IN THE MATTER AND IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Hearing of Submissions and Further Submissions on the Proposed Gore District Plan

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Gore District Plan – Decisions on Submissions

Topic 19: Māori Purpose Zone

Hearings Panel Members

Keith Hovell

Glenys Dickson

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Date of Hearing
19 August 2024
5 and 6 December 2024

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1 Introduction

1.1 Scope of this Decision

1.1.1 This document details the evaluation and decisions of the Hearings Panel on the submissions and evidence considered in relation to the Māori Purpose Zone of the Proposed District Plan. The Hearings Commissioners comprising the panel for this hearing were Commissioners Keith Hovell, Maria Bartlett, Cliff Bolger and Glenys Dickson.

1.1.2 This Decision focuses on the key issues in contention. Where there is no contention, such as submitter support for certain provisions, or minor matters where proposed changes are recommended in response to submissions, the Panel has adopted the recommendations and the underlying evaluation contained in the s42A Report and evidence prepared by Courtney Bennett.

1.1.3 Attached is the updated provisions for the Māori Purpose Zone, referencing changes authorised by this and other Decisions of the Panel. Changes made in response to submissions are shown in normal black font, with text either underlined for additions or as ~~strikethrough~~ for deletions. A reference is also provided of the decision and paragraph number giving rise to the changes in response to submissions. Amendments made to the PDP pursuant to clause 16(2) are shown in the updated District Plan chapters in a green font. Shown in a red font are consequential numbering changes arising from provisions being added or deleted.

1.1.4 Appendix A lists the submissions considered in this decision and their outcome, described as accepted, accepted in part or rejected. For convenience, the Panel has chosen to make decisions on original submissions only. By implication, but not explicitly, it has also made decisions in relation to further submissions.

1.1.5 Attention is also drawn to Decision 2, Whole of Plan and Repeated Submissions that responds to submissions lodged to the District Plan as a whole, together with those lodged to multiple zones and/or chapters in the PDP. In some cases, these submissions may result in amendments to this chapter as well. Any such changes are annotated as a footnote in the updated provisions.

1.2 Abbreviations

1.2.1 In preparing this decision the Panel has used the following abbreviations:

Full Text	Abbreviation
Environment Southland	ES
Fire and Emergency New Zealand	FENZ
Gore District Plan	Plan
Hearings Panel	Panel
Hokonui Rūnanga Incorporated	Hokonui Rūnanga
Māori Purpose Zone	MPZ
McNab Management Ltd	MML
National Policy Statement on Urban Development 2020	NPSUD
Proposed Gore District Plan	Proposed Plan or PDP
Report prepared under RMA section 42A	s42A Report
Resource Management Act 1991	RMA

Full Text	Abbreviation
RMA section	s
Southland District Council	SDC
Southland Regional Policy Statement	RPS

1.3 Statutory Considerations

1.3.1 The Panel's Decision1 Preliminary Matters and Statutory Requirements Relevant to Decisions sets out the legal framework and requirements for preparing a District Plan, as well as case law referred to in legal submissions and evidence provided to the Panel. This framework is not repeated in this Decision. Rather, this Decision should be read in conjunction with Decision1.

1.3.2 In s42A Reports to the Panel, the authors are required to consider any alternative provisions put forward in the context of what s32 requires, and when changes are recommended, a further assessment under s32AA is provided if the change is a material departure from what was notified. That same obligation to make a further assessment under s32AA also applies to the Panel if it decides to recommend changes as a result of submissions which materially depart from the notified version.

1.3.3 Through Minute 5, the Panel requested submitters seeking changes to District Plan provisions to have regard to the s32 provisions and provide material to the Panel that would facilitate any additional s32AA assessment required if it was of a mind to accept the changes they sought.

1.3.4 Where the Panel has made amendments to the Proposed Plan that are consistent with the recommendations contained within the s42A Reports and / or rights-of-reply the Panel has adopted the s32AA analysis contained within those reports, unless expressly stated otherwise. Those reports are part of the public record and are available on the Council's website.

1.3.5 Where the Panel has made amendments to the Proposed Plan that are not contained within the s42A Report, or which were not subject to a s32AA assessment provided by submitters, the Panel has undertaken the required s32AA analysis and has incorporated it into the body of the decision, with the required assessment forming part of the evaluation. The Panel is satisfied that the required substantive assessment has been undertaken where required.

1.4 Procedural matters

1.4.1 There were no pre-hearing meetings or meetings undertaken in accordance with clause 8AA of Schedule 1, on the submissions relating to this Decision. However, as noted in paragraph 3.3.1 below, informal conferencing had occurred between Amy Beran on behalf of Hokonui Rūnanga and Courtney Bennett to resolve concerns between them about how to appropriately express the role of the zoned areas providing for mana whenua activities and zoned areas providing for mātāwaka activities.

1.4.2 None of the Panel members identified any conflicts of interest.

1.4.3 No matters of trade competition were raised.

1.4.4 Minute 13 of the Panel dated 13 July 2024, and an update to Minute 13 dated 31 October 2024, considered a request of McNab Management Ltd (MML) to be heard on multiple rezoning proposals at a date later than scheduled hearings, including the scheduled hearing on the Māori Purpose Zone chapter. This request was accepted by

the Panel after an opportunity was provided for comment on the rescheduling from submitters as part of the Minutes issued. Matters pertaining to the proposed Māori Purpose Zone at O Te Ika Rama Marae, McKinnon Road, McNab were heard separately from other proposed areas within the Māori Purpose Zone, following lodging of evidence and legal submissions by MML in October and November 2024.

1.4.5 At the 19 August 2024 hearing on the Māori Purpose Zone chapter Terry Nicholas representing Hokonui Rūnanga addressed the Panel regarding Minute 16 and afforestation relevant to the Rural chapter, which is a matter addressed in Decision 16.

1.4.6 The Panel issued Minute 15, as outlined in Decision 14 and Decision 43, and received evidence from Courtney Bennett and Amy Beran in response, which included evidence on provisions in the MPZ chapter.

2 The Hearings

2.1 Māori Purpose Zone Hearings

2.1.1 A hearing in relation to the Māori Purpose Zone was held on 19 August 2024 at the Gore District Council administration building in Gore. A further hearing of the MML proposed Māori Purpose Zone was held at the same venue on 5 December 2024. Prior to these hearings, the Panel received s42A Reports from Courtney Bennett and a combined report from Victoria Woodbridge and Courtney Bennett in relation to the MML submissions.

2.1.2 At the commencement of the August hearing, the Panel received supplementary evidence from Courtney Bennett responding to matters raised in evidence from submitters, specifically Hokonui Rūnanga and NZ Transport Agency.

