

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER Proposed Change 1 to the Regional Policy
Statement for the Wellington Region
Hearing Stream 2 Integrated Management

STATEMENT OF PLANNING EVIDENCE OF MAGGIE ROSE

BURNS

30 June 2023

	2
INTRODUCTION	3
CODE OF CONDUCT	3
MATERIAL RELIED ON	4
SCOPE OF EVIDENCE	4
OVERARCHING ISSUE 3	7
OVERARCHING OBJECTIVE A	11
POLICY IM.1	18
POLICY IM.2	22
OVERARCHING ISSUE 1	23
OVERARCHING ISSUE 2	24
METHOD IM.1	24
METHOD IM.2	25
OBJECTIVE A ANTICIPATED ENVIRONMENTAL RESULTS	25

INTRODUCTION

1. My name is Maggie Rose Burns.
2. I hold a Bachelor of Environmental Planning from the University of Waikato. I am an intermediate member of the New Zealand Planning Institute.
3. I have been a practicing planner since 2018 and I am currently employed as a planner at Kāhu Environmental, a planning a resource management consultancy. I previously worked as an RMA planner at the Department of Conservation where my work largely involved assessing regional policy statement and regional and district plans.
4. I have prepared and presented expert planning evidence on regional policy statements, district plans and resource consents. I have experience in assessing and preparing submissions on draft and proposed regional policy statements, regional plans and district plans, and resource consent applications.
5. I have been involved in this matter since July 2022, providing planning advice to Rangitāne o Wairarapa to inform their submission on Plan Change 1 to the Greater Wellington Regional Policy Statement.

CODE OF CONDUCT

6. I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving oral evidence. Except where I state that I am relying on the evidence of another person, this written

evidence is 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 in this evidence.

MATERIAL RELIED ON

7. I have read and rely on the evidence of Amber Craig, also prepared on behalf of Rangitāne o Wairarapa.
8. In preparing my evidence I have read the following:
 - The Regional Policy Statement for the Wellington Region
 - The material comprising Proposed Plan Change 1
 - The s32 report for PC1 where it relates to matters addressed in Hearing Stream 2
 - The submissions and further submissions on PC1 made by Rangitāne o Wairarapa.
 - The section 42A officer report for Hearing Stream 2 – Overarching Issues and Objective, Integrated Management prepared by Jerome Wyeth. I refer to this as the Section 42A report in my evidence.

SCOPE OF EVIDENCE

9. Rangitāne o Wairarapa have asked me to provide expert planning evidence in relation to the submission and further submissions made by Rangitāne o Wairarapa on the Wellington Regional policy Statement – Plan Change 1 (Plan Change 1) in relation to those provisions being addressed in Hearing Stream 2.

10. Specifically, Rangitāne o Wairarapa made submissions and/or further submissions on the following provisions that have been identified in Mr. Wyeth's Section 42A report (Section 42A) as forming part of Hearing Stream 2.
- Overarching Issues 1, 2 and 3
 - Overarching Objective A
 - Policy IM.1
 - Policy IM.2
 - Method IM.1
 - Method IM.2
 - Objective A anticipated environmental results.
11. I have not individually addressed each of the further submission points, rather I focus on key issues for each provision.

STATUTORY CONTEXT

12. I generally agree with and rely on the statutory assessments in the Section 32 and Section 42A reports. I only restate or expand on other higher order documents that are relevant to my evidence below.

National Policy Statement for Freshwater 2020 (NPSFM)

13. The National Policy Statement for Freshwater Management is underpinned by the concept of Te Mana o Te Wai which refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and wellbeing of the wider environment.

The NPSFM sets out objectives and policies that direct local government to manage water in accordance with the fundamental concept of Te Mana o te Wai.

14. Relevant objectives and policies in the NPSFM for the matters addressed in my evidence include:
 - Objective 1
 - Policy 1 – managing freshwater in a way that gives effect to Te Mana o te Wai.
 - Policy 2 – active involvement of tangata whenua
 - Policy 3 – integrated management of freshwater
15. The following clauses are also particularly relevant and will be discussed in more detail:
 - Clause 3.2 - Approaches to implementing the National Policy Statement, which includes the requirement for every regional council to give effect to Te Mana o te Wai, in doing so must actively involve tangata whenua and engage with communities and tangata whenua.
 - Clause 3.4 – Tangata whenua involvement.
 - Clause 3.5 - describes an integrated approach, ki uta ki tai, as required by Te Mana o te Wai.

