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	Name	Mike Sweeney
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	Email	████████████████████
	Response Date	Aug 16 22
	Notes	
Q1	Select the chapter you want to provide feedback on	
Q2	In general, to what extent do you support the contents of this chapter?	
Q3	Objective/Policy/Rule/Standard reference:	
Q4	Feedback/Comments	
Q5	Objective/Policy/Rule/Standard reference:	
Q6	Feedback/Comments	
Q7	Objective/Policy/Rule/Standard reference:	
Q8	Feedback/Comments	
Q9	Objective/Policy/Rule/Standard reference:	
Q10	Feedback/Comments	
Q11	supporting documents?	
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Q12	If you need more space, or have any other general comments, please leave them here	

Mark Smith

From: Mike Sweeney <[REDACTED]>
Sent: Wednesday, 17 August 2022 7:14 AM
To: Plan Review
Cc: Gary Kircher; Kelli Williams; Jim Hopkins; Jeremy Holding; Guy Percival; jthomsen@waitaki.govt.nz
Subject: submission on Maori areas



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SUBMISSION ON DRAFT DISTRICT PLAN CHAPTER, “AREAS AND SITES OF SIGNIFICANCE TO MAORI”

Never before has the Waitaki District Plan given the Ngai Tahu iwi control over land use. Yet the new draft district plan proposes it. Vast areas of the district are labeled “Sites and Areas of Significance to Maori” and numerous ordinary activities of property owners are essentially banned unless approval is given by Ngai Tahu.

The “Sites and Areas” include the entire coastal region from north of Hampden to south of Moeraki, the entire vicinity of Lake Ohau, wide sections surrounding the Waitaki, Kurow, Waianakarua, Shag, Kakanui and Pleasant rivers, wide sections surrounding Waiarika, Awamoko, Trotters and Watkins creeks, most of the towns of Kakanui, Hampden and Moeraki, and other areas.

A list of the 50 areas subject to these restrictions appears in Schedule 5 of the draft district plan, together with the assertions of Maori significance. I have asked to know how many hectares are encompassed by this schedule and the number of private parcels affected. This enquiry hasn’t yet been answered. It is important that the Council should have this information.

It should be clarified that this radical change in the district plan isn’t required by any current legislation of the Government. The relevant law is the Resource Management Act of 1991, the same law that was in effect when the existing district plan was adopted ten years ago. Waitaki complied with the law by inserting Part 2, Chapter 1, “Takata Whenua Values” into the district plan. This chapter asserts the right of Ngai Tahu to guardianship over the Waitaki environment, guarantees the right of consultation when its values may be affected, and requires applicants for resource consents that may affect Maori values to consult with Ngai Tahu. But the objectives are general, and no specific areas are mapped. And it stops short of giving Ngai Tahu a veto over land use.

What caused this radical change in policy in the draft district plan? How can this new policy possibly reflect the wishes of the Waitaki population?

In the areas designated as “of Significance to Maori,” the following activities are restricted:

- In rural zones, any building taller than 6 metres or larger than 200 square metres.
- “Agricultural intensification”
- Natural hazard mitigation structures, including those of the District itself
- Earthworks
- Forestry

- Recreation

In addition, there appears to be an outright ban on doing anything within 100 metres of a “limestone escarpment.” There is an outright ban on planting wilding conifers. Whole townships, like Hampden, Kakanui and Moeraki, would be banned from building wastewater facilities.

For the restricted activities, Ngai Tahu must be consulted and permission depends on Ngai Tahu’s feedback: “the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation.” The activity must be evaluated according to Ngai Tahu’s opinion about “integrity,” “disturbance,” “history,” or “cultural values.”

For example, areas like Trotters Creeks, Otiake and Te Paetara are named because Ngai Tahu believes that food was once gathered there. This is the most frequent justification given in all of the 50 areas. Sometimes there is a mythological justification. Puketapu hill outside Palmerston is named because the draft district plan holds that : “Puketapu was a passenger on the Ārai-te-uru waka that capsized off the coastline near Matakaea (Shag Point). It is said that when Puketapu went to shore to gather firewood, she was overtaken by the light and turned to stone.”

It is hard to imagine a planner going against whatever opinion that Ngai Tahu might give about the desirability of any particular project in the areas of significance. Or, by failing to engage in consultation at all, Ngai Tahu could block a project indefinitely. When faced with these bureaucratic obstacles, on top of all the other onerous planning requirements, a landowner would give up...unless perhaps something of value could be offered to Ngai Tahu to win a favorable consultation. In this way, the “co-governance” that the draft district plan names as a goal could result in totally unpredictable consequences in the long run.

In summary, I support the recognition and preservation of Maori heritage in the Waitaki District. The perspective of Ngai Tahu is invaluable. But there are limits. The land has been farmed by generation after generation of private owners, ever since it was purchased from Ngai Tahu 170 years ago. The use of that land is tightly controlled by planning and environmental laws, and outstanding natural features are protected. To institute a whole new layer of land-use control by Maori, covering vast expanses of the district, is unjustified.

The existing chapter “Takata Whenua Values” in the current district plan already meets the responsibility of the district to support Maori heritage. It could be strengthened by identifying specific archeological features, such as rock art or pa sites, and ensuring their protection. Leave it at that.

Respectfully submitted,
Mike Sweeney