2.1.3 A key matter for the Panel to determine during the course of the August hearing was how best to represent the role of the chapter in relation to mātāwaka whilst respecting the status of mana whenua, as represented by Hokonui Rūnanga and Te Rūnanga o Ngāi Tahu in evidence and legal submissions. This is further discussed in relation to the Overview section of the chapter.

2.1.4 At the commencement of the December hearing, the Panel received supplementary evidence from Ms Woodbridge and Courtney Bennett responding to matters raised in evidence from submitters at that hearing, specifically advising that, as a result of evidence provided by Terry Nicholas for Hokonui Rūnanga, the officers could support the relocation of O Te Ika Rama Marae as proposed by MML and consequential amendments to provisions specific to that Māori Purpose Zone.

2.1.5 Submitters who appeared at the August hearing are shown in Table 1.

Table 1: Submitters Attending the August Māori Purpose Zone Hearing

No.	Submitter	Attendees	Presentation
S139	Hokonui Rūnanga	Terry Nicholas Amy Beran	Virtual Virtual

2.1.6 New Zealand Transport Authority Waka Kotahi submitted evidence on the Māori Purpose Zone chapter in advance of the August hearing for the Panel to consider but did not attend the hearing.

2.1.7 Submitters who appeared at the December hearing are shown in Table 3.

Table 3: Submitters Attending the December McNab Hearing			
No.	**Submitter**	**Attendees**	**Presentation**
S130	McNab Management Ltd	Terry Nicholas Josh Leckie Christine McMillan Jason Bartlett Fraser Colgrave Justin Ralston	In Person In Person In Person Virtual Virtual Virtual
FS14	New Zealand Transport Authority Waka Kotahi	Helen Dempster	Virtual

2.1.8 There were no submitters who tabled evidence at the December hearing on the Māori Purpose Zone provisions relevant to O Te Ika Rama Marae.

2.1.9 All written material received by the Panel is available on the Council's web site.

2.2 Other Relevant Hearings

2.2.1 The Panel received evidence in HS8 on 5 December 2024 and HS9A on 19 February 2025 from Courtney Bennett and Amy Beran, which included recommendations on provisions in the Māori Purpose Zones chapter that manage effects on Ngāi Tahu cultural values. For provisions where there were no matters in contention or further recommendations arising from evidence received in HS8 or HS9A, these are not discussed further in this decision. Otherwise, discussion of HS8 or HS9A evidence is included in this decision in relation to particular provisions of the chapter.

3. Māori Purpose Zone General, Objectives and Policies

3.1 Submissions in Support

Submitter (S)	Decision Requested
S146.095 Southland District Council	Chapter supported. No changes requested
S23.001 Mataura Marae	The submitter supports the Māori Purpose Zone (MPZ) and the permitted activities as they reflect activities Mataura Marae is interested in exploring on this site especially residential, community and educational activities
S23.002 and S23.003 Mataura Marae	That the Mataura Marae MPZ provisions be retained as drafted
S124.286 Fire and Emergency NZ	MPZ-R4 - retain as notified

3.1.1 The Panel acknowledges these submissions in support. As changes have been made to various provisions in the Māori Purposes Zone chapter, submissions S146.095 Southland District Council, S23.001, S23.002 and S23.003 Mataura Marae are accepted in part. Rule MPZ-R4 remains unchanged, so submission S124.286 Fire and Emergency NZ is accepted.

3.1.2 The s42A Report records in paragraph 30 the process of consultation during development of the Māori Purpose Zone chapter which involved representatives of Mataura Marae and Hokonui Rūnanga. The Panel understands the intent of the chapter is to support the activities of Mataura Marae at the marae and associated land parcels on Dorset Street and Blampied Street within the proposed Mataura Marae Māori Purpose Zone for the benefit of mātāwaka (Māori who migrated to the Gore district). This intent is considered by the Panel to be consistent with Objective TW.5, Policy TW.5 and Method TW.5 of the RPS and with manaakitanga as described in section MW-2.3 of the notified PDP. The Panel agrees with the s42A Report at paragraph 57 that providing for mātāwaka activities at Mataura Marae is consistent

with the NPSUD (particularly Objective 5, Policy 1 and Policy 9) and with the National Planning Standards description of a Māori Purpose Zone.

3.2 Environment Southland – Minimum Floor Levels

Submitter (S) Further Submitter (FS)	Decision Requested
S85.285, S85.286, S85.287, S85.288, S85.289, S85.290, S85.291, S85.292, S85.293, S85.294, S85.295 Environment Southland	MPZ-R3, MPZ-R4, MPZ-R5, MPZ-R6, MPZ-R7, MPZ-R8, MPZ-R10, MPZ-R11, MPZ-R12, MPZ-S5, MPZ-R9 Include a performance standard regarding minimum floor levels
FS20.012, FS20.036, FS20.037, FS20.038, FS20.039, FS20.040, FS20.041, FS20.042, FS20.043, FS20.044, FS20.045 Hokonui Rūnanga Inc	Disregard S85.285, S85.286, S85.287, S85.288, S85.289, S85.290, S85.291, S85.292, S85.293, S85.294, S85.295
S85.296 Environment Southland	Include an objective and policy relating to natural hazard risk and set performance standards regarding minimum floor levels in areas still vulnerable to flood risk. Manage development within secondary flow paths.
FS20.013 Hokonui Rūnanga Inc	Disregard S85.296

3.2.1 The Panel considers the matter of minimum floor levels for building within flood prone areas in Decision 44 which addresses the Natural Hazards chapter, and in that respect agrees with the s42A assessment at paragraph 130. The matter is primarily one of linkage between the Māori Purpose Zone areas and Natural Hazards chapter provisions. Both the Hokonui Marae Complex and Mataura Marae are located within areas of actual or potential inundation as shown on the planning maps, and the Hokonui Marae on Hyde St in Gore is within a Stop Bank Protection Area. O Te Ika Rama Marae is subject to flooding risk in its current location but once moved as proposed by McNab Management Ltd, and supported by the Panel in Decision 12, this risk will be avoided in the new location.

3.2.2 The further submission of Hokonui Rūnanga on this point emphasised that a range of activities may be undertaken within the Māori Purpose Zone, not all of which would need to be subject to minimum floor level requirements. In that respect the Panel agrees that the Natural Hazards chapter is best able to direct necessary actions to address hazard risk from particular types of activities sensitive to flooding. The Panel considers that this approach is consistent with the National Planning Standards, District-wide Matters Standard requiring provisions relating to natural hazards to be located in the Natural Hazards chapter.

