

## **Anthony Pickard for QLDC – Summary of Evidence, presented 7 March 2016**

### **Hearing Stream 1A and 1B**

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My name is Anthony Pickard I am employed by Queenstown Lakes District Council (**QLDC**) as the Principal Planner Infrastructure in the Property and Infrastructure Team. Until 15 February 2016 I was employed for two years as a Senior Policy Planner at QLDC and have authored Chapters 1 Introduction and 5 Tangata Whenua (the latter with direct input from Kai Tahu ki Otago (**KTKO**) and Te Ao Marama Incorporated (**TAMI**)).

I would like to highlight the following key points from my S42A reports for these chapters as follows.

#### **Chapter 1 Introduction**

The approach of many planning documents now seeks to refine their content to a comparatively low level to simplify and streamline. This is true of the introductory matters which I consider to be a valid part of a District Plan, but in my experience can wander from relevant matters into lengthy and unnecessary descriptive text.

Consequently, the Proposed District Plan's introduction chapter has been written to contain enough information for any user, without any unnecessary commentary. This chapter is purposely minimal and seeks to achieve a balance between the amount of reference to the RMA and readability. Each subsequent chapter also has its own stated purpose, and with the overriding Strategic Direction Chapter offering further insight, I have sought to avoid duplication where I consider it reasonable to do so. This slimmed down chapter is proposed to replace two chapters in the Operative District Plan (**ODP**) (the Introduction, and Information and Interpretation chapters).

Recent amendments to the Fourth Schedule of the Resource Management Act 1991 (**RMA**) have also introduced a more detailed list of matters that applicants are required to assess and include. These, and the Consent Team's approach to producing guidance and templated application forms, removes the need to duplicate those requirements in this chapter of the Plan.

A summary of the key issues covered in the chapter is as follows:

#### *Relationship with other Planning Documents*

The provision to direct and encourage users to refer to National and Regional Planning documents has been extended, in response to submissions. Although this information is present within the RMA, I have considered that it would be helpful to include some more specific information, despite the minor level of duplication.

#### *Consultation*

The PDP should not contradict the RMA and this was highlighted in a submission regarding consultation. The phrase "may need" (which is present in the ODP) could be construed as a requirement to consult, which is not a requirement of the RMA. I have recommended that "may need" be replaced with an encouragement to consult.

#### *Additional Information for Designations*

Again in response to a submission, the level of detail required to be submitted with an application for a Designation (a Notice of Requirement) was reassessed. With adequate levels of detail being specifically identified within the RMA, the low frequency of such applications and the

likelihood of such applications being submitted by anyone other than a professional planner, I considered the deletion of the provision to be appropriate.

### *Building Height Poles*

Requests were made to retain existing provisions (in the ODP) for the requirement of these planning tools which aid in the assessment of a proposal against its surrounding environment. The key provision is that this should remain a matter for Council's discretion, allowing their use across any zone if they are considered to be informative in the assessment of any application.

I am happy to answer any questions on this chapter.

## **Chapter 5 Tangata Whenua**

The need for, and the desire to work with Māori in Plan making is becoming more commonplace and in my opinion greatly improves the overall decision making process. My report details how the fractured provisions in the ODP have been collated into one main chapter. I note that this does not restrict the integration of Maori values throughout the PDP, but in my opinion facilitates it. Chapter five is an extension of a strategic goal (Strategic Direction, Chapter 3, Goal 7) that in turn, assists in demonstrating how QLDC acts in accordance with the principles of the Treaty of Waitangi.

The process to arrive at the proposed chapter has included working closely with the two resource management units (KTKO and TAMI) over a period of two years. It is acknowledged that there is unlikely to be 100% alignment in the outcome but the growing relationships will assist users of the Plan, and the Tangata Whenua representatives. Also, Council staff will have an improved understanding of local Maori values and the types of development that may affect them.

Many Maori terms are not easily translated into plain English and this is further complicated where planning phraseology is allowed to intervene. Wahi Tupuna or cultural (or sometimes ancestral) landscapes is an example of this, as is Kaitiakitanga. These terms, in my opinion, can be used in a very wide context in the Maori world view, whereas Plans seek to define them for simplicity.

I have included reference in this chapter as well as Chapter 1, to the amended requirements for assessment details from all applicants. These are very clearly worded to include the need to consider Part 2 of the RMA. Cultural matters feature heavily within these sections (5 – 8) and users of the PDP can refer to Chapter 5, and in turn can identify the appropriate Iwi Management Plans for even more assistance.

I now summarise the key issues:

### *Goal 7, Strategic Directions*

This Goal is vital to the Tangata Whenua chapter and the requested changes to this, through submissions to the Strategic Direction chapter, have meant that a re-evaluation was required. To require the unqualified 'protection' of all things related to Tangata Whenua does not align well with the RMA. The recommended change to 'recognise and provide for' however, does, and still allows that the policy framework as proposed for the Tangata Whenua to remain valid.

### *Consultation / Mapping*

Representatives of Tangata Whenua have been engaged in the PDP process for some time. It was identified very early in the process that engagement from QLDC was low and that there were areas for improvement. Through this process I have also learnt that there will always be

difficulties in trying to place an area associated with Maori values onto two dimensional mapping. Even the respective Takiwa shown in the Iwi Management Plan allows that there are links and shared interests across “mapped” areas.

I have mapped the sites and areas that are detailed in the Ngai Tahu Claims Settlement Act (**NTCSA**), to show that there are more than just the Statutory Areas that QLDC are obliged to include, and these are on Map 40. This sheet shows areas of cultural significance which are identified in the NTCSA but are also elements of the cultural landscape that the PDP refers to as Taonga and Wahi Tupuna.

These elements of the wider cultural landscape are however, not exhaustive and Tangata Whenua have agreed to provide further identification of sites and landscapes this year. This will greatly assist users of the PDP, by excluding areas of little or no interest to Tangata Whenua and providing statements of significance and risk to Maori values from differing types of development that may affect sites that are of significance. I acknowledge that this work will need to undergo due process, but that the policies that are included now, relate to those cultural elements that are already included and will accommodate further additions. The SOSM would also be added to the inventory in chapter 26 PDP which is more suited to the method of statement of significance / risks / threats from development and rules. If there were changes to the PDP it would be to that chapter.

#### *Manawhenua*

The importance of the correct Maori terminology is vital to the Chapter and throughout the wider PDP. A submission raised the request to use Manawhenua, in preference to Tangata Whenua. There are subtleties to this change which may not be apparent to non-Maori and will be best debated fully in the Hearing. In my opinion, there should be standardisation across planning documents where practicable and I recommend that Tangata Whenua is retained. I note that this submission comes from KTKO and that TAMI did not make the same request, hence my reluctance to recommend it.

#### *Involvement of Iwi / Iwi Management Plans*

I consider that the RMA promotes involvement of Tangata Whenua in decision making. This can be through a number of methods – such as good consultation processes, engagement and education from/ to both Council and Tangata Whenua. Iwi Management Plans are an important tool in this process although they may not be easily copied and pasted into other Plans.

I am happy to answer any questions.

Anthony Pickard  
Principal Planner Infrastructure  
QLDC  
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