***Rangitāne o Wairarapa and Rangitāne Tamaki nui-ā-Rua
-Deed of Settlement***

16. Rangitāne o Wairarapa and Rangitāne Tamaki nui-ā-Rua Deed of Settlement was signed on 6th August 2016. Included in the redress is the requirement to prepare a Natural Resources Document to identify issues, values, vision, objectives, and desired outcomes for sustainable management of the natural

resources in the Ruamāhanga River catchment, including Wairarapa Moana¹.

17. While the Natural Resources Document is still under development, once it is prepared relevant local authorities must recognise and provide for the content of the natural resources document to the extent that it is relevant to matters covered by those plans².
18. While this RPS change precedes the Natural Resources Document being completed, the Deed of Settlement records the intention for Rangitāne (and Ngāti Kahungunu ki Wairarapa) issues, values, vision, objectives, and desired outcomes for sustainable management of the natural resources to be provided for in the RPS.

OVERARCHING ISSUE 3

[Submission point S168.0191, S42A report – paras 86-96]

19. The Rangitāne o Wairarapa original submission was generally supportive of the overarching resource management issues. However, the submission requested an amendment to Overarching Issue 3 in order to strengthen and better reflect the language in Section 6 (e) of the Resource Management Act 1991.
20. Rangitāne made further submissions that relate to Overarching Issue 3:
 - FS2.30 in opposition of Wairarapa Federated Farmers

¹ Rangitāne o Wairarapa and Rangitāne Tamaki nui-ā-Rua Deed of Settlement – para 7.31.4.

² Rangitāne o Wairarapa and Rangitāne Tamaki nui-ā-Rua Deed of Settlement – para 7.40.1
Maggie Rose Burns

- FS2.50 in support of Ātiawa ki Whakarongotai Charitable Trust
 - FS2.85 in support of Te Runanga o Toa Rangatira.
21. The Section 42A report recommends rejecting the Rangitāne o Wairarapa original submission point and recommends retaining the issue as notified. The report suggests that the amendments, intended to expand and strengthen the issue statement, are unnecessary, and that the existing, more succinct drafting adequately captures the key issues that the RPS seeks to address³.
 22. I disagree in part with the Section 42A officer's recommendation.
 23. Māori values and the mana whenua/tangata whenua relationship to te taiao are overlapping but distinct concepts. Amber Craig (paragraph 18) explains: "*We as tangata whenua are intrinsically linked to our waters and our taiao. If they die, so too does our people*" and paragraph 23 that "*Our [Rangitāne o Wairarapa] values are derived from our relationship with Papatuanuku and in turn Taiao.*" The values that Māori attribute to freshwater particularly are inherent to their relationship with freshwater and the wider environment.
 24. Rangitāne consider their lands, mountains, rivers, wetland and lakes as taonga, part of their identity and integral to their spiritual and material wellbeing⁴. This statement highlights the difference between values and relationships while also showing how they are interwoven.
 25. As currently worded, the issue does not adequately recognise and provide for the relationship of Māori with te

³ Paragraph 93 of the Section 42A report

⁴ Rangitāne o Wairarapa and Rangitāne Tamaki nui-a-Rua – Deed of Settlement, paragraph 3.13.1.

taiao in accordance with section 6 (e). It currently only addresses elements (values) that contribute to the relationships mana whenua / tangata whenua have with the environment.

26. Adding reference to the 'relationship' Māori have with te taiao is fundamental to ensuring the RPS accurately expresses what is required by Section 6(e). This amendment would not duplicate Section 6 (e), rather it ensures that the issue, and corresponding objectives and policies, accurately give effect to Part 2.
27. Mana whenua/tangata whenua also have an obligation to fulfil kaitiaki responsibilities. As explained in the evidence of Amber Craig, "*kaitiakitanga is a role our whanau are born into through their whakapapa* (paragraph 20)." My understanding of Ms Craig's evidence is that kaitiakitanga is a role that arises from the relationship mana whenua/tangata whenua have with te taiao. Ensuring Overarching Issue 3 expressly refers to the relationship of mana whenua /tangata whenua demonstrates the particular regard that is being given to those relationships that underpin kaitiakitanga. Doing so is consistent with Section 7(a).
28. An issue in a regional policy statement is an existing or potential problem that must be resolved to promote the purpose of the Resource Management Act 1991 and guide the development of objectives, policies and rules (in lower order planning documents), as well as providing context for decision-making processes in the region⁵. If an issue is not accurately and specifically worded, it will establish a distorted base for the development and evaluation of subsequent provisions. The accurate framing of an issue is

⁵ Quality Planning, writing issues, objectives and policies. Retrieved from: <https://www.qualityplanning.org.nz/node/610>

Maggie Rose Burns

therefore important, particularly where the issue is dealing with matters explicitly referred to in Part 2 of the Act.

