

Before the Hearing Panel  
Appointed by the Timaru District Council

Under                                      The Resource Management Act 1991 (**RMA**)

In the matter of                      The Proposed Timaru District Plan

---

Statement of evidence of Aaron Ross Hakkaart

23 January 2025

---

**Council's Solicitor:**

Michael Garbett/ Jen Vella

Anderson Lloyd

Level 12, Otago House, 477 Moray Place, Dunedin 9016

Private Bag 1959, Dunedin 9054

DX Box YX10107 Dunedin

p + 64 3 477 3973

michael.garbett@al.nz/ jen.vella@al.nz

**anderson  
lloyd.**

## **Introduction**

- 1 My full name is Aaron Ross Hakkaart. My planning qualifications and experience are set out in my earlier Statement of Evidence on the proposed Timaru District Plan (**PDP**) dated 22 April 2024 (**April evidence**).
- 2 This evidence supplements the evidence I have previously given on the approach taken by Timaru District Council (**TDC**) to identify Sites and Areas of Significance to Māori (**SASM**), dated 20 June 2024 (**June evidence**).
- 3 I am giving this evidence in my role as Planning Manager – District Plan Review at TDC. In this role, I manage and progress the review of the Timaru District Plan. I understand the overall strategy and approach towards the review and seek to ensure the review continues in a timely and efficient manner. I have held this role for 11 months.
- 4 While I am giving this evidence on behalf of TDC, I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and I agree to comply with it. I confirm that the issues addressed in this statement are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

## **Scope of evidence**

- 5 The purpose of this evidence is to provide the Panel with information about further opportunities for engagement since my June evidence, including how that has informed the development of the s42A report on the SASM provisions.
- 6 My June evidence provides a detailed summary of the district plan review process as it relates to the development of the SASM provisions prior to notification; this evidence does not repeat that information.

## **Section 42A report preparation phase**

- 8 TDC is responsible for facilitating the development of the section 42A reports in relation to each of the hearing topics, including:
  - (a) appointing s42A officers to evaluate submissions and make recommendations to the panel; and
  - (b) commissioning technical reports to support the s42A authors to prepare those reports.
- 9 TDC appointed Aoraki Environmental Consultants Ltd (**AECL**) as the technical experts to support the development of the section 42A report relating to mana

whenua values, including Sites of Significance to Māori and the Māori Purpose Zone. TDC has appointed AEC because it is the organisation mandated to support Te Rūnanga o Arowhenua (**Arowhenua**) in its environmental aspirations, to enable it to undertake rakatirataka and kaitiakitaka within its rohe and to work with other parties on environmental issues.

- 10 In my June evidence, I signalled that:
  - (a) TDC was working closely with AECL to assess submissions on the SASM chapter and planning maps, and to help develop appropriate amendments in response to those submissions; and
  - (b) I intended to carry out further discussions with affected landowners once an assessment of the submissions and potential amendments had been undertaken.
- 11 Following an assessment of submissions and identification of key themes and issues, I discussed how to best approach engagement with submitters with AECL. The initial assessment identified key submission themes namely:
  - (a) adequacy of consultation that occurred prior to the development and notification of SASM mapping (including the appropriateness of mapping SASMs on private land);
  - (b) the scale of mapping; and
  - (c) the approach taken in the planning framework.
- 12 We agreed that, due to the number and breadth of the submissions, it was appropriate for TDC to lead any discussions with submitters and for me to be main point of contact. This approach was informed by a desire to ensure that the cultural experts were not exposed to the need to defend their cultural values, particularly in an informal situation.
- 13 In addition, while the SASM Chapter addresses matters relevant to mana whenua in sections 6(e) and (f), 7(a) and (aa) and 8 of the RMA, it is the Council who is responsible for fulfilling those obligations and there is the need to do so in a holistic manner across the whole plan. Additionally, the issues raised in submissions focused on elements that were largely within the control of Council such as the previous engagement and consultation that occurred prior to notification. These factors supported our view that the Council should facilitate conversations in response to submissions on the PDP.
- 14 I therefore sought to facilitate meetings with submitter groups to further understand key themes, the rationale for submissions, and whether the approach being recommended in the s42A report would meet the concerns raised in submissions.

