflects the sustainable carrying capacity of the land and surrounding environment.	The objective is considered the most appropriate way to achieve the purpose of the Act because it: - Promotes sustainable development - Has particular regard for kaitiakitanga Relevance This objective addresses the resource management issue that is central to both the RMA 1991 and Te Tangi a Tauria: sustainable development and ki uta ki tai. It therefore also enables Council to meet its s31 responsibilities of controlling actual or potential effects of the use, development, or protection of land, as well as a number of other higher order documents such as NPS: Freshwater and Indigenous Biodiversity. Usefulness: This objective works together with MPZ-O2 to add reasonable limitations to the permissive nature of this Zone. This helps guide decision-makers towards the kinds of matters they should be focused on when assessing activities under this chapter. This objective also reflects best practice as it provides context for decision-makers that supports them to understand the intended outcome of the Zone. Reasonableness: This objective ensures that unacceptably high environmental costs are not incurred by the wider community or future generations due to activities within the MPZ. It also provides an additional level of certainty to balance out the level of risk present in MPZ-O2

	Achievability: Whilst this objective reduces the level of rangatiratanga mana whenua and tangata whenua are afforded within the MPZ, the restriction itself aligns with the priorities of environmental protection, sustainable development, and ki uta ki tai that underpin iwi planning documents such as Te Tangi a Tauria and Te Kawa o Te Taiao. The objective is also well within the ability of Council to achieve through standard consenting and compliance processes.
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8.2 SASM Chapter

Existing Objectives	Appropriateness to achieve the purpose of the Act
The Operative District Plan Mana Whenua objectives are to: 1) Ensure that wāhi tapu, wāhi taonga and other taonga and mahinga kai sites are not adversely affected by land use activities. 2) Protect urupā sites. 3) Enable access to mahinga kai sites. 4) Facilitate consultation with Ngāi Tahu to ensure that resource management issues of significance to them are had regard to in carrying out functions under the RMA.	The objectives are not considered the most appropriate way to achieve the purpose of the Act because the approach is considered too narrow to sufficiently: • enable Mana Whenua to provide for their cultural well-being and to consider cultural values in the management and protection of natural resources for future generations (s5(2)). • recognise and provide for matters of national importance, in particular 6(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga and 6(g) the protection of protected customary rights • have regard to Section 7 matters, in particular (a) kaitiakitanga • take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) • give effect to national and regional direction documents and is not consistent with current best practice. Relevance The objectives offer a degree of direction for the management of Sites and Areas of Significance to Māori and therefore has some limited relevance, however the approach is too narrow given national and regional direction, and the cultural landscape approach. Usefulness: The objectives have limited usefulness due to the lack of direction, and this has been reflected in the lack of methods to implement the objectives under the current approach. Reasonableness: The approach is not considered reasonable as the sites and areas of significance to Māori are not all captured, and without the mana whenua chapter articulating the cultural values it may also lead to increased uncertainty and cost. Achievability: The approach is achievable, although the gaps identified above highlights that they are of limited relevance and lack of direction for implementation provides limited usefulness. However, to reflect Councils commitment to best practice and Treaty Partnership even the current approach would require upskilling and resourcing by Council.

Proposed Objective	Appropriateness to achieve the purpose of the Act
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.	The objective is considered the most appropriate way to achieve the purpose of the Act because it: • Recognises and provides for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga Relevance This objective addresses the resource management issue of recognising and providing for relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga. This is because it enables s6(e) to be fully adhered to through the Gore Distirtct, as opposed to only at specific sites. This objective enables Councils to better meet their s31 obligations to control the actual or potential effects of the use, development, or protection of land. This objective also gives effect to related provisions within the Southland Regional Plan. Usefulness:

	This objective guides decision-making and reflects best practice by clearly stating the position Gore District is taking for the management of sites of significance to Māori as per the Stage 1 Southland Cultural Landscape Assessment Study. Reasonableness: This objective may cause higher costs, uncertainty, and risk for the wider community, however this is considered acceptable in the context of Treaty Partnership, and better embodying the intention of S6(e) Achievability: This objective reflects the desire of Hokonui Rūnanga to implement the findings of the Stage 1 Southland Cultural Landscape Assessment Study. Whilst the Council may need to improve their skills and resourcing to achieve this objective, this is a realistic goal that will reflect Councils commitment to best practice and Treaty Partnership.
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Proposed Objective	Appropriateness to achieve the purpose of the Act
SASM-O2 - Traditional and contemporary mana whenua and tangata whenua relationships with land, waterbodies, natural features, and cultural structures are recognised, retained, and strengthened	The objective is considered the most appropriate way to achieve the purpose of the Act because it: - Recognises and provides for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga - Is consistent with S8 requirements to take into account the principles of the Treaty of Waitangi Relevance This objective addresses the resource management issue of recognising and providing for relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga. objective enables Councils to better meet their s31 obligations to control the actual or potential effects of the use, development, or protection of land. This objective also gives effect to related provisions within the Southland Regional Plan. Usefulness: This objective guides decision making by confirming the intent the approach Council is taking for SASM. Reasonableness: This objective may cause higher costs, uncertainty, and risk for the wider community, however this is considered acceptable in the context of Treaty Partnership, and better embodying the intention of S6(e) Achievability: This objective reflects the desire mana whenua has expressed within Te Kawa o Te Taiao to strengthen their traditional and contemporary relationships with their whenua. Whilst the Council may need to improve their skills and resourcing to achieve this objective, this is a realistic goal that will reflect Councils commitment to best practice and Treaty Partnership

Proposed Objective	Appropriateness to achieve the purpose of the Act
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.	The objective is considered the most appropriate way to achieve the purpose of the Act because it: - Recognises and provides for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga - Is consistent with S8 requirements to take into account the principles of the Treaty of Waitangi - Has particular regard for kaitiakitanga Relevance This objective relates to the resource management issue of upholding the principles of the Treaty of Waitangi, and enabling kaitiakitanga. It also supports Council to fulfil its statutory obligations to control the actual or potential effects of the use, development, or protection of land as it supports Council to use expert advice from mana whenua to make more holistic determinations on actual or potential effects.

	Usefulness: This objective guides decision-making and reflects best practice through providing clear guidance on both who and what should be considered when assessing matters under this chapter. Reasonableness: This objective may cause higher costs, uncertainty, and risk for the wider community, however this is considered acceptable in the context of Treaty Partnership, and better embodying the intention of S8 Achievability: This objective reflects the desire mana whenua has expressed within Te Kawa o Te Taiao to strengthen their traditional and contemporary relationships with their whenua. Whilst the Council may need to improve their skills and resourcing to achieve this objective, this is a realistic goal that will reflect Councils commitment to best practice and Treaty Partnership
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Summary Overall, the proposed objectives provide greater clarity and certainty for plan users and decision makers whilst also achieving the purpose of the RMA in a reasonable, useful, relevant and achievable manner. The Objectives will allow Council to fulfil their obligations under s31 of the RMA, are consistent with identified mana whenua outcomes and align with relevant regional and national direction. The proposed objectives are the preferred option to address the key resource management issues identified in sections 2 and 4 of this report.
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9. Evaluation of Options to Achieve the Objectives

9.1 Evaluation

Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.

The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must if practicable quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 4 of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s). For the purpose of this evaluation, the Council has considered the following potential options:

- Option A - The proposed provisions
- Option B - The 'status quo' provisions.

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified. Although the scale and significance of the proposed changes is evaluated as medium to high the detailed quantification of cost is not considered necessary, beneficial or practicable. The policy risk of the changes is relatively low, and the changes reflect national and regional direction and current best practice. The ODP approach is outdated and has come at a long standing cost to cultural well-being for mana whenua, which is difficult to quantify. Consequently, the table below generally identifies where there may be additional cost(s) and benefit(s).

