

Draft Te Kawa o Te Urewera

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Summary

My three submissions are general in nature. The first relates to the readability of the draft, where I suggest that some steps be taken to improve that. The second queries whether the draft does achieve the objectives envisaged by the Te Urewera Act 2014 (the Act). Finally the Act requires reference to the Plan to enable certain actions to take place. It is suggested that at least some of these be reflected in the Plan.

1. Readability

1.1 The Plan contains many statements of elegance and beauty explaining traditions, beliefs and relationships relating to Te Urewera. That said there are a number places in the text where the expression of an idea is not entirely clear. Without limitation these include places where there are

- words used which if given their usual meaning don't quite fit the context
- grammatical "challenges"
- long sentences which might benefit from being broken in two

1.2 I submit that in the course of finalising the Plan the text is thoroughly reviewed from the perspective of readability.

2. Purpose and Scope of the Plan

2.1 Section 45 of the Act states the purpose of the Plan. While that statement does not strictly need to be repeated in the Plan I suggest that it is, perhaps in Para 1.1 The Purpose of Te Kawa.

2.2 Section 46 (1) of the Act describes what must be in the Plan, its contents. This comprises a list of ten requirements. In the case of many of these it is difficult to find where the requirements are satisfied. Rather than go through these one by one I submit and suggest that, for each requirement, every place in the Plan where material relevant to it is contained be marked (for ease of reference one place is very desirable). These should then be collated and a judgement made whether the requirement is satisfied. By satisfied I mean with sufficient specificity to fulfil the intention of the Act and to enable the Plan to be truly for the management Te Uruwera.

2.3 For completeness I note that section 46 (2) of the Act enables the Plan to address any other matters relevant to achieve the purpose of the Act. The Plan has done this and I believe that all

the matters covered are relevant. My fear is that the compulsory parts may be incomplete. They cannot be left for inclusion only in annual operational plans; those annual plans can, of course, build on requirements in the Plan for operational purposes.

3. The Plan as an Enabling Document

3.1 The Act includes a number of provisions to the effect that an action must be consistent with the Plan or that it must be foreshadowed by the Plan. For example under section 62(1) the activities comprised in a concession cannot be inconsistent with the Plan. Nor can special areas, such as amenity and wilderness area, be created unless they are foreshadowed in the Plan. It is unclear to me but some, if not all, of these enabling provisions may not have been considered. I submit that all references to the management plan in the Act be considered by the Board and decisions made as to whether it is necessary or appropriate to make a "response" by additions or variations to the Plan

Declaration

I am an employee of Buddle Findlay, albeit not currently working because of injury. I am aware that Buddle Findlay (Paul Beverley) is acting for the Board. For this purpose clearance from Tūhoe was obtained for this submission. In addition the submission is made in my personal capacity and I have confined it to general aspects of the draft Plan.

John Nankervis
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