3.2.3 As a consequence of the discussion above, all of the listed submissions by Environment Southland are rejected.

3.3 Overview and Purpose

Submitter (S)	Decision Requested
S103.025 McNab Management Ltd	Delete the second paragraph; or amend to read: Current Māori Purpose Zones are located at: - Charlton Rd, Gore (Hokonui Rūnanga Offices) - Dorset St, Mataura (Mataura Marae) - Hyde St, Gore (Hokonui Marae) McKinnon Rd, McNab (Te Ika Rama Marae and the kainga development area).
S139.001 Hokonui Rūnanga Inc	Amend the first paragraph of introduction to read: Māori Purpose Zones recognise mana whenua whakapapa (connection to place) and rangatiratanga; and enables the use and development of land in these zones to provide for a variety of social, economic, cultural and environmental activities of benefit to whānau Māori and the wider community, in accordance with

	tikanga. The plan provides for some activities as permitted activities across all Māori Purpose Zones, while other activities require resource consents and development plans to enable provision of appropriate infrastructure and management of effects.
S85.284 Environment Southland	Recognise that a residual flood risk exists despite stop banks.

3.3.1 The evidence of Amy Beran on behalf of Hokonui Rūnanga at the August hearing and the supplementary evidence of Courtney Bennett at that hearing advised that informal conferencing had occurred between them after 5 August when Amy Beran's expert evidence was lodged and before commencement of the hearing. This informal conferencing resolved concerns between them about how to appropriately express the role of the zoned areas providing for mana whenua activities and zoned areas providing for mātāwaka activities. The results of that conferencing are included in Appendix 1 of the August supplementary evidence of Courtney Bennett. The Panel agrees that the wording put forward in the August supplementary evidence provides improved clarity for Plan users and reflects the intent of the Hokonui Rūnanga submission S139.001, McNab Management Ltd submission S103.025 and Mataura Marae submissions, whilst differing from specific wording put forward in submissions. Evidence from MML and parties to the hearing on 5 December 2024 did not request any further amendment to this Overview and Purpose section of the chapter.

3.3.2 The Panel considers amendments are required to the wording agreed between Courtney Bennett and Amy Beran as contained in Courtney Bennett's supplementary evidence of 19 August 2024. The final sentence of the Overview and Purpose section in Courtney Bennett's Appendix 1 references UFD-O1 and UFD-O2 and the provisions of the Urban Form and Development chapter that provide guidance on how to consider future proposals for additional Māori Purpose Zone areas in the district. Amendments have been made by the Panel to UFD-O1 in response to submissions, as discussed in Decision 4. UFD-O2 remains unchanged from notification and specifically references extensions to, or new, Māori Purpose Zones. As discussed in the August hearing, UFD-O1 provides for broad considerations relevant to urban form and development, whereas UFD-O2 is specific to addressing housing demand in the district. UFD-O1(3) and (8) have direct relevance to Māori Purpose Zone areas that provide for mana whenua activities, whilst UFD-O1(4) is relevant to Māori Purpose Zone areas that provide for mātāwaka activities. The August supplementary evidence wording draws from the language used in UFD-O2 and is therefore not a fully accurate representation of the Plan provisions supporting consideration of future Māori Purpose Zone proposals. The Panel considers the final sentence needs to read as follows to maintain consistency within the plan:

> The Urban Form and Development chapter, specifically UFD-O1 and UFD-O2, provides context for future Māori Purpose Zone areas to be considered by Council when proposals are put forward by mana whenua or mātāwaka Māori.

The Panel understands the significance of this wording in resolving concerns raised by Amy Beran on behalf of Hokonui Rūnanga, as described in paragraphs 34 – 38 of the s42A supplementary evidence, although there is no specific submission point that introduces reference to the UFD objectives in this Overview and Purpose section. In order to make the amendment the Panel relies on RMA First Schedule clause 16(2) to provide a linkage between the two parts of the Plan, which has no material effect on the application of the provisions in either chapter.

3.3.3 In addition to this amendment, the Panel prefers that the Hokonui Rūnanga (Charlton Road, Gore) and O Te Ika Rama Marae (McKinnon Rd, McNab) areas be referenced

as “Mana Whenua Māori Purpose Zones” within the Overview, rather than the unwieldy “Ngāi Tahu Mana Whenua Māori Purpose Zones” proposed by Amy Beran and Courtney Bennett. The reason for this is that “mana whenua” is a defined term in the Proposed Plan, which is already specific to Ngāi Tahu, as discussed in Decision 14 on the Mana Whenua chapter and Decision 3 on the Introduction and General Provisions.

3.3.4 A correction is also made in the text to refer to “O Te Ika Rama Marae”, which was incorrectly notified as “Te Ika Rama Marae”. The MML submission also incorrectly named the marae. This was corrected in the December hearing of the MML proposal during the verbal evidence of Mr Nicholas on behalf of Hokonui Rūnanga. The Panel makes this amendment as a minor correction under RMA First Schedule clause 16(2).

3.3.5 Other than these amendments, the Panel is changing the Overview and Purpose section only to the extent necessary to respond to the submissions, intentionally maintaining word order, expanding shorthand references (e.g. “&” to “and”) and making any consequential or minor amendments necessary to maintain coherence within the chapter and across the Plan. The decision of the Panel is not to adopt the phrase “including both commercial and primary production” from the second paragraph in the August supplementary evidence of Courtney Bennett, in preference to maintaining the broad reference to “economic activities” which already satisfactorily encompasses these activities.

3.3.6 The final sentence of the second paragraph in the decision wording is taken from the submission of Hokonui Rūnanga (S139.001), but without reference to development plans and infrastructure, which are most relevant to the MML proposal and less relevant to existing well developed sites. In other words, the Panel considers that particular wording from the Hokonui Rūnanga submission to be unnecessary detail. The final sentence in the notified version of this paragraph is no longer needed as a result of the Panel accepting the MML proposal to move the O Te Ika Rama Marae Māori Purpose Zone out of the flood risk area, as discussed in Decision 12. Activities sensitive to flooding will not need to be restricted within the relocated Māori Purpose Zone and therefore the range of activities permitted in other zones is also able to be permitted within the O Te Ika Rama Marae Māori Purpose Zone. There will be no distinction between Māori Purpose Zones in this respect when it comes to permitted and consented activities. Submissions S139.001, S103.025 McNab Management Ltd are therefore accepted in part.

