

This Submission is in regard to my property at Ivy Lane Albert Town but also extends to my neighbours along the Clutha river in Wicklow Terrace and Alison Avenue.

In Ms Picard's section 42A report on behalf of the Queenstown Lakes District Council (QLDC) she made the following remarks:

4.6 Many submitters seek that the overlays either; exclude all privately owned land, **their privately owned land, or that mapping of Wāhi Tūpuna overlays use cadastral boundaries as a defining edge** for ease of administration.

4.7 The use of cadastral boundaries is a common tool for GIS mapping. However, for cultural values, the extent of current day land ownership has no context to the values that are held by Manawhenua and sought to be managed and protected through RMA processes.

4.8 As set out in the cultural values section above, identification of areas of value sits with Manawhenua. **In the absence of confirmation from Manawhenua that changes are appropriate, I recommend that the submissions that seek amendments to the mapping be rejected.**

Ms Picard bases the rejection solely on values of Manawhenua and does not consider the current state of land in private hands or any other factors.

The QLDC glossary gives the following definition: Manawhenua: Those who exercise customary authority or iefitainship, decision-making rights.

Manawhenua Questions to ask:

Who is this person or persons?

Upon what do they base their decisions? Is it Based on cultural, spiritual, historic or traditional values?

How long have they lived in Albert Town, in the present or past in order to determine this position?

In research I have found that Ngai Tahu have stated they used the river for camping, food gathering, safe harbours and landing places.

- Food gathering places in Albert Town have been recognised and designated as being on the Hawea River downstream from my property and the other privately owned land included in this submission.
- Any safe harbour or landing places would have been either three hundred metres upstream, three hundred metres downstream or on the opposite bank of the river. It would have been at that time a 25-metre vertical bank which could neither have been a safe anchorage or landing place. (Note this bank has been highly modified and the elevations prior to 1999 bear no resemblance to today's appearance)
- The properties within the proposed Wahi Tupuna designation are all built on and so the land being highly modified would no longer have the spiritual cultural or historical values that may once have existed. It is highly unlikely those values could ever be restored to the land currently in private ownership.
- However, the river and land from the riverbank to the property line, currently designated legal road and in some parts highly modified, could still hold the values Ngai Tahu seek to retain. In front of my property that distance from the river is approximately 70 metres.

The Hikuwai Subdivision at the intersection of Alison Avenue and Gunn Road is on Land gifted to Ngai Tahu as part of the settlement after the 1998 Waitangi Settlement Act was passed. After having subdivision consent declined Ngai Tahu sold this land to a private developer who were successful in getting consent to subdivide.

It is interesting to note the Wahi Tupuna line on the map has been drawn to almost miss entirely the privately owned in this subdivision. If the same distances were applied as along Alison Avenue, it would have covered the private land closest to the river.

In a previous submission I stated: It is well documented that in the area Maori travelled through the area but there is no evidence that there has been any permanent settlement in the Upper Clutha. It is generally accepted the climate was too hot in the summer and too cold in the winter to be conducive to permanent settlement.

Historically, Maori visited the Wanaka area to hunt and fish in summer, or on their way to seek greenstone on the West Coast. Ngāi Tahu abandoned their seasonal camps after a raid by a North Island war party in 1836. This establishes Maori presence in Albert Town has been minimal.

There is no doubt that the land the township of Albert Town sits on was legally purchased land from Ngai Tahu in 1848 (£2000) and was followed by additional payments in 1944, £300,000 (30 annual payments of £10,000) and 1973, these payments continued into perpetuity.

The final settlement was finalised with Ngai Tahu Claims Settlement Act 1998 which as well as settling monetary claims also settled other injustices. (£1 equals \$2 but does not take into account inflation from 1848 to today)

### Actions requested

- That Ms Picard's evidence be over-ruled.
- Consult with Ngai Tahu to place the Wahi Tupuna designation line fits with development of the area to meet both the expectations and desires of both them and the property owners. More particularly :
- Move the line on the map below exclude property at 8 Ivy Lane
- Move the line on the map below exclude all properties in private ownership from 5 Ivy Lane to the end of Alison Avenue upstream and Wicklow)Terrace downstream.
- Allow for emergency repairs to this area in the form of planning rules in favour of the Otago Regional Council.
- Adjust the map, below accordingly.

(that is the grey/green shaded area adjacent to the low-density property designation in tan colour on the map)



This submission should be read in conjunction with the previous ones I have made in October 2019 and 27<sup>th</sup> May 2020.

There no point resolving a grievance and creating another one.