MANA WHENUA – MW

~~1.~~ Overview

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

~~1. Recognition of hapū and iwi~~
- ~~(a) A history of the hapū or iwi within the District;~~
- ~~(b) The relationship of hapū or iwi with their takiwā;~~
- ~~(c) Environmental management perspectives and values of hapū or iwi;~~
- ~~(d) A description of resources of significance to tangata whenua or mana whenua;~~
- ~~(e) Where agreed with the iwi authorities, a list of relevant iwi authorities. Where possible this should include links to iwi authority websites;~~
- ~~(f) where agreed with iwi authorities, a description of the relationship of hapū or iwi with ancestral lands, water, sites, wāhi tapu, and other taonga, and interests in resource management~~
- ~~(g) An explanation of how hapū or iwi values have been considered when preparing the Policy Statement or Plan, or are reflected in the Policy Statement or Plan;~~
- ~~(h) An overview of resource management arrangements from any Treaty settlement and post-Treaty settlement agreements;~~
- ~~(i) A list of any Statutory Acknowledgements for the District and Region, and a brief explanation of how they affect the Policy Statement or Plan and are reflected in Policy Statement or Plan Provisions. Where possible this should include a link to the relevant Statutory Acknowledgement Legislation;~~

~~2. Tangata whenua/mana whenua – Local Authority relationships~~
- ~~(a) A list of formal relationships agreements between tangata whenua/mana whenua and the Local Authority as they relate to resource management functions. These may include memoranda of understanding, mana whakahono a rohe or iwi participation arrangements, comanagement agreements, joint management agreements, or transfer of powers under RMA section 33. Where agreed with tangata whenua/mana whenua this list should include links to these relationship agreement documents;~~

~~3. Hapū and iwi planning documents~~
- ~~(a) A list of hapū or iwi planning documents lodged with the Local Authority. Where agreed with *tangata whenua/mana whenua* this should include links to the planning documents;~~
- ~~(b) A description of how the Local Authority has taken the hapū or iwi planning documents into account in the Policy Statement or Plan;~~
- ~~(c) An explanation of how hapū or iwi planning documents are used;~~
- ~~(d) If relevant and agreed, parts of the hapū or iwi planning documents;~~

~~4. Involvement and participation with tangata whenua/mana whenua~~

~~(a) Any specific involvement and participation or RMA consultation processes with *tangata whenua/mana whenua*: required by the RMA, in relationship agreements, or in hapū or iwi planning documents;~~

~~(b) A description of best practice involvement, participation or RMA consultation processes with hapū or iwi, as agreed with specific hapū or iwi. This may include a link or reference to external best practice processes documents;~~

~~(c) An explanation of the purpose of any involvement, participation or RMA consultation processes; and~~

~~(d) How the involvement, participation or RMA consultation processes are given effect to.~~

This introductory Mana Whenua chapter provides a location for context and process-related provisions relevant to *mana whenua* interests. *Hokonui Rūnanga* has worked together with the Council to develop this chapter to ensure that *mana whenua* interests are accurately reflected.

The Māori Cultural Values chapter relates to the management of activities that have the potential to impact on *mana whenua* values. In addition, the Māori Purpose Zone Chapter enables a range of activities to be undertaken in the Mana Whenua Māori Purpose Zones.

~~This chapter contains no objectives, policies, rules or standards so~~ The overarching guidance provided in the Mana Whenua chapter and the Māori Cultural Values chapter is given effect to throughout the ~~other chapters of the District~~ Plan, directing the ways in which the Plan recognises and provides for Ngāi Tahu interests within the district, and their relationship with their ancestral lands, *water*, *sites*, *wāhi tapu*, and other *taonga*.

~~Note on dialect: In~~ The Plan uses the Ngāi Tahu/Kāi Tahu dialect, with 'k' used interchangeably with 'ng'. This plan has predominantly used the 'ng' spelling of words (e.g. *mahinga kai*), but it is also common and correct to see and use the 'k' spelling (e.g. mahika kai).[1]