3.3.7 The Panel considers that there is some material implication arising from these amendments to the Overview and Purpose section of the chapter when considering s32AA assessment requirements, in particular recognition of a greater range of activities that may be undertaken in the O Te Ika Rama Marae Māori Purpose Zone, increasing potential benefits to mana whenua social, cultural, environmental and economic well-being. The overall MML proposal is considered in Decision 12, including in relation to the s32AA assessment. The primary purpose of the amendments to the Overview and Purpose section, therefore, is to achieve accuracy in relation to tikanga that applies to mana whenua and mātāwaka within the district, whilst recognising and providing for Māori interests as a matter of national importance, consistent with s6(e) of the RMA, and to provide clarity for plan users in this regard.

3.3.8 The Panel is satisfied that no further amendments are needed to the Overview and Purpose section in response to the submission of Environment Southland (S85.284). Accordingly, submission S85.284 Environment Southland is rejected.

3.3.10 Submissions S103.025 McNab Management Ltd, S139.001 Hokonui Rūnanga Inc are accepted in part by amending the Overview and Purpose section as follows:

Overview ~~and Purpose~~

Māori Purpose Zones recognise ~~& further~~ and enable ~~whānau Māori within the Gore district~~ the use and development of land in these zones to provide for ~~their~~ a variety of cultural, social, environmental, and economic ~~well-being in ways that reflect their unique rights and interests as *mana whenua* and *tangata whenua*~~ activities of benefit to mana whenua and mātāwaka Māori communities. The Mana Whenua Māori Purpose Zones support mana whenua to exercise their rangatiratanga, and recognise their ahi kā, to the fullest extent practicable. The Mātāwaka Māori Purpose Zones recognise the roles these spaces play in the community for supporting the cultural wellbeing of the wider Māori community.

~~This~~ All of the Māori Purpose Zones ~~zone~~ provide~~s~~ for a range of activities to be undertaken, such as Māori cultural hubs (including *marae* complexes), papakāinga, community-focused activities, and environmental and economic activities which support Māori values ~~&~~ and aspirations. The plan provides for some activities as permitted activities across all Māori Purpose Zones, while other activities require resource consents. ~~These provisions 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*.~~

There are currently four Māori Purpose Zones ~~included~~ in the ~~Gore~~ District Plan that are split into two categories. They are:

1. Mana Whenua Māori Purpose Zones

   Hokonui Rūnanga (Charlton Road, Gore)
   O Te Ika Rama Marae (McKinnon Road, McNab)

2. Mātāwaka Māori Purpose Zones

   Mataura Marae (Dorset Street, Mataura)

   Hokonui Marae (Hyde Street, Gore)

The UFD chapter, specifically UFD-O1 and UFD-O2, provides context for future Māori Purpose Zones to be considered by Council when proposals are put forward by mana whenua or mātāwaka Māori.

3.4 Objective MPZ-O1

Submitter (S)	Decision Requested
S139.002 Hokonui Rūnanga Inc	Amend MPZ-O1 and renumber as MPZ-O2. A range of social, economic, environmental and cultural activities are enabled within Māori Purpose Zones in recognition of rangatiratanga; and in accordance with mātauranga and tikanga.
S125.087 Ministry of Education	Amend as follows: The Māori Purpose Zone enables a range of social, cultural, environmental, educational 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.

3.4.1 The Ministry of Education submission point is relevant to the Hearing Panel's consideration of both MPZ-O1 and MPZ-O2.

3.4.2 The thrust of Hokonui Rūnanga evidence on this objective and MPZ-O2 as set out by Amy Beran at paragraphs 26 and 27 of her evidence dated 5 August 2024, is the need to emphasise the status of mana whenua within the district with reference to rangatiratanga, mātauranga and tikanga, as well as enable all Māori in the district to develop and use zoned land to provide for their well-being. Similar to the rationale for

amendment to the Overview and Purpose section of the chapter, the Panel agrees with Amy Beran and the supplementary evidence of Courtney Bennett that it is appropriate to differentiate between mana whenua and mātāwaka at the objective level, which is consistent with the Urban Form and Development chapter in relation to UFD-O1 and UFD-O2.

3.4.3 Hokonui Rūnanga also submitted that the objectives should be re-ordered so that the objective describing what the zone is intended to enable (notified as MPZ-O2) occurs first. The Panel accepts in part submissions S139.002 and S139.003 (shown in the table under heading Objective MPZ-O2), adopting notified MPZ-O2 as the basis for an amended objective numbered as MPZ-O1, and amending the wording of notified MPZ-O1, re-numbered as MPZ-O2. This re-ordering enables introduction of an objective specific to mātāwaka to follow newly numbered MPZ-O2 (previously notified MPZ-O1). The enabling objectives in the chapter are therefore ordered from the general to the specific, and from mana whenua to mātāwaka, which does not affect their implementation but the Panel considers this may assist plan users to think about them logically.

3.4.4 The re-ordering of MPZ-O1 and MPZ-O2, with associated introduction of a new objective MPZ-O3, in the view of the Panel, responds to the legal submissions by Joshua Leckie for Hokonui Rūnanga dated 18 July 2024 that were introduced in relation to the Mana Whenua chapter and which are applicable to all parts of the Plan addressing mana whenua interests. At paragraph 29 of those submissions Ngāi Tahu are referenced as the only iwi with mana whenua status in Southland, which is relevant to application of the Treaty of Waitangi principles outlined in paragraph 26 of those submissions, including tino rangatiratanga, and therefore how the Plan gives effect to Part 2 of the RMA. The status of Ngāi Tahu in Southland is recognised in the introduction to Chapter 3 of the RPS, although the term “tangata whenua” is used to described Ngāi Tahu in the RPS. In the Mana Whenua chapter of the Proposed Plan the status of Ngāi Tahu in Southland is similarly recognised with the term “mana whenua” deliberately used, as discussed in Decision 3 and Decision 14 of the Panel.

3.4.5 The Māori Purpose Zone chapter is intended to provide for mana whenua activities and mātāwaka activities within zoned areas in the district, however the basis for that provision is necessarily different because mātāwaka are a community made up of iwi and hapū from other parts of the country who have settled in the district. Reference to tikanga Māori in paragraph 22(a)(ii) of the Hokonui Rūnanga legal submissions is relevant when considering this distinction. Amy Beran discussed this distinction in paragraphs 15 to 18 of her evidence on the Māori Purpose Zone chapter and the Panel accepts the rationale she provided. This distinction is also reflected in the submission from Mataura Marae which acknowledged at paragraph 1 those Ngāi Tahu rangatira who gave their blessing for establishment of the marae to serve as a cultural home for mātāwaka. This combination of evidence has influenced the decision of the Panel on the ordering and re-wording of objectives in the Māori Purpose Zone chapter.