9.1.1 SASM Chapter

Option A – Proposed Provisions	
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 SAAM-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. These objectives and policies are given effect to through a range of rules across the plan relating to natural values, infrastructure, subdivision and relevant bulk and location controls which may impact on cultural values.	
Benefits	Costs
Environmental • The proposed provisions enable environmental effects to be considered within the context of ki uta ki tai	Environmental • Nil
Economic • The proposed provisions create scope for mana whenua to expand internal employment opportunities for individuals with specialist mātauranga Māori and whakapapa knowledge to enable mana whenua to meet the increased demand for this information under the proposed provisions.	Economic • This approach may create higher costs to Council and/or applicants through potentially extended timeframes for consenting caused by seeking further information of a cultural nature, and through commissioning the collation of this information.

The proposed provisions may create more opportunities for development due to their move away from avoiding all development within proximity of SASM. Instead, the nuance this approach allows for may often enable development near these areas when they otherwise would have been restricted	
Social The proposed provisions create an opportunity for cultural histories within the district to be recorded and shared with the wider community, which supports the strengthening of local identity for all residents	Social This approach may cause conflict between mana whenua and the wider community if it is perceived as causing unnecessary delay or restriction when compared to previous approaches
Cultural - The proposed provisions protect mana whenua intellectual property rights to their own mātauranga - The proposed provisions enable mana whenua rangatiratanga in planning processes - The proposed provisions enable mātauranga Māori to influence planning processes - The proposed provisions further enable mana whenua to be active kaitiaki within their takiwā	Cultural Nil
Efficiency	
This suite of provisions creates a clear framework for assessing cultural values at place, including through identifying who has mandate to deliver this information, how this information should be utilised. In the PDP the SASM provisions are only relevant where consent is already required by other rules. As opposed to the ODP which requires consent regardless of the activity. The permissive starting point for development under the PDP approach has benefits to individual landowners and developers as the impact on cultural values will be another matter that is considered when consent is already required.	
Effectiveness	
These provisions are effective at meeting the objectives as they link closely to the underlying themes in the objectives: mana whenua decision-making, protection of Ngāi Tahu cultural values, and universal cultural significance	
Risk of acting or not acting	
The risk of implementing these provisions is that this new approach may need further development, thus creating some process inefficiencies in the short term. However, the risk of retaining the current provisions is significant as they leave the majority of cultural values and culturally significant landscapes largely unprotected from destruction and degradation.	
Overall Evaluation	
Whilst the proposed approach does result in some costs, these are significantly outweighed by the benefits they will likely provide. Most costs are related to perceived or prejudice perceptions for Treaty Partnership or increased economic burdens. However, these are countered by significant environmental, cultural, and social benefits that will endure intergenerationally and the fact that these costs typically only kick in over and above permitted thresholds in other rules	

Option B – Status Quo
Objectives The District Plan Mana Whenua objectives are to: 1) Ensure that wāhi tapu, wāhi taonga and other taonga and mahinga kai sites are not adversely affected by land use activities. 2) Protect urupā sites. 3) Enable access to mahinga kai sites. 4) Facilitate consultation with Ngāi Tahu to ensure that resource management issues of significance to them are had regard to in carrying out functions under the RMA. Policies The District Plan Mana Whenua policies are: 1) Control the adverse effects of land use activities on wāhi tapu, wāhi taonga and other taonga. 2) Protect urupā sites and when kōiwi o ngā tūpuna (skeletal remains) are discovered, notification of Te Rūnanga o Ngai Tahu be required. 3) Facilitate access to mahinga kai sites. 4) Meet with Ngāi Tahu on a regular basis to consider resource management issues of significance to them. Rules