~~2~~MW-1. Recognition of hapū and iwi

~~2.1~~ Pepeha

Ko aku waka whakairo ko Takitimu ko Uruao

Kei runga ko Ōparure

Kei raro ko Mataura e rere ki te moana o

te Ara a Kiwa Ko Maruawai taku whenua

taurikura e takoto nei

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

[1] Decision 14 paragraph 3.3.7

APPENDIX B - GORE DISTRICT PLAN: MANA WHENUA
INCORPORATING DECISIONS ON SUBMISSIONS

Ko Te Au-nui Pihapha Kanakana te rere

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

ngā puke Ko Tūtemakohu raua ko

Te Rakitauneke ngā tīpuna

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

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

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

~~2.2~~MW-1.1 Ngāi Tahu Whānui, Hokonui Rūnanga, and the Gore District

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

Ngāi Tahu ~~have a long history and relationship with the region spanning centuries~~ historic relationship with the district includes extended periods of settled occupation (e.g. Tuturau) coupled with seasonal practices (e.g. at Te Au Nui Pihapiha Kanakana/Mataura Falls). *Tūpuna* and their histories are eternally acknowledged in - in the form of wāhi ingoa, or place names that remain in the landscape. This connection also spans a continuum of time and *whakapapa* with metaphysical and physical elements binding ~~us~~ *Ngāi Tahu whānui* with the *land*, *waters*, and taonga/resources of the region. *Hapū* and *whānau* retain historical and contemporary links with *mahinga kai sites* in the region, especially where customary practices can be continued.

Ngāi Tahu history cloaks the landscape, comprising of many memories and layers that evolve with each generation. These memories build the collective connection to place, as well as associated cultural heritage and identity. This history is not static – it grows with each day.

One place of particular importance is the Hokonui Hills. The Hokonui Hills tell the story of the tupuna Te Rakitauneke, the *Kāti Māmoe* chief whose famous taniwha/spiritual guardian Matamata now forms the profile of the Hokonui Hills. Matamata formed the Hokonui Hills after he turned to stone on learning of the death of Te Rakitauneke. Another is Te Au Nui Pihapiha Kanakana/Mataura Falls. Whilst Paroparo Te Whenua, a *historic Kāti Māmoe* rangitira/leader, camped near Haumuri (modern-day Croydon Bush) it rained heavily, causing the Mataura River to flood. After the flood had receded, Paroparo Te Whenua noticed birds gathering at Te Au Nui Pihapiha Kanakana. He sent some of his people to investigate, and they found that the birds were feasting on a large number of kanakana/lamprey eels that had been left stranded by the receding flood *waters*. Since that time, generations of *Waitaha*, *Kāti Māmoe*, and Ngāi Tahu have gathered kanakana for their *whānau* from Te Au Nui Pihapiha Kanakana. Tuturau *Māori* Reserve also holds an important place in the landscape due to its status as an historic kaik/settlement and battle *site*.

Many important *taonga tuku* iho, *sites*, *ara tawhito*, and resources cross the region, and regardless of the condition they may now be in, or the value on which the wider community places on them, they remain important to Ngāi Tahu identity and ~~our~~ sense connection and relationship with place. Cultural and economic redress from the Ngāi Tahu Treaty Settlement in 1998, O Te Ika Rama *Marae*, and the establishment of the first *freshwater mātaitai* in New Zealand at Mataura, continue to build the modern history of Ngāi Tahu in the region - as do ~~our~~ long-standing Ngāi Tahu residents, and the contributions *Hokonui Rūnanga* make to the wider community.

~~2.3~~MW-1.2 Mana Whenua and Te Taiao Cultural Values

Hokonui Rūnanga hold a range of overarching values for environmental decision-making. These overarching values are grounded in Ngāi Tahu cultural values. ~~Some of these are listed below~~ For the purpose of this Plan, these are as follows:

MW-1.2.1 Kaitiakitanga~~:~~

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

MW-1.2.2 Whakapapa:

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

MW-1.2.3 Mauri~~:~~

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

MW-1.2.4 Manaakitanga~~:~~

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

MW-1.2.5 Wairua~~:~~

Whānau use different methods to feel spiritually connected with the ~~our~~ *takiwā*. Gathering kai with *whānau* at traditional fishing places ~~we know were named~~ that have been identified by ~~our~~ tīpuna and utilised by successive generations of ~~our~~ *whānau* is one way. Being able to contribute delicacies that ~~our~~ the *takiwā* is renowned for to cultural events, and to manaaki guests can also bring that connection. Conversely, being denied these opportunities can impact the spiritual wellbeing of ~~our~~ *whānau*.