3.4.6 The wording of notified MPZ-O1, re-ordered as MPZ-O2, is amended by the Panel, and a new MPZ-O3 is introduced based on the wording provided in Appendix 1 to the supplementary evidence of Courtney Bennett dated 19 August 2024. The Panel is satisfied that the wording of these objectives reflects the substance and intent of submissions from Hokonui Rūnanga and Mataura Marae such that the changes are within scope of those submissions. The material impact of these changes is to reinforce the status of Ngāi Tahu and Hokonui Rūnanga within the district, consistent with giving effect to the RPS, which does not materially change the circumstances for

mātāwaka in the district wishing to utilise their lands in the Māori Purpose Zone. Evidence of Hokonui Rūnanga and the submission of Mataura Marae clearly expressed a desire that mātāwaka will utilise their lands within the zoned areas to enable cultural well-being for the substantial Māori community resident in the district, estimated in the submission of Mataura Marae to be around 500 whānau with relationships to a variety of iwi and hapū. The Panel considers, therefore, that there is no material implication arising from these amendments in relation to s32AA assessment requirements compared with the notified version of the objectives, except that the revised wording better expresses the status of Ngāi Tahu in the district. Submission S139.002 Hokonui Rūnanga is therefore accepted in part.

3.4.7 Submissions S139.002 Hokonui Rūnanga Inc and S125.087 Ministry of Education are accepted in part by amending the Objectives for the Māori Purpose Zone as follows:

MPZ-O~~1~~2 Mana whenua ~~and tangata whenua~~ are able to exercise rangatiratanga and kaitiakitanga to the fullest extent practicable within ~~a~~ the Mana Whenua Māori Purpose Zones.

MPZ-O3 Mātāwaka Māori are able to undertake land use and development activities that support their cultural well-being within the Mātāwaka Māori Purpose Zones, guided by tikanga Māori.

3.5 Objective MPZ-O2

Submitter (S)	Decision Requested
S139.003 Hokonui Rūnanga Inc	Delete the Objective, reorder as MPZ-O1 and replace with *The Māori Purpose Zones enable whānau Māori connections with place, and to undertake a variety of land uses and development opportunities to provide for their economic, social and cultural well-being.*

3.5.1 The Panel accepts the submission of Hokonui Rūnanga (S139.003) that the objective notified as MPZ-O2 should be reordered as MPZ-O1.

3.5.2 The supplementary evidence of Courtney Bennett, which records the positions agreed with Amy Beran prior to the hearing, includes changes to the wording of the objective that differ from the notified version and from the version contained in submission from Hokonui Rūnanga. In particular, reference to providing for "economic, social and cultural well-being" is replaced with "supporting hauora Māori (Māori holistic well-being)" in the supplementary evidence version.

3.5.3 The term "hauora" is included within the Glossary of the PDP as notified, equated to "health", and within notified section 2.3.1 relevant to Ngāi Tahu perspectives on the management of wai (water). The term is not otherwise used in the Proposed Plan. Importantly, it does not appear as one of the values listed in notified section 2.3, which is the section proposed to be referenced in decision-making when determining effects on Ngāi Tahu cultural values, as discussed in Decisions 14 and 43. Although Courtney Bennett and Amy Beran propose to use the term with an adjacent translation in brackets, the Panel prefers the phrase "economic, social and cultural well-being" in the broader context of the Proposed Plan, to give effect to Objective TW.5 of the RPS and s5 of the RMA, and as contained in the original Hokonui Rūnanga submission.

3.5.4 While use of a te reo Māori term to describe well-being is appropriate in relation to use and development of land within a Māori Purpose Zone, use of the term within the Proposed Plan in the way recommended introduces additional complexity. In practice, meeting the objective is expected to support hauora Māori (holistic Māori well-being) as a consequence of enabling a range of "by Māori for Māori" activities within Māori

Purpose Zones. The Panel considers it is important to emphasise that it is "Māori economic, social and cultural well-being" that is to be provided for by use and development of land within Māori Purpose Zones and this is reflected in the decision version of this objective. Having the purpose of specifically providing for Māori economic, social and cultural well-being does not prevent wider benefits flowing to others from activities in the zone but makes it clear that Māori well-being is the focus.

3.5.5 The Hokonui Rūnanga submission also referenced "connection to place". Paragraph 6.6.2 of the s42A Report discussed the overlap between MPZ-O1 and MPZ-O2 as proposed in the original submission of Hokonui Rūnanga. The revised wording proposed in supplementary evidence, arising from conferencing between Courtney Bennett and Amy Beran, appropriately resolves the matter and the Panel agrees that the revised wording of MPZ-O1 (notified MPZ-O2) better delineates the different roles of MPZ-O1 and MPZ-O2, ensuring the new MPZ-O1 is focussed on enabling activities that provide for well-being, rather than matters relevant to whakapapa (linked to "connection to place") and tikanga that are addressed in new MPZ-O2 (notified MPZ-O1) and new MPZ-O3.

3.5.6 The Ministry of Education submission S125.087 introduced the word "educational" to the range of opportunities enabled within Māori Purpose Zones. The Panel support this addition to the notified MPZ-O2, renumbered as MPZ-O1.

3.5.7 For the reasons outlined in this section of the decision, submission S139.003 Hokonui Rūnanga and the Ministry of Education S125.087 are accepted in part and the objective is amended as follows:

MPZ-O2~~1~~ The Māori Purpose Zone enables a range of social, cultural, environmental, educational, and economic development opportunities that support the occupation, use~~,~~ and development ~~and ongoing relationship between mana whenua and tangata whenua, and both their ancestral lands and the natural environment~~ of these sites, providing for Māori economic, social and cultural well-being.

3.6 Objective MPZ-O3

Submitter (S)	Decision Requested
S139.004 Hokonui Rūnanga Inc	Delete MPZ-O3 and replace with the amended Objective sought under MPZ-O2.

3.6.1 The Panel does not support deletion of the notified objective MPZ-O3 (which is renumbered as MPZ-O4 as a consequence of introducing new objective MPZ-O3 specific to mātāwaka). Notified objective MPZ-O3 addresses adverse effects arising from activities within a Māori Purpose Zone and the Panel considers that it provides balance to the enabling objectives. Submission S139.004 Hokonui Rūnanga is therefore rejected.

3.6.2 Courtney Bennett and Amy Beran were asked during the hearing whether there was any reason the word "remedied" would be missing from the objective, so that if corrected it would read "avoided, remedied or mitigated" to be consistent with RMA s5(2)(c). No reason was identified for the absence of the word "remedied". The Panel considers that addition of the word "remedied" would enable the exercise of kaitiakitanga "to the fullest extent practicable" as set out in MPZ-O1 (notified MPZ-O2). The Panel presumes "exercise of kaitiakitanga to the fullest extent practicable" means that a full range of options can be utilised to manage adverse effects, not unduly limited to only avoidance and mitigation. This aspect of MPZ-O1 (notified MPZ-O2) was not subject to any submissions requesting amendment.