District Plan Mana Whenua rules are: The plan identifies six archaeological sites of significance to Mana Whenua. Earthworks within 100m of a site requires discretionary activity consent. Monitoring Monitoring indicators include: 1) The degree to which known wāhi tapu, wāhi taonga and other taonga, mahinga kai sites and urupā sites are protected. 2) Policies that relate to Mana Whenua to ensure they meet their intent. 3) The number of resource consents approved and compliance with resource consent conditions. 4) The number of community complaints.	
Benefits	Costs
Environmental Limited sites are offered protection	Environmental Environmental degradation of culturally significant sites such as waterways, mahinga kai sites, and other landforms are not restricted under the current provisions.
Economic These provisions result in limited situations where development is restricted or resource consents are required, which reduces economic burdens on individuals and workload for Council	Economic There is significant economic risk to developers and council for legal action relating to insufficient protection of sites of significance to Māori. There is also an associated economic burden on mana whenua for taking this legal action
Social Nil	Social Nil
Cultural Some policy direction exists to support mahinga kai activities.	Cultural The current provisions create an unacceptable level of risk for mana whenua that their cultural values, as they relate to the environment, will be degraded through development and resource use.
Efficiency	
The current provisions are somewhat efficient as they do not require significant consenting or decision-making effort. This is due to their permissiveness	
Effectiveness	
These provisions are limited in their effectiveness as they do not protect a sufficient range of sites of significance to Māori, nor do they involve mana whenua in decisions around how these cultural values should be protected or enhanced	
Risk of acting or not acting	
The risk of retaining these provisions is significant, as they create a situation where mana whenua cultural values are largely unprotected. Some areas that are protected are of limited cultural significance, and the protections afforded to them do not provide protection to the full continuum of cultural values a site may hold.	
Overall Evaluation	
The existing provisions are ineffective and out of step with modern best practice. They create a range of costs with few benefits outside of economic efficiency caused by their permissive nature.	

9.1.2 MPZ Chapter

Option A – Proposed Provisions	
Objectives	
MPZ – O1	The Māori Purpose Zone enables a range of social, cultural, environmental, and economic development opportunities that support the occupation, use, development, and ongoing relationship between mana whenua and tangata whenua, and both their ancestral lands and the natural environment.
MPZ – O2	Mana whenua and tangata whenua are able to exercise rangatiratanga and kaitiakitanga to the fullest extent practicable within a Māori Purpose Zone.

MPZ – O3	Use and development in the Māori Purpose Zone reflects the sustainable carrying capacity of the land and surrounding environment.	
Policies		
MPZ – P1	Enable the incorporation of whānaungatanga, mātauranga and tikanga in relation to the use, design, layout, and decision-making relating to development within the Māori Purpose Zone.	
MPZ – P2	Enable the use and development of the Māori Purpose Zone for a range of appropriate activities that enable the Māori community to support itself, including: a) Residential uses (including papakāinga) b) Marae and/or Papatipu Rūnanga complexes, and other Māori cultural facilities and activities c) Environmental-focused activities including restoration, mahinga kai practices, and environment-related employment opportunities d) Social, recreational, educational, and economic facilities; while: e) ensuring any significant adverse effects from these activities on adjoining properties beyond the zone and the wider environment are mitigated; and f) requiring that all activities are adequately serviced.	
MPZ – P3	Restrict activities that are inconsistent with the objectives, policies, or rules related to Māori Purpose Zones unless it can be demonstrated that they are appropriate, having regard to: a) its appropriateness in the context of MPZ-O1 and MPZ-O2 b) the site design, layout, and scale of the activity, and its integration or relationship with existing land uses c) Whether there is adequate infrastructure and services available to service the activity d) Any reverse sensitivity or adverse effects on anticipated activities within the Māori Purpose Zone e) The ecological impacts of the proposed activity.	
The policies are supported by rules recognising that there are some activities that should be permitted across all Māori Purpose Zones (such as cultural activities), whilst other activities (such as residential activities or commercial activities) may be appropriate only in specific zones, depending on the constraints of the site.		
Benefits		Costs
Environmental	The proposed provisions enable environmentally sustainable development within the district	Environmental Nil as development has to operate within its carrying capacity
Economic	- The proposed provisions create scope for Māori economic development through commercial activities within MPZ - The proposed provisions have the potential to attract new people to the district to live and work by increasing opportunities to live as ahi kā or in kaupapa Māori communities	Economic Nil
Social	- The proposed provisions create an opportunity for social bonds to be strengthened amongst Māori communities by enabling further development of kaupapa Māori organisations at place - The proposed provisions create the opportunity for new educational opportunities within the district	Social Nil
Cultural	- The proposed provisions further enable Māori rangatiratanga - The proposed provisions provide additional opportunities for cultural activities and practices to thrive and be passed on to future generations	Cultural Nil
Efficiency		
This suite of provisions creates a clear framework for enabling specific types of development in defined areas. Due to this specificity, the provisions are permissive which creates efficiency. This is because fewer consents will likely be required, and less compliance actions will need to be undertaken on MPZ where many unconsented activities (that will become permitted under these provisions) may be occurring.		
Effectiveness		