MW-1.2.6 Whanaungatanga~~:~~

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

MW-1.2.7 Utu~~:~~

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

MW-1.2.8 Mātauranga~~:~~

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

MW-1.2.9 Te Reo Māori~~:~~

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

MW-1.2.10 Ki Uta Ki Tai~~:~~

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

In line with the philosophy of ki uta ki tai, Hokonui Rūnanga consider all natural features and their associated resources to be 'significant'. Ngāi Tahu, like other iwi, conceptualise the environment as an undivided entity. It is a cohesive system of *lakes*, *rivers*, *wetlands*, soils, plants, and animals (including humans), mountains and other terrestrial lands, and the relationships between them all. It is this holistic perspective that pervades *mātauranga Māori*: science based on observations, relationships, connections, and management practices refined over generations. For the purposes of this District Plan, three broad areas and their specific significances are highlighted:

~~2.3.1~~ MW-1.2.10.1 Wai / Water

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

~~2.3.2~~ MW-1.2.10.2 Whenua / Land

Whenua is the embodiment of Papatūānuku – one of the primordial parents within Ngāi Tahu cosmology – and is of great significance to *mana whenua.* She is the sustainer of life, and plays a cleansing and grounding role within Ngāi Tahu *tikanga*. Most *land* in the Hokonui *takiwā* has been modified, predominantly for *primary production* which ~~is~~ can be a significant contributor to the degradation of *biodiversity*, soil, and *water*. Other *land* uses including forestry, general *earthworks*, *mining*,~~ and~~ *waste* and hazard management practices create similar issues if not appropriately managed. *Hokonui Rūnanga* supports the coupling of *land* use zoning with *land* capability to reduce the negative *effects* on soils from compaction, pollution/*contaminants*, *biodiversity* loss, and erosion. It is expected that improvements will be made across the district in *land* management practices to restore soil health with these improvements also having flow on *effects* for *water* and *biodiversity*. We also expect to see many of the systemic barriers to using *Māori land* reduced and removed, so that this *land* can be utilised to support *whānau* aspirations.

~~2.3.3~~ MW-1.2.10.3 Mahinga Kai

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

APPENDIX B - GORE DISTRICT PLAN: MANA WHENUA
INCORPORATING DECISIONS ON SUBMISSIONS

~~2.4~~MW-1.3 Mana Whenua Recognition, & Involvement in Plan Preparation

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

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

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

~~2.4.1~~MW-1.3.1 Ngāi Tahu Claims Settlement Act 1998 & Statutory Acknowledgement Areas and Mātaitai

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

The Mataura River is listed under the Ngāi Tahu Claims Settlement Act 1998 as a Statutory Acknowledgement Area (full listing available ~~here~~ at : https://www.legislation.govt.nz/act/public/1998/0097/latest/DLM430875.html).

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

Sections 297 to 311 of the Ngāi Tahu Claims Settlement Act include provisions recognising Ngāi Tahu rights and interests in customary fisheries and provide for involvement in the management of these resources through the Conservation Act 1987 and the Fisheries Act 1996. The interests of Ngāi Tahu should be recognised and provided for when considering activities under the RMA that could impact on customary fisheries. *Mātaitai* are a mechanism under the Fisheries Act 1996 that provide for management of customary fisheries areas. Within the Gore District, ~~The~~ Mataura River is ~~also~~ home to the first *freshwater mātaitai* reserve in New Zealand, which centres on Te Au Nui Pihapiha Kanakana/Mataura Falls. This means that specific bylaws apply in this area under the Fisheries (South Island Customary Fishing) Regulations 1999. These are available here: https://gazette.govt.nz/notice/id/2009-go5831

~~2.4.2~~MW-1.3.2 Relevant Iwi Authorities

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

Email: Hokonui.Office@ngaitahu.iwi.nz

Phone: 03 2087954

Address: 140 Charlton Road, Gore 9774

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

Gore District Council will engage with *Hokonui Rūnanga* in ways set out within the Charter of Understanding on all matters related to Ngāi Tahu cultural values and interests identified in this Plan, and will maintain regular and open communication regarding resource management matters and processes.[2]

~~3~~MW-2. Mana Whenua – Local Authority Relationships

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

~~3~~MW-2.1 Formal Relationship Agreements

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

The Charter also confirms that Council will provide adequate resources to *Hokonui Rūnanga* to effectively facilitate their involvement in Council business as provided for in the Charter, and that both Parties will commit to, and support each other's, 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.

[2] Changes to MW-1 refer Decision 14 paragraph 3.4.9

As part of implementing the Charter of Understanding, the Council will provide capability and capacity tools for staff to undertake education and training programmes to improve awareness and knowledge of *Hokonui Rūnanga* relationships and associated values within the district and the Council's obligations under legislation, including (but not limited to):

(a) Environmental matters of interest to *Hokonui Rūnanga*;

(b) Ngāi Tahu cultural values;

(c) Use of *iwi* and *hapū* management plans; and

(d) Accidental Discovery Protocol.

