

## Summary of Evidence – hearing topics 1 and 2 – proposed Timaru District Plan

Rachael Elizabeth Pull (Senior Environmental Advisor -Planning) on behalf of Te Rūnanga o Ngāi Tahu

8 May 2024

Tēnā koutou, ko Rachael Pull tōku ingoa and I am providing an oral summary of my planning evidence on behalf of Ngāi Tahu for the introductory and strategic direction hearings for the proposed Timaru District Plan.

Overall, I acknowledge that Ngāi Tahu submissions generally support the notified plan, and for the introduction chapters I generally support the version of the provisions proposed by the section 42A reporting officer. The amendments I have proposed are to provide for the values and future of Kāti Huirapa in accordance with the RMA and Canterbury Regional Policy Statement.

In relation to the Ngāi Tahu submission, the following statutory direction is relevant to the Panel's consideration of the proposed plan:

1. Part 2 of the Resource Management Act 1991 – in particular sections 6(e), 7(a) and 8. These provisions are relevant to achieving the sustainable management purpose of the RMA in section 5. They require the Panel to:
  - a. recognise and provide for the Ngāi Tahu relationship with their ancestral lands, waters, wāhi tapu and other taonga as a matter of national importance;
  - b. have particular regard to the Ngāi Tahu ability to exercise kaitiaki; and
  - c. require the Panel to take into account the principles of Te Tiriti o Waitangi.
2. The Ngāi Tahu Claims Settlement Act 1998 provides for the Deed of Settlement and a Crown apology to Ngāi Tahu, recognising them as the tangata whenua and holding rangatiratanga within the Takiwā of Ngāi Tahu Whānui. The Ngāi Tahu settlement is more than just providing statutory acknowledgements and nohoanga in the plan. Through the plan Ngāi Tahu values as set out in its Settlement Act should be recognised and provided for.

I consider that all of the matters of national importance identified in section 6 of the RMA should be considered to be of equal importance. The recognition of the Ngāi Tahu relationship with the natural environment sits alongside, and intertwined with, the other listed matters. They cannot be recognised and provided for without also recognising that Ngāi Tahu is part of the landscape.

### Strategic Direction

The key aims of the Ngāi Tahu submission are to improve readability and useability to the Plan user. Particularly within the submissions on the Strategic Direction, it focuses on clarifying that Ngāi Tahu are part of the solution for Council to addressing these issues.

The Mana Whenua Strategic Direction is useful, however as my evidence shows, there is confusion as to the scope of its application and how effective it will be when read in conjunction with the other directions. Therefore, I have recommended a range of amendments to improve its effectiveness to match what is intended by the s42A report and the Introductory chapters.

Yesterday I met with Liz Williams from the Department of Conservation regarding my recommendations to Strategic Direction O2 The Natural and Historic Environment. We agreed that subject to the Mana Whenua Strategic Direction O5 applying district wide, clause 4 provides enough clarity around access to indigenous biodiversity in order to maintain the relationship with the land

and its resources. Especially when combined with non-RMA options such as the relationship with DOC. Also, that general access would apply via Strategic Direction O10. We also agreed that my recommendation to SD-O2, clause 6 could be further refined to clarify the values include taoka and wāhi taoka as per section 2.1.7 of the Plan and the NPS-IB 3.3(2) instead of stating use in the objective. This provides the consideration of the use of indigenous biodiversity for mahinga kai and other customary uses while maintaining the protection.

My other recommendations to Strategic Directions O2 clauses 2 and 4 she had no concerns with.

I am happy to take any questions.

For reference:

SD-O2: The natural and historic environment

*The District's natural and historic environment is managed so that:*

- 1. the health and wellbeings of the community are recognised as being linked to the natural environment;*
- 2. an integrated management approach is adopted that recognises that all parts of the environment are interdependent (*Ki uta ki tai*);*
- 3. the natural character of the coastal environment, wetlands and waterbodies is preserved and protected from inappropriate subdivision, use, and development;*
- 4 the values of important landscapes and features are protected from inappropriate subdivision, use, and development;*
- 5. indigenous biodiversity ~~and access to it~~, is maintained and enhanced and restored where necessary so that there is at least no overall loss;*
- 6. significant indigenous vegetation and significant habitats of indigenous fauna are identified and their values (*including taoka and wāhi taoka*) recognised, protected and where appropriate, enhanced ~~and used~~, and where ecological integrity is degraded, restored;*
- 7 the life-supporting capacity of ecosystems and resources is safeguarded for future generations; and*
- 8 the important contribution of historic heritage to the District's character and identity is recognised, and significant historic heritage and its values are protected from inappropriate subdivision, use, and development.*