These provisions are effective at meeting the objectives as they provide an additional level of guidance for the types of activities that are anticipated within the Zone and the intention of these activities. The provisions also provide an additional level of specificity for decision-makers on the range of matters they should focus their considerations on.
Risk of acting or not acting
The risk of implementing these provisions is that more intensive development may occur within MPZ. However, this risk also creates a number of social, economic, and social benefits. The risk of not implementing these provisions is that cultural development within the region becomes stifled, or, compliance action required by the Council is increased within proposed MPZ as many activities may occur regardless of if they are enabled through planning provisions.
Overall Evaluation
The proposed provisions create limited costs and many benefits. The social, economic, and cultural benefits, whilst predominantly focused on Māori communities, may have significant spill over into the wider community through increased population, new economic ventures, expanded social services and education opportunities, and a strengthened cultural identity within the district.

Option B – Status Quo	
[No provisions in OP]	
Benefits	Costs
Environmental Nil	Environmental Environmental degradation may occur from unconsented activities occurring within the proposed MPZ
Economic The lack of provisions deters the community from applying for consents for developments within the proposed MPZ, therefore reducing Council workload	Economic - Council may experience an increased cost of compliance from unconsented activities that may occur at proposed MPZ - A lack of provisions misses an opportunity to attract new residents to the district who may desire to live within a kaupapa Māori environment provided by an MPZ - A lack of provisions misses an opportunity to spur development in MPZ that may create jobs for local businesses
Social Nil	Social Māori communities may miss out on opportunities to develop and strengthen by not having the ability to develop kaupapa Māori spaces within MPZ easily
Cultural Nil	Cultural This lack of provisions has detrimental effects on the development and intergenerational transfer of Māori culture and practices
Efficiency	
The current provisions are somewhat efficient as they do not require significant consenting or decision-making effort.	
Effectiveness	
This lack of provisions creates a number of barriers to Māori housing aspirations, and is therefore not effective at addressing this resource management issue	
Risk of acting or not acting	
The risk of not adopting any MPZ provisions (i.e., the status quo) is that development will either stagnate within the proposed MPZ which will negatively impact the cultural and social wellbeing of Māori communities. Alternatively, development in these areas may continue illegally which runs a risk of creating adverse environmental effects.	
Overall Evaluation	

The existing provisions are ineffective and out of step with modern best practice. They create a range of costs with few benefits, and create a number of risks – including the risk of missed opportunity for the wider community

9.2 Summary of Preferred Options

Summary

This evaluation has been undertaken in accordance with Section 32 of the Act in order to identify the most appropriate way to achieve the purpose of the Act in relation to the rights and interests of Mana Whenua, this includes the cultural values identified in the Mana Whenua chapter, the approach to the recognition and provision for Sites and Areas of Significance to Māori, and the provisions of the Māori Purpose Zone. The evaluation assesses the appropriateness of the current and proposed methods and rules having regard to their effectiveness and efficiency relative to other means in achieving the purpose of the Act. Overall the Proposed Plan approach is the preferred option because they:

- Give effect to higher order documents and achieve the purpose of the Act.
- Provides greater direction and certainty for plan users and decision makers.
- Enables Council to undertake its statutory functions under the Act.
- The costs are significantly outweighed by enduring social, cultural and environmental benefits.