The Gore District Council also has requirements under the Local Government Act 2002 that requires this knowledge.[3]

4MW-3. Hapū and iwi planning documents

MW-3.1 Te Tangi a Tauira

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

• Te Tangi a Tauira: Ngāi Tahu ki Murihiku Natural Resource & Environmental Management Plan 2008

(https://www.es.govt.nz/repository/libraries/id:26gi9ayo517q9stt81sd/hierarchy/about-us/plans-and-strategies/regional-plans/iwi-managementplan/documents/Te%20Tangi%20a%20Tauira%20-%20The%20Cry%20of%20the%20People.pdf)

This document has been taken into account during the drafting of policies within this district plan by incorporating Ngāi Tahu cultural values into the development of plan provisions.

Te Tangi a Tauira contains the Ngai Tahu ki *Murihiku* Accidental Discovery Protocol.

~~4.1~~MW-3.2 Accidental Discovery Protocols

Hokonui Rūnanga welcomes the opportunity to assist with any possible discoveries made in the district. If in doubt, please contact the *Hokonui Rūnanga* office directly to report a potential discovery by phone on: 03 208 7954 or email hokonui.office@ngaitahu.iwi.nz

[3] Decision 14, changes to MW-2 – refer to paragraph 3.5.4

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

Kōiwi accidental discovery. If *Kōiwi* (human skeletal remains) are discovered, then work ~~shall~~ must stop immediately, and *Hokonui Rūnanga* Kaupapa Taiao will be advised. They will arrange a *site* inspection by the appropriate *tangata whenua* and their advisers, including statutory agencies, who will determine whether the discovery is likely to be extensive and whether a thorough *site* investigation is required. In recognition of Section 6 of the Resource Management Act (1991) and legal requirements under the ~~Historic Places Act (1993)~~ Heritage New Zealand Pouhere Taonga Act 2014 there is a requirement to consult the ~~New Zealand Historical Places Trust~~ Heritage New Zealand Pouhere Taonga when *archaeological sites* are disturbed without authorisation previously obtained. The New Zealand Police also need to be consulted if the discovery includes *Kōiwi* or human remains. Materials discovered will be handled and removed by Iwi responsible for the *tikanga* appropriate to their removal or preservation.

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

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

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

For further information please refer to the HNZPT Accidental Discovery Protocol and EW-S7.

MW-3.3 Te Kawa o Te Taiao

Hokonui Rūnanga Kaupapa Taiao has published guidance on environmental matters. This guidance is applicable to both Gore District Council and the wider public and is based on a range of themes relating to meaningful Treaty-based partnership. It also includes a list of Key Focus Areas for those planning to engage with *Hokonui Rūnanga* Kaupapa Taiao. [4]

~~5~~MW-4. Involvement and participation with *Mana Whenua*

The Resource Management Act 1991 (RMA) imposes a number of statutory duties on the Gore District Council with respect to engagement with *mana whenua*, and recognition of cultural values and interests in resource management decision-making. These include:

- ~~1.~~ Section 6(e) where persons exercising functions and powers under RMA must recognise and provide for the relationship of *Māori* and their culture and traditions with their ancestral lands, *water*, *sites*, *wāhi tapu*, and other *taonga*;
- ~~2.~~ Section 7 (a) where decision makers must have particular regard to *kaitiakitanga*;
- ~~3.~~ Section 8 where persons exercising functions under the RMA ~~shall~~ must take into account the principles of the Treaty of Waitangi;
- ~~4.~~ Schedule 1, clauses 3 and 3B where local authorities must consult with *iwi* authorities in preparing plans or plan changes; and
- ~~5.~~ Schedule 1, clause 4A where, before notifying a proposed plan, a local authority must provide a copy to *iwi* authorities and have particular regard to any advice received from those *iwi* authorities.

In terms of sections 6(e), 7(a), and 8, engagement directly with *mana whenua* is recommended to ensure there is a shared understanding between Gore District Council and *mana whenua* of how these statutory duties are being upheld. In terms of Schedule 1 matters, there is already clear direction that Gore District Council must engage directly with *mana whenua* on these matters.

The Charter of Understanding and Service Level Agreement signed between Gore District Council and *Hokonui Rūnanga* gives further direction to the nature of *mana whenua* involvement and participation in Resource management at a day-to-day level. As discussed in MW-2~~3.1~~, these documents confirm that *Hokonui Rūnanga* Kaupapa Taiao is the mandated organisation that Gore District Council will engage directly with on all resource management matters impacting *mana whenua*. *Hokonui Rūnanga* Kaupapa Taiao is then responsible for ensuring that their services accurately reflect the rights, interests, and aspirations of *Ngāi Tahu whānui* in the Gore District. The specific forms of engagement for different resource management matters will be jointly determined on a case-by-case basis, in line with both the Charter of Understanding and Service Level Agreement. Whilst the form of *mana whenua* engagement or participation may differ across various projects, the purpose always remains the same: to ensure *mana whenua*

[4] Decision 14, Changes to MW-3 paragraph 3.6.5

perspectives are accurately and meaningfully represented in Council decision-making for resource management matters, as per their duties under both legislation and the Charter of Understanding.