29. Reference to both values and the relationship with te taiao would be consistent with language and outcomes supported in the Rangitāne o Wairarapa and Rangitāne Tamaki nui-ā-Rua Deed of Settlement. For example, the purpose of the Natural Resources Document (that the Deed requires to be prepared) is:

7.31.4 "To identify issues, values, vision, objectives and desired outcomes for sustainable management of natural resources in the Ruamahanga River catchment, in order to

(a) provide leadership on the sustainable management of the Ruamahanga River Catchment in a way that promotes the restoration, protection and enhancement of the social, economic, cultural, environmental and spiritual health and well being of Wairarapa Moana and/or the Ruamahanga River catchment; and

(b) recognise and give expression to the relationship of Rangitāne and Ngāti Kahungunu and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga in Wairarapa Moana and/or the Ruamahanga River catchment; and

(c) respect Rangitāne and Ngāti Kahungunu tikanga and values in the management of Wairarapa Moana and/or the Ruamahanga River catchment."

30. This excerpt from the Deed clearly highlights that there is a difference between values and relationships.
31. Section 62 of the Resource Management Act 1991 requires that regional policy statements include the resource management issues of significance to iwi authorities in the region. Rangitāne are identifying via their submission that it not just the values that have been affected by resource use and management, but also their relationship with te taiao.
32. I therefore recommend that Overarching Issue 3 is amended as follows:

Lack of Mana Whenua/Tangata Whenua involvement in decision making

Mana whenua / tangata whenua values, Te Ao Māori and mātauranga Māori have not been given sufficient weight in decision-making, including from governance level through to the implementation. As a result, mana whenua / tangata whenua values [and relationship with Te Taiao](#) have not been adequately provided for in resource management, causing disconnection between mana whenua / tangata whenua and the environment.

OVERARCHING OBJECTIVE A

33. The Rangitāne o Wairarapa original submission supported Objective A in part, particularly the reference to integrated management being guided by Te Ao Māori and incorporating mātauranga Māori. Several minor amendments were requested, including:

- amend clause (c) of the objective to state protects and enhances mana whenua / tangata whenua values and relationships with the taiao, in particular mahinga kai, or by alternative wording that provides similar relief and that addresses the full range of relevant matters in s6(e) of the Resource Management Act 1991;
- to separate out the 'life-supporting capacity of ecosystems' so this becomes a separate clause and an additional matter to protect and enhance;
- amend the objective to include that mātauranga Māori will be led and undertaken by mana whenua and tangata whenua.

34. Rangitāne o Wairarapa also further submitted on:

- FS2.109 in opposition to BP Oil NZ Ltd, Mobil Oil Ltd and Z Energy Ltd
- FS2.80 in support of Taranaki Whanui
- FS2.87 in support of Te Runanga o Toa Rangatira.
- FS2.96 in support of Te Tumu Paeroa Te Runanga o Toa Rangatira.

Relationship to Te Taiao vs Values

[[Submission point S168.0192, S42A report – para 124](#)]

35. The section 42A report rejects the proposed amendment from Rangitāne o Wairarapa to include '...relationship with te taiao...' in clause (c) of Objective A. The Section 42A report suggests that it is not necessary for Objective A to detail what it means to be guided by Te Ao Māori, because

that is the role of the proposed policies and methods to implement this⁶.

36. The Rangitāne o Wairarapa submission did not request any changes to detail what being guided by Te Ao Māori means, rather, it requested an amendment to clause (c) in relation to mana whenua/tangata whenua values. The section 42A report does not provide any specific commentary on this point.
37. I discuss above the difference, and important distinction, between the mana whenua/tangata whenua relationships with te taiao and mana whenua/tangata whenua values. The points I make there are equally applicable to the requested addition of 'relationships' to the objective.
38. I disagree with the recommendation of the Section 42A officer and recommend the amendment is made to include 'relationship to te taiao'.