Appendix 1 feedback summary tables

Mana Whenua Chapter		
Person / Organisation	Feedback summary	Response
Heritage New Zealand Pouhere Taonga	- Advocates for the identification and scheduling of wāhi tupuna to fulfil the protections required consistent with the principles of Te Tiriti. - Recommends that additional layers of protection are afforded to areas of significant cultural value through their identification and targeted provisions. - Recommends to include references to and a complete copy of the HNZPT Accidental Discovery Protocol as an appendix to the plan	The approach to resource management in the Gore District Plan, including Sites and Areas of Significance to Māori, has been informed by Mana Whenua and the Āpiti Hono Tātai Hono: Ngā Whenua O Ngāi Tahu Ki Murihiku assessments. Although this is not the traditional approach to resource management it has been developed consistent with the Ti Tiriti principles of partnership, and the form of protection reflects Ngāi Tahu environmental philosophy of Ki Uta Ki Tai.
Robina Johnston	Highlights the importance of respect and relationship building, would like to see more community and stakeholder engagement about events and activities affecting taonga landmarks such as Mt Hokonui.	Wider engagement is encouraged
Tamara Ramage	Supports the content included in the mana whenua chapter and considers the level of detail appropriate and legally robust.	Adopt provisions
Abby Evans	Supports the content included in the mana whenua chapter and considers the level of detail appropriate and legally robust.	Adopt provisions
Tegan Ramage	Supports the content included in the mana whenua chapter and considers the level of detail appropriate and legally robust.	Adopt provisions
Te Rūnanga o Ngāi Tahu	Supports the content included in the mana whenua chapter and considers the level of detail appropriate and legally robust.	Adopt provisions
Courtney Bennett/ Hokonui Rūnanga	Include under section 3.1: 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.	The additional information is of relevance, accept insertion.
Feedback Summary		
Feedback received was broadly supportive from key stakeholders such as Te Rūnanga o Ngāi Tahu and individual submitters from the Hokonui Rūnanga that supports the content included in the mana whenua chapter, and considers the level of detail appropriate and legally robust. Hokonui Rūnanga recommended additional information to be included under the Formal Relationship Agreements section. Heritage NZ recommendations included to identify, schedule and include targeted provisions for Sites and Areas of Significance to Māori and to replace the accidental discovery protocol standard with HNZPT Accidental Discovery Protocol as an appendix to the plan.		
Response summary		
The approach to resource management in the Gore District Plan, including Sites and Areas of Significance to Māori, has been informed by Mana Whenua and the Āpiti Hono Tātai Hono: Ngā Whenua O Ngāi Tahu Ki Murihiku assessments. Although this is not the traditional approach to resource management it has been developed consistent with the Ti Tiriti principles of partnership, and the form of protection reflects Ngāi Tahu environmental philosophy of Ki Uta Ki Tai. It is recommended to adopt other minor administrative changes highlighted by the feedback to improve alignment, consistency or clarity.		

Sites and Areas of Significance to Māori Chapter		
Person / Organisation	Feedback summary	Response
Heritage New Zealand Pouhere Taonga	- Advocates for the identification and scheduling of wāhi tupuna to fulfil the protections required consistent with the principles of Te Tiriti. - Recommends that additional layers of protection are afforded to areas of significant cultural value through their identification and targeted provisions. - Recommends to include references to and a complete copy of the HNZPT Accidental Discovery Protocol as an appendix to the plan	The approach to resource management in the Gore District Plan, including Sites and Areas of Significance to Māori, has been informed by Mana Whenua and the Āpiti Hono Tātai Hono: Ngā Whenua O Ngāi Tahu Ki Murihiku assessments. Although this is not the traditional approach to resource management it has been developed consistent with the Ti Tiriti principles of partnership, and the form of protection reflects Ngāi Tahu environmental philosophy of Ki Uta Ki Tai.
Tamara Ramage	Supports the new and more nuanced approach for managing activities in sites and areas of significance to Māori, has the potential to create better outcomes.	Adopt provisions
Abby Evans	Supports the new and more nuanced approach for managing activities in sites and areas of significance to Māori, has the potential to create better outcomes.	Adopt provisions

