

Evidence of Timothy Mark Vial for Te Rūnanga O Moeraki, Kāti Huirapa Rūnaka Ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga: Executive Summary

Introduction

I am Timothy Mark Vial, the Principal Planner for Kāi Tahu ki Otago Limited. I have been asked by Ngā Rūnanga to provide evidence in relation to the statutory framework, the integration of tangata whenua values into the Proposed District Plan (PDP) and the submissions on Chapter 5: Tangata Whenua.

Overall, I concur with Mr Pickard that Strategic Goal 7 and Chapter 5: Tangata Whenua should be retained as outlined and supported in the Section 32 assessment, as these provisions provide for:

- Integration of Tangata Whenua values into the PDP.
- Involvement of Tangata Whenua in the decision making process.
- Recognition of the Statutory Areas identified in the Ngāi Tahu Claims Settlement Act 1998.

I also concur that there is a cross-over between Chapter 5 and the objectives, policies and rules of Chapter 26 (Historic Heritage).¹

Ngā Rūnanga in collaboration with Ngāi Tahu ki Murihiku have undertaken to map wāhi tūpuna in the Queenstown Lakes District for inclusion in Stage 2 of the District Plan Review. The mapping of wāhi tūpuna will enable the development of provisions that protect the relationship of Ngāi Tahu with their ancestral lands, water, sites, waahi tapu, and other taonga, as discussed in the evidence of Ms Kleinlangevelsloo. I anticipate that this may also require amendment to the Stage 1 chapters to ensure there is consistent provision for tangata whenua values throughout the PDP.

Statutory Framework

In my opinion, the provisions of Strategic Goal 7 (3.2.7) and Chapter 5, and the inclusion of Ngāi Tahu Claims Settlement Act sites on Map Sheet 40, are consistent with the relevant Acts, with the Proposed Regional Policy Statement, and with the Kāi Tahu ki Otago Natural Resource Management Plans.

¹ Objective 26.5.3 and Policies 26.5.3.1 – 26.5.3.4; Rule 26.6.16 – Activity Standard – Sites of Significance to Māori; and a place-holder in Section 26.11 for the wāhi tūpuna mapping.

Integration of Tangata Whenua Values in the PDP

Ngā Rūnanga sought through submission the integration of tangata whenua values throughout the PDP. The Manawhenua planning framework in the Proposed Dunedin City District Plan illustrates how that integration might be achieved within this plan. There is one correction required to the framework, namely for Discretionary and Non-Complying Activities, where effects on the cultural values of manawhenua are assessed, the findings of a cultural impact assessment may be required.

Analysis of Submissions

Issue 1 – Strategic Direction Goal 7 (3.2.7)

Submitters sought the amendment of Objective 3.2.7.1. This would see a "softening" of the stance from requiring protection of Ngai Tahu values to 'recognising and providing for those values. I consider that the submissions on this issue can be addressed by adding qualifying paragraphs to Objective 3.2.7.1, as set out in Paragraph 30 of my evidence.

Issue 2 – Consultation / mapping of Cultural Sites

I concur with Mr Pickard that there is ample information available to formulate and justify this Chapter. The mapping of wāhi tūpuna will also provide guidance to plan users on the specific areas or features of significance to tangata whenua.

Issue 3 – Manawhenua or Tangata Whenua

Ngā Rūnanga endorse the use of 'Tangata Whenua' in the PDP to provide certainty for plan users.

Issue 4 - Involvement of Tangata Whenua / Status of Iwi Management Plans

I concur with Mr Pickard that Local Authorities are obligated under the Local Government Act and RMA to actively engage with Tangata Whenua and to take into account the principles of the Treaty of Waitangi.

Conclusion

In conclusion, Ngā Rūnanga have worked with the Otago Regional Council and the Dunedin City Council to develop provisions in the Proposed Regional Policy Statement (PRPS) and Proposed Second Generation Dunedin City District Plan respectively that protect their values, rights and interests. Goal 7 and Chapter 5 similarly lay a foundation for the integration of tangata whenua values throughout the Proposed Queenstown Lakes District Plan.

Correction to Paragraph 26 of the Evidence in Chief (Highlighted in Red)

Activity	Assessment Guidance
<p>Restricted discretionary activities</p>	<p>In a wāhi tūpuna mapped area where the activity is identified as a threat an assessment of the effects on Manawhenua cultural values.</p>
<p>Discretionary and Non-Complying Activities</p>	<p>In assessing the significance of effects, consideration will be given to Manawhenua values and (to maintaining) the relationship between manawhenua and the natural environment, including the cultural values and traditions associated with:</p> <ul style="list-style-type: none"> a. wāhi tūpuna; and: b. mahika kai <p>If an activity is located outside a wāhi tūpuna mapped area, Kāi Tahu may advise the Council if it considers that the granting of the consent would affect the integrity of the broader environment within which the wāhi tūpuna is located, or the linkages between wāhi tūpuna.</p> <p><u>Where effects on the cultural values of manawhenua are assessed, the findings of a cultural impact assessment may be required.</u></p>