⁶ Section 42A Paragraph 121.
Maggie Rose Burns

Give effect to Te Mana o te Wai

[Further submission point FS2.96, S42A Report – para 125]

39. The Section 42A report recommends rejecting the submission of Te Tumu Paeroa, which requested the addition of 'give effect to te mana o te wai' and to recognise and provide for ki uta ki tai in Overarching Objective A. Rangitāne supported this submission point. The justification for the recommendation in the Section 42A report is that this concept is best addressed by the freshwater management provisions in the plan change⁷.
40. I disagree with the Section 42A officer's recommendation.
41. An integrated approach, ki uta ki tai, is required by Te Mana o te Wai⁸. Freshwater must be managed in an integrated way that considers the effects of the use and development of land on a whole of catchment basis, including the effects of receiving environments⁹.
42. The Section 32 report categorises Te mana o te Wai as a fundamental concept of integrated management¹⁰. This is not just in relation to freshwater, but as a concept for the statement of mana whenua/tangata values.
43. The Section 32 report provides the following justification for why Objective A is being considered under the Freshwater Planning Process:

⁷ Paragraph 124 Section 42A Report.

⁸ Clause 3.5 National Policy Statement for Freshwater Management

⁹ Policy 3 National Policy Statement for Freshwater Management

¹⁰ S32 report paras 57-60 and page 60

Maggie Rose Burns

Objective [A] seeks to protect freshwater quality and quantity as part of achieving the qualities and characteristics of well-functioning urban environments, protecting and enhancing mahinga kai, and recognising the relationship between freshwater and other parts of the natural and built environment.

44. That explanation makes it clear that freshwater is relevant to all other elements referred to in the objective. As Te Mana o te Wai is the overarching principle that applies to all aspects of freshwater management, overtly stating that in Objective A would be consistent with the overarching nature of Objective A.
45. Freshwater management giving effect to Te Mana o te Wai is required by Policy 1 of the NPSFM. Currently there is no explicit directive in the Regional Policy Statement requiring that Te Mana o Te Wai is to be given effect to. In the case of Objective 12, the local expressions of Te Mana o te Wai are simply statements rather than being drafted in the form of an objective.
46. As notified, Objective A includes other matters that could justifiably be addressed only in other chapters. For example, the clauses relating to climate change or urban and rural areas are arguably issue-specific. Te Mana o te Wai is no narrower in application than those matters.
47. In my opinion, Objective A should include specific reference to Te Mana o te Wai. To do so would assist in giving effect to the NPS-FM, reinforce the importance of freshwater in integrated management and reinforce that Te Mana o te Wai and integrated management are inextricably linked.

Separation of life-supporting capacity of ecosystems

[Submission point S168.0192, S42A Report – para 125]

48. The 42A report accepts the submission of DOC, which, as with the Rangitāne submission, requested that reference to the life-supporting capacity of ecosystems is separated from mana whenua/tangata values in Objective A.
49. I support the 42A officers' recommendation that a separate clause is consistent with Section 5 (2)(B) of the Resource Management Act 1991.

Mana Whenua/Tangata Whenua Led Mātauranga

[Submission point S168.0193]

50. The Section 42A report does not specifically address the Rangitāne o Wairarapa submission, which requests an amendment to Objective A to include that mātauranga māori will be led and undertaken by mana whenua/tangata whenua. However, the proposed amendment has been rejected in the Section 42A redrafting.
51. Mana whenua are the experts on Mātauranga Māori in their area. While others may be able to adopt and apply knowledge that is shared by mana whenua, mātauranga Māori requires the input of appropriate experts in a similar way to the role western science experts play in resource management. This is explained by Amber Craig in paragraph 35 of her evidence.
52. Māori-led mātauranga also ensures that the practice is consistent with principles of sovereignty and acknowledges the right for Māori to govern and make decisions about their own knowledge and practices. This takes into account

the principles of the Treaty of Waitangi as required by Section 8 of the Resource Management Act 1991.

53. I recommend the following amendment to subclause (b)

(a) Incorporates [mana whenua/tangata whenua led mātauranga Māori](#).

Proposed Amendments

54. I recommend the following amendment to Overarching Objective A.

Objective A: Integrated management of the region's natural and built environments: ~~guided by Te Ao Māori~~ and:

- (a) ~~is guided by Te Ao Māori; and~~
- (b) [incorporates mana whenua/tangata whenua led mātauranga Māori; and](#)
- (c) [Gives effect to Te Mana o te Wai](#)
- (d) recognises [and provides for](#) ki uta ki tai – the holistic nature and interconnectedness of all parts of the natural environment; and
- (e) [recognises and provides for mana whenua/tangata whenua relationship with te taiao and](#) protects and enhances mana whenua / tangata whenua values, in particular mahinga kai ~~and the life-supporting capacity of ecosystems;~~ and
- (f) ~~protects and enhances the life-supporting capacity of ecosystems;~~ and
- (g) recognises the dependence of humans on a healthy natural environment; and
- (h) recognises the role of both natural and physical resources in providing for ~~the characteristics and qualities of~~ well-functioning urban [and rural areas environments](#); and
- (i) responds effectively to the current and future ~~effects pressures~~ of climate change, ~~and~~ population growth and development [pressures and opportunities](#).