3.6.3 The Panel concludes, therefore, that notified objective MPZ-O3 (now MPZ-O4) can be corrected as a consequential amendment arising from decisions on notified MPZ-O2 and notified MPZ-P3, which references notified MPZ-O2. The new MPZ-O4 is amended to read as follows:

MPZ-O~~3~~4 Use and development in the Māori Purpose Zone is enabled where adverse effects on the health and safety of people and the environment are avoided, remedied or mitigated.

3.7 Policy MPZ-P2

Submitter (S)	Decision Requested
S125.088 Ministry of Education	Retain as proposed
S139.005 Hokonui Rūnanga Inc	Amend the policy to create two policies which read: *Enable a range of activities in the Māori Purpose Zone which enable whānau Māori to provide for their economic social, and cultural well-being, including but not limited to:* *1. Residential development, including papakāinga/kāinga nohoanga;* *2. Marae and other cultural facilities andactivities;3. Mahinga kai and primary production;* *4. Environmental restoration and enhancement activities;* *5. Employment and business opportunities;* *6. Community, educational, recreational and health facilities and activities; and* *7. Urupā.* *Ensure activities within the Māori Purpose Zone:* *1. Do not create or exacerbate natural hazard risk;* *2. Have appropriate standards of access and infrastructure; and* *3. Do not have adverse effects such as noise or night lighting which are incompatible with the amenity values of the area.*

3.7.1 The submission from the Ministry of Education in support is acknowledged. As changes have been made to the provision, submission S125.088 Ministry of Education is accepted in part.

3.7.2 The submission of Hokonui Rūnanga, S139.005, requested that notified policy MPZ-P2 be split to create an enabling policy and a policy managing adverse effects of activities within the Māori Purpose Zone. The Panel agrees it is appropriate to differentiate the enabling objectives and policies from the objective and policies that manage adverse effects. The Panel favours wording in the chapeau that matches the decision on MPZ-O1, whilst adopting the convention "provide for" in the policy, rather than "enable" in accordance with the rationale of Courtney Bennett at paragraph 29 of her supplementary evidence dated 19 August 2024. The Panel relies on the words "provide for" and "enable" in the Hokonui Rūnanga submission although these are re-ordered, and a mixture of the notified version and wording provided by Hokonui Rūnanga is adopted within the chapeau.

3.7.3 The submission of Hokonui Rūnanga references "residential development, including papakainga/kainga nohoanga" in MPZ-P2(1). The term "kainga nohoanga" is not included in the Glossary of the proposed Plan and is not used elsewhere. The Glossary includes a definition of "papakainga" that is sufficiently broad to encompass kainga nohoanga. The Panel prefers the combination "residential use and development" to "residential use" in the notified version and "residential development" in the Hokonui Rūnanga submission.

3.7.4 The submission of Hokonui Rūnanga removes reference to "and/or Papatipu Rūnanga complexes" in MPZ-P2(2) and does not include the word "Māori" to describe "other cultural facilities and activities. The Panel considers that "and/or Papatipu Rūnanga

complexes" is necessary to align with Decision 3 regarding Definitions, and that reference to "Māori cultural facilities" is redundant as a consequence of the chapeau referencing Māori such that "cultural facilities" is sufficient.

3.7.5 The Hokonui Rūnanga submission references "primary production" in MPZ-P2(3). The Panel agrees with the August supplementary evidence version that it should stand alone in a new MPZ-P2(4), whilst "mahinga kai" is best associated with the term "environmental-focused activities" in MPZ-P2(3). The latter phrase in the notified version of MPZ-P2(3), which is deleted in the s42A supplementary evidence in response to the Hokonui Rūnanga submission, is also considered by the Panel to be redundant.

3.7.6 The Hokonui Rūnanga submission introduces the phrase "and activities" to the notified wording of MPZ-P2(4), as well as a reference to "employment and business opportunities" as an additional clause to the policy. The Panel agrees with the s42A supplementary evidence that incorporates the term "economic" into this clause of the policy to incorporate "employment and business opportunities" more generally. The Panel also considers that the Hokonui Rūnanga submission reference to "and activities" is necessary to accomplish the intent of decisions on objective MPZ-O1.

3.7.7 The Hokonui Rūnanga submission requested inclusion of "urupā" within the listed activities in the policy. The s42A Report at paragraph 103 recommended against the inclusion of "primary production" and "urupā" on the basis that the policy list of activities was not exhaustive and therefore the additional detail was not necessary, but then in supplementary evidence Courtney Bennett agreed with Amy Beran to incorporate "primary production" in the policy (which supports MPZ-R5), with no further reference to "urupā". The Panel considers that it is logical to also incorporate "urupā" in response to the Hokonui Rūnanga submission in order to provide support for MPZ-R12.

3.7.8 In separating out the management of adverse effects of activities and creating a new MPZ-P3 the Panel draws from the proposed submission wording of Hokonui Rūnanga, the notified wording, and what is proposed in s42A supplementary evidence. In the recommended new MPZ-P3(1), the s42A supplementary evidence introduced the word "significantly" ahead of the phrase "exacerbate natural hazard risk" that comes from the Hokonui Rūnanga submission. On the basis that the notified wording referenced "significant adverse effects" the Panel see a basis to introduce the term "significantly". However, the term "exacerbate" indicates "making a bad situation worse" and the Panel is satisfied that introduction of the qualifying term "significantly" is not required. Notably, MPZ-S5 in the notified version does not contain the qualifier and simply uses the phrase "exacerbate existing natural hazards".

3.7.9 The notified version included reference to activities being "adequately serviced" which is recommended to be changed to "have appropriate standards of access and infrastructure" in the s42A supplementary evidence as a response to the Hokonui Rūnanga submission. The Panel considers a combination of the two is needed in new MPZ-P3(2) to clarify what adequate servicing entails, which is that the servicing meets standards for access and infrastructure, avoiding use of the term "appropriate" which is not sufficiently clear.