Tegan Ramage	Supports the new and more nuanced approach for managing activities in sites and areas of significance to Māori, with the potential to create better outcomes.	Adopt provisions
Te Rūnanga o Ngāi Tahu	Supports the new and more nuanced approach for managing activities in sites and areas of significance to Māori, with the potential to create better outcomes.	Adopt provisions
Southland Federated Farmers	Considers that the SASM and Mana Whenua chapter are important in terms of their connection with the other chapters but, from a plan user perspective, clarity is required at a practical level in determining how these chapters are to be interpreted.	Guidance and direction are provided for the holistic approach in the SASM and Mana Whenua chapter.
Feedback Summary		
Feedback received was broadly supportive from key stakeholders such as Te Rūnanga o Ngāi Tahu and individual submitters from the Hokonui Rūnanga that supports the new and more nuanced approach for managing activities in sites and areas of significance to Māori, and has the potential to create better outcomes. Heritage NZ recommendations included to identify, schedule and include targeted provisions for Sites and Areas of Significance to Māori and to replace the accidental discovery protocol standard with HNZPT Accidental Discovery Protocol as an appendix to the plan. Southland Federated Farmers consider that the provisions require clarification of how they are interpreted on a practical level.		
Response summary		
The approach to resource management in the Gore District Plan, including Sites and Areas of Significance to Māori, has been informed by Mana Whenua and the Āpiti Hono Tātai Hono: Ngā Whenua O Ngāi Tahu Ki Murihiku assessments. Although this is not the traditional approach to resource management it has been developed consistent with the Ti Tiriti principles of partnership, and the form of protection reflects Ngāi Tahu environmental philosophy of Ki Uta Ki Tai.		

Māori Purpose Zone Chapter		
Person / Organisation	Feedback summary	Response
Ministry of Education	- Supports allowance for educational facilities - considers that educational facilities should be provided for where there is a potential for a population to support them, including in the Māori Purpose Zone	The zone provisions allow for educational facilities as appropriate for the individual zone, no further changes are proposed.
Tamara Ramage	Supports the provisions included within the Māori Purpose Zone chapter, as well as the three locations proposed which reflect current use and provide for activities and growth.	Adopt provisions
Abby Evans	Supports the provisions included within the Māori Purpose Zone chapter, as well as the three locations proposed which reflect current use and provide for activities and growth.	Adopt provisions
Tegan Ramage	Supports the provisions included within the Māori Purpose Zone chapter, as well as the three locations proposed which reflect current use and provide for activities and growth.	Adopt provisions
Te Rūnanga o Ngāi Tahu	Supports the provisions included within the Māori Purpose Zone chapter, as well as the three locations proposed which reflect current use and provide for activities and growth.	Adopt provisions
Courtney Bennett/ Hokonui Rūnanga	Recommends to add "minimum" to setback standards and queries if 'sustainable carrying capacity' is a defined term	Adopt minor amendment for clarity
Te Whanau o Hokonui Marae Incorporated Society	Requests that Te Whanau o Hokonui Marae on Hyde st Maruawai be included in the MPZ	Including the Marae in the MPZ is considered appropriate
Pat Kubala	Supports the Charlton Road MPZ and the provisions	Adopt provisions
Fire and Emergency NZ	Support the provision of Emergency Services Facility	Adopt provisions
Clark Fortune McDonald & Associates	Provisions generally appear reasonable	Adopt provisions
Feedback Summary		
Feedback received was broadly supportive from key stakeholders such as Te Rūnanga o Ngāi Tahu and individual submitters from the Hokonui Rūnanga that supports the provisions included within the Māori Purpose Zone chapter, as well as the three locations proposed which reflect current use and provide for activities and growth. Te Whanau o Hokonui Marae requests that the Hyde Street Marae is included in the zone. Supportive feedback for the provisions and support		

from a neighbouring land owner to the Charlton Road MPZ was also received, and some suggestions for minor clarifications. The Ministry of Education supports the allowance for Educational Facilities but recommends including targeted rule provisions, and Fire and Emergency NZ support the provision for Emergency Services Facility.

Response summary

The Hyde Street Marae has been added as a fourth Māori Purpose Zone and it is recommended minor administrative changes highlighted by the feedback to improve alignment, consistency or clarity have been included in the PDP.