It also allowed for confirmation that the key themes identified in reviewing the submissions was accurate.

- 15 Between the start of November and end of December 2024, I met with the 'Limestone Group' and their Counsel, a group of landowners in the Rangitata area, and a Federated Farmers representative. These groups captured a wide range of submitters, whose submissions generally raised the broad themes reflected in the full range of submissions received.
- 16 The ability to resolve concerns about previous engagement was limited, so there was a specific focus on discussing the concerns as they related to the implications of the PDP provisions. During these meetings the issues that were prevalent from a rule framework perspective were discussed, so that TDC could understand the concerns of these submitters and the impacts on them.
- 17 The informal meetings provided an opportunity for me to further discuss the importance of the cultural values to mana whenua and the process carried out when developing the mapping. I note the panel has received evidence from Mr Henry in relation to the process carried out by mana whenua in informing this process. These meetings were intended to provide additional context and understanding for submitters. I also made offers to meet with other submitters and members of Federated Farmers.
- 18 The information gained from the meetings held was fed back to the s42A officer, who has considered that within the context of the submissions received. I recognise that submitters will still question the approach taken prior to notification and will raise subsequent concerns with the recommendations made in the s42A report. I also acknowledge that the opportunity for all submitters to meet with Council was not provided prior to the release of the s42A report. Where a meeting with Council was requested, this opportunity was welcomed, and no such requests were turned down.

#### **Discussions following the release of the s42A report**

- 19 Following the release of the s42A report, I sent an email to all submitters who were having submission points heard in Hearing E, offering an opportunity to meet and discuss the contents of the s42A report and the impacts of the recommendations on submitters. This invitation related to all topics within the Hearing E stream and included information on the availability of Council staff over the holiday period.
- 20 The only submitters to take up the invitation were two members of the Limestone Group. I undertook two site visits with those members, which have allowed me to further understand the context of some of the sites which are being discussed at this hearing, and the ties the submitters have to their properties. I thank the submitters who have provided me with this opportunity. At the time of finalising this

evidence, I have not received any other requests for meetings from any submitters in relation to the SASM topic.

### **The wider consultation and engagement process**

- 21 I recognise that several submissions have been critical of the process completed and the lack of site visits and ground truthing. As outlined in my June evidence, TDC used different approaches to engagement as it relates to this topic throughout the development of the PDP. Since then, the TDC has sought to respond to those criticisms and understand the concerns that are able to be addressed through the s42A response to the provisions notified.
- 22 I also acknowledge Mr. Henry's evidence that the historical understanding of mana whenua, and his view that that the relationship of mana whenua with the whenua, did not require formal site visits.
- 23 The plan seeks to find a balance around meeting statutory requirements and protecting important values, whilst recognising the existing uses and impacts of plan provisions on landowners. The development of SASM provisions is new in the Timaru District and the understanding of these values and the effectiveness of the plan in recognising and protecting them will need to be a conversation that TDC has with its communities over the life of the district plan. The intent of the approach recommended within the s42A report is to facilitate discussions where an activity may impact on values moving forward. Additional to this, Council sees that it is important to facilitate discussions with landowners moving forward; but recognises that not all landowners will wish to explore this.
- 24 Council will continue to seek opportunities to work with the entire community on understanding the rationale for all elements of the District Plan, including SASMs, and per its obligation under the Act will monitor the effectiveness of the approach taken.
- 25 The ability to effectively complete these tasks will be reliant on Council facilitating opportunities for further discussions between itself, landowners and mana whenua. This will involve taking learnings from the current process and implementing new ways that better meet the needs of all stakeholders, to seek good outcomes for all. This will involve forming new relationships that currently do not exist, building on existing relationships and those which have been negatively impacted by the current process.

**Aaron Hakkaart**

23 January 2024