3.7.10 The Panel considers that, as a consequence of decisions on notified MPZ-O2 and notified MPZ-O3, the new MPZ-P3(3) requires amending to also reference "avoided or remedied" to ensure there is no inconsistency between objectives and policy. In considering adverse effects, removal of the term "significant" is supported by the Hokonui Rūnanga submission. The Hokonui Rūnanga submission only refers to

specific effects on "amenity values", whereas the notified version and the s42A supplementary version both referred to effects on "adjoining properties beyond the zone or on the wider environment", allowing consideration of other kinds of effects, not just in relation to amenity. The Panel decision is to enable consideration of a range of effects, not just those that are significant, and to simplify the policy to avoid the need to interpret effects on "adjoining properties beyond the zone or on the wider environment" which would seem to have no particular limit (i.e. "the wider environment" could potentially be all affected parts of the environment that are "not adjoining properties beyond the zone").

3.7.11 Submission S139.005 Hokonui Rūnanga Inc is accepted in part by amending Policy MPZ-P2 as follows:

MPZ-P2 ~~Enable the use and development of the Māori Purpose Zone~~ Provide for a range of ~~appropriate~~ activities in the Māori Purpose Zone that enable ~~the Māori community to~~ and support Māori economic, social and cultural well-being, including but not limited to:

1. residential use~~s~~ and development (including papakāinga);
2. Marae and/or Papatipu Rūnanga complexes, and other ~~Māori~~ cultural facilities and activities;
3. environmental-focused activities including restoration~~,~~ and mahinga kai practices~~, and environment-related employment opportunities~~;
4. primary production;
4~~5~~. social, recreational, educational ~~facilities,~~ and economic facilities and activities; and
6. urupā~~;~~.

~~While~~:

~~5. ensuring any significant adverse effects from these activities on adjoining properties beyond the zone and the wider environment are mitigated; and~~

~~6. requiring that all activities are adequately serviced.~~

MPZ-P3 Ensure activities within the Māori Purpose zone:

1. do not create or exacerbate natural hazard risk;
2. are adequately serviced, to access and infrastructure standards; and
3. avoid, remedy or mitigate adverse effects on the environment.

3.8 Policy MPZ-P3

Submitter (S)	Decision Requested
S139.006 Hokonui Rūnanga Inc	Amend policy to read: *Ensure activities on land adjoining the MPZ have effects which are compatible with the activities in the MPZ to minimise the potential for both sensitivity and reverse-sensitivity effects.*

3.8.1 The Panel has considered the evidence of Amy Beran and the s42A supplementary evidence at paragraph 31 that resolves the reasons for the Hokonui submission on MPZ-P3, renumbered as new MPZ-P4. While the Panel can understand why the word "relevant" is proposed to be introduced in the chapeau of the policy, the Panel considers this unnecessary given that only those objectives, policies or rules that are relevant to a decision will inform that decision, such that the additional qualifier is

redundant. The Panel agrees that reference to new MPZ-O3 is required in the policy as a result of decisions on the objectives.

3.8.2 Submission S139.006 Hokonui Rūnanga Inc is rejected because the provisions of the Māori Purpose Zone chapter manage activities within the zone, whereas activities outside the zone are managed within other chapter provisions. The Panel further considers this submission in decisions on relevant chapters where there are zones adjacent to MPZ zoned land.

3.8.3 As a consequential; amendment Policy MPZ-P3(1) is amended as follows:

MPZ-P4 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:

1. ~~its appropriateness in~~ the context of MPZ-O1, ~~and~~ MPZ-O2 and MPZ O3;

4. Māori Purpose Zone Rules and Standards

4.1 Rules MPZ-R8 and MPZ-R9

Submitter (S)	Decision Requested
S139.007 Hokonui Rūnanga Inc	In RPZ-R8 Provide for activities allowed by MPZ-P2. Amend the rule to read: Community and cultural ~~facility~~ facilities, activities and events.
S139.008 Hokonui Rūnanga Inc	In MPZ-R9 Provide for activities allowed by MPZ-P2. Amend the rule to read: "Commercial ~~activity~~ activities and facilities."

4.1.1 The Panel agrees with the s42A Report assessment at paragraphs 134-135 and as such no change is made to MPZ-R8 and MPZ-R9 as a consequence of the Hokonui Rūnanga submission and evidence, which also accords with the agreement reached between Amy Beran and Courtney Bennett recorded in the s42A supplementary evidence.

4.1.2 Accordingly submissions S139.007and S139.008 Hokonui Rūnanga Inc are rejected.

4.2 Additional Rules Sought

Submitter (S)	Decision Requested
S103.026 McNab Management Ltd	Add new rule: MPZ- R11 educational facilities.
S139.009 Hokonui Rūnanga Inc	Add new rule MPZ-R11 that reads: Educational facilities and activities
S125.089 Ministry of Education	Educational Facilities: Activity status: Permitted Where: 1. Any new or extended buildings or structures comply with Māori Purpose Zone standards MPZ-S1, MPZ-S2, MPZ-S3, MPZS4, MPZ-S5, MPZ-S6, and MPZ-S7 Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. The matters of discretion of any infringed standard; 2. The extent to which adverse effects on adjoining properties beyond the zone and the wider environment are mitigated; 3. The extent to which all activities are adequately serviced; and 4. Any functional or tikanga related requirements.

4.2.1 The Panel agrees with the s42A Report at paragraph 169 that including the rule proposed by the Ministry of Education in submission S125.089 is appropriate and supported by objectives and policies. The Panel considers modification to the matters

of discretion is warranted in light of the decision on MPZ-P2, specifically matter 2, but otherwise adopt the wording put forward in the Ministry submission.

4.2.2 Submissions S103.026 McNab Management Ltd, S139.009 Hokonui Rūnanga Inc and S125.089 Ministry of Education are accepted by inclusion of the following rule:

MPZ-R11 Educational Facility

All Māori Purpose Zones

Activity status: Permitted

Where:

1. Any new, relocated, or extended buildings or structures comply with Māori Purpose Zone standards MPZ-S1, MPZ-S2, MPZ-S3, MPZS4, MPZ-S5, MPZ-S6, and MPZ-S7

Activity status where compliance is not achieved:

Restricted Discretionary

Matters of discretion:

1. The matters of discretion of any infringed standard;
2. The extent to which adverse effects on the environment are mitigated;
3. The extent to which all activities are adequately serviced; and
4. Any functional or tikanga related requirements.

Submitter (S)	Decision Requested
S103.027 McNab Management Ltd	Add new rule: MPZ- R12 health facilities.
S139.010 Hokonui Rūnanga Inc	Add new rule MPZ-R12 that reads: Health facilities

4.2.3 The Panel agrees with the s42A Report at paragraph 170 that there is no need to specifically incorporate a rule for healthcare facilities because these are already included within the definition of a "community facility" and therefore MPZ-R8 provides for these activities. Accordingly, submissions S103.027 McNab Management Ltd and S139.010 Hokonui Rūnanga Inc are rejected.