Council will work with *Hokonui Rūnanga* to develop information resources to communicate with plan users about matters pertaining to *mana whenua*.

Council will maintain or establish processes:

a. That enables landowners and those seeking resource consent in accordance with this Plan or a notice of requirement for a designation to engage with *Hokonui Rūnanga*, prior to undertaking activities and/or making an application where Ngāi Tahu cultural values need to be considered.

b. For Council to consult with *Hokonui Rūnanga* when prior engagement has not been undertaken by those seeking resource consent in accordance with this plan or a notice of requirement for a designation

~~5~~MW-4.1 Best Practice Engagement

~~Hokonui Rūnanga Kaupapa Taiao has published g~~Guidance on ~~how to~~ best-practice engagement ~~with them on environmental matters. This guidance is applicable to both Gore District Council and the wider public and is based on a range of themes relating to meaningful Treaty-based partnership. It also includes a list of a list of Key Focus Areas for those planning to engage~~ with Hokonui Rūnanga ~~Kaupapa Taiao to adhere to. This guidance~~ can be found on pages 15-17 of Te Kawa o Te Taiao, the hapū planning document referenced in MW-3.3, and is available ~~here~~at: https://www.hokonuirunanga.org.nz/kaupapa-taiao/te-kawa-o-te-taiao/

MW-4.2 Ngāi Tahu Cultural Values Assessments

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

Where an authorisation is required for any activity identified in policy MCV-P2 and impacts on Ngai Tahu cultural values need to be considered, *Hokonui Rūnanga* will consider the following key matters in determining the appropriateness of preparing a cultural values report:

(a) Whether the application is for a large, intensive or complex project;

(b) Whether an activity is not anticipated at the proposed location or zone and may be precedent setting;

(c) Whether an application does not include sufficient information to determine potential impacts on Ngāi Tahu cultural values; or

(d) Whether new or additional research is required to determine impacts on Ngāi Tahu cultural values.

Cultural values assessment reports or cultural impact assessment reports will be utilised by Council to inform decision-making where they are made available by *Hokonui Rūnanga*.[5]

Objectives

MW-O1 Recognise and provide for the relationship of *mana whenua* with all *land*, *waterbodies*, natural features, and *mana whenua marae* within the district.[6]

MW-O2 Recognise and provide for the *mātauranga* and *kaitiakitanga* of *mana whenua* in decision-making relating to impacts on the underlying relationship Ngāi Tahu hold with the natural *environment*.[7]

Policies

MW-P1 The impact of proposed activities on Ngāi Tahu cultural values listed in MW-1.2, and their underlying relationship with the natural *environment*, is determined in partnership with *Hokonui Rūnanga*. [8]

MW-P2 *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.[9]

Interpretation section

Mahinga Kai ~~means the same as outlined in MW–2.3.3.~~3 ~~and~~ is an all-inclusive term that refers to the ability to access resources for harvesting, the *site* where gathering of these resources occurs, the act of gathering and using the resource, and the good health of the resource.

~~As a result of this practical focus, mahinga kai is considered by Hokonui Rūnanga to be, in today's language, the principal 'environmental indicator' in natural systems. If mahinga kai is not present, or is unsafe to harvest, then that natural system is under stress and requires remedial action. Mahinga kai was~~

[5] Decision 14, Changes to MW-4, paragraph 3.7.3
[6] Decision 14, paragraph 3.8.10
[7] Decision 14, paragraph 3.8.11
[8] Decision 14, paragraph 3.9.5
[9] Decision 14, paragraph 3.9.5

~~and is central to the Ngāi Tahu and Hokonui way of life. The collection and processing of mahinga kai is an important social, cultural, environmental, and economic activity contributing to the overall well-being of Ngāi Tahu whānui. Mahinga kai practices rely on thriving and abundant biodiversity, safe and aesthetically pleasing places to practice, and the active transfer of knowledge between people. These attributes are dependent on the sustainable management of many other natural resources in the takiwā, especially waterbodies and the management of stormwater. Hokonui Rūnanga expect to be able to practice mahinga kai in our takiwā at multiple locations that are deliberately selected for the quality of the resource and its ability to sustain itself.~~[10]

[10] Decision 14, paragraph 3.2.3