4.3 Standards

Submitter (S)	Decision Requested
S124.289 Fire and Emergency NZ	Amend MPZ-S4 as follows: Except that: (e) Emergency service facilities are exempt from this rule

4.3.1 MPZ-S4 dictates a 10 m setback for buildings from roads. As a consequence of Decision 12 McNab, this provision has been amended so it only applies to the Hokonui Rūnanga site and under MPZ-R4(1) Emergency Service Facilities require resource consent as a restricted discretionary activity on that site. Non-compliance with MPZ-S4 also requires consent for a restricted discretionary activity. Such status allows both the activity and the non-compliance with any Standard to be assessed, and buildings such as fire stations the Panel considers that is appropriate.

4.3.2 Courtney Bennett in her s42A Report recommended this submission be rejected on the basis that consent is required in any case and the standard ensures that the environmental effects of oversize structures are fully considered before an activity commences. The Panel agrees and consequentially, submission S124.289 Fire and Emergency NZ is rejected.

Submitter (S) Further Submitter (FS)	Decision Requested
S124.290 Fire and Emergency NZ	Amend MPZ-S4 as follows: Te Ika Rama Marae The maximum building coverage shall not exceed 1,000m2 per site. Except that: Emergency service facilities are exempt from this rule
FS20.016 Hokonui Rūnanga Inc	Disregard S124.290

4.3.3 As a consequence of Decision 12 McNab, this provision has been deleted. As the outcome sought by FENZ is achieved submission S124.290 Fire and Emergency NZ is accepted in part.

5. Maps

5.1 Zoning

Submitter (S)	Decision Requested
S85.063 Environment Southland	Prevent any new zone changes from the current District Plan which have the potential to intensify land use change and development within a flood inundation area. This comment applies to all zones and maps
FS5.195 Hamish Wier	Disregard S85.063

5.1.1 The Panel notes the Māori Purpose Zone is a new zoning and with regard to the four areas zoned:

(a) Hokonui Rūnanga (Charlton Road, Gore) is zoned Rural in the Operative District Plan. Approximately 80% of the site is shown as subject to actual or potential inundation. Development of buildings on the site has occurred on that portion of the site free of any flooding hazard.

(b) O Te Ika Rama Marae (McKinnon Road, McNab) is zoned Rural in the Operative District Plan. Evidence from Tim Morris on behalf of the Council presented to the McNab hearing identified the site as being subject to a high risk from flooding. Decision 12 McNab provides for the marae to be relocated to a location free of any flood hazard.

(c) Mataura Marae (Dorset Street, Mataura) is zoned Residential A in the Operative District Plan and is shown as “Area of floodplain at risk of inundation from ponding of floodwater”. Updated modelling from Environment Southland presented at the Natural Hazard hearing indicated the site is not subject to a flooding hazard.

(d) Hokonui Marae (Hyde Street, Gore) is zoned Residential A in the Operative District Plan and is shown as “Mataura River floodway: prone to flooding subsequent to a stopbank breach or stopbank overtopping”. Updated modelling from Environment Southland presented at the Natural Hazard hearing indicated the site would experience flooding to a depth of 500mm with a 1% AEP event should overtopping of the flood banks occur. This site however, is fully developed and having been zoned Residential A in the Operative Plan the Māori Purpose zoning in the PDP does not represent an intensification of land use as referred to by Environment Southland.

4.1.2 The Panel also notes the following statement included in the s42A Report:

> I also note that the locations of MPZ are not as flexible as other planning zones such as residential or industrial. Māori Purpose zoning reflects the whakapapa or other intergenerational cultural links a Māori community has with a specific location. These links cannot be easily transposed onto another land parcel to avoid a flood inundation zone. For this reason, it is considered, on balance, appropriate to locate MPZ on areas prone to

flooding if these areas are identified by Māori communities as still being the most appropriate locations for MPZ. The heightened flooding risk can be managed through built form standards and carefully chosen land uses that accommodate for the movement of water, as opposed to restricting all development in these places Māori communities want to consolidate their activities.

4.1.3 Having regard to the matters above, the Panel concludes the inclusion of the four sites in the Pan as Māori Purpose Zone is appropriate, and consequentially submission S85.063 Environment Southland is rejected.

6 Additional Matters

6.1 Whole of Plan Submissions

Submitter (S)	Decision Requested
S139.040 Hokonui Rūnanga Inc	Wherever possible the plan provisions should specify the particular effects of concern to mana whenua to ensure the plan provisions are clear and that appropriate effects are identified and assessed, including when Hokonui Rūnanga Inc may be an affected party. Amend references to 'Ngāi Tahu values' with more detailed description of particular effects to be avoided, remedied or mitigated.
S139.091 Hokonui Rūnanga Inc	Make consequential amendments to rules that refer to 'Ngai Tahu cultural values' by adding the words: "as identified in the objectives and policies for this zone and listed in MW2.3"

6.1.1 The Panel received evidence in HS9A from Courtney Bennett and Amy Beran, including recommendations from Amy Beran to amend references to "tikanga" from within matters of discretion associated with these rules MPZ-R1 – R10 and MPZ-R12. The Panel did not find scope for these changes in the whole of plan submission points from Hokonui Rūnanga. The Panel also considers that the concern raised by Amy Beran of the Council potentially having to determine application of tikanga is unfounded.

6.1.2 The Panel received evidence on MPZ-S1 and MPZ-S5 in HS8 and HS9A from Courtney Bennett and Amy Beran to amend references to "tikanga" from within matters of discretion associated with these standards. The Panel has not found scope for these changes. However, the Panel has identified consequential amendments arising from decisions on the Hokonui Rūnanga whole of plan submission point S139.091. The matters of discretion in each standard that reference "Ngāi Tahu cultural values" (matter of discretion number 5 in both MPZ-S1 and MPZ-S5) is amended as follows:

MPZ-S1 Height

5 Impacts on Ngāi Tahu cultural values~~, including those listed in MW-2.3.~~ as listed in MW-1.2

MPZ-S5 Setbacks to *Rivers* and *Streams*

4 Impacts on Ngāi Tahu cultural values~~, including those listed in MW-2.3.~~ as listed in MW-1.2

6.2 Note 1

6.2.1 The Plan was notified with Note 1 following the policies, which the Panel has considered as part of its decision to remove unnecessary duplication within the Plan and determined that it can be deleted because reliance can be placed on the introductory sections of the Plan. This change is made as an amendment under Clause 16(2) of the First Schedule.

6.3 Section 32AA Matters

6.3.1 The Panel has not identified any need for a further s32AA assessment as a result of amendments to the chapter, beyond those received through evidence.