POLICY IM.1

[Further submission points FS2.12, FS2.15, FS2.33, FS2.73, FS2.93, FS2.98), S42A report – paras 134-160]

55. Rangitāne further submitted on:
- FS2.12 in opposition in part to Horticulture New Zealand.
 - FS2.15 in opposition of Irrigation New Zealand
 - FS2.33 in opposition of Wairarapa Federated Farmers
 - FS2.73 in support of Muaūpoko Tribal Authority
 - FS2.93 in support of Te Runanga o Toa Rangatira
 - FS2.98 in support of Te Tumu Paeroa Office of the Māori Trustee

Partnership principles

56. Paragraph 151 of the Section 42A report discusses the concerns of some submitters that clause (a) and the direction to partner with mana whenua/tangata whenua is overly onerous, particularly for resource consent applications or notices of requirement. The report explains that the policy is directed at local authorities and should not apply to applicants. The section 42A report recommends a change be made to the subclause (a) to read as follows:

Policy IM.1: Integrated management – ki uta ki tai - consideration

When considering an application for a resource consent, notice of requirement, or a change, variation or review of a

*regional or district plan, ~~particular regard shall be given to,~~
adopt an integrated approach to the management of the
 region's natural and physical resources by:*

- a) *partnering or engaging with mana whenua
 / tangata whenua to provide for mana
 whenua / tangata whenua involvement in
 resource management and decision
 making; and*

...

57. I disagree that this change to subclause (a) is necessary or appropriate.
58. Partnership refers to the cooperative and mutually beneficial relationship between mana whenua/tangata whenua and the Crown. Partnership also recognises that mana whenua/tangata whenua have a unique status as indigenous peoples. Partnership entails an obligation of active engagement and involvement in decision making. This is clearly identified in the development of Te Tiriti principles. Section 8 of the Resource Management Act 1991 requires that principles of the Treaty of Waitangi are taken into account, including the principle of partnership.
59. Partnership provides for the parties to agree on their respective levels and methods of engagement. Partnership between mana whenua and the relevant local authorities allows for mana whenua/tangata whenua at place to decide at what level they would like to be involved for each process. Partnership enables engagement.
60. The evidence of Amber Craig (paragraph 30) recognises partnership for Rangitāne o Wairarapa is differing depending on context:

"Like everything in te ao Māori, our Partnerships can differ depending on context. Therefore, this is an ongoing relationship to determine what partnership looks like, not a defined state that can never move.

61. There is also no distinction or prioritisation in the proposed redrafted policy for when partnership versus engagement is necessary or appropriate. The policy leaves it to the discretion of the local authority to choose a partnership or engagement approach and doesn't require input from mana whenua /tangata whenua when that decision is made.
62. In my opinion, the policy, as notified, is clearly directed at local authorities and is to be applied when considering an application for resource consent, notice of requirement, or a change, variation or review of a regional or district plan. The policy is not directed at resource consent applicants, albeit they will need to consider their proposals against the policy when undertaking an assessment of environmental effects. Therefore, any direction in the policy to partner with mana whenua/tangata whenua is not a requirement on resource consent applicants.
63. Local authorities are a device of the Crown and are subject to Te Tiriti in legislation (for example, Section 8 of the Resource Management Act 1991), including the principle of partnership. They are therefore obliged to uphold the Crown's obligations under the Treaty. The Treaty does not require individual citizens to form a partnership with tangata whenua, albeit many do.
64. The Waitangi Tribunal does not have a single set of Treaty principles, however, the principle of partnership is well established and frequently used to describe the relationship between the Crown and Māori. This includes the obligation on both parties to act reasonably, honourably and in good faith,

derived from the principles of reciprocity and mutual benefit¹¹.

65. The NPSFM also specifically requires that tangata whenua are actively involved in freshwater management (including decision-making processes) under policy 2. Active involvement goes beyond the general duty to engage with communities. This is necessary to give effect to Te Mana o te Wai and set out in clause 3.2.

66. Clause 3.2 states:

Every regional council must give effect to Te Mana o te Wai, and in doing so must:

- a) *Actively involve tangata whenua in freshwater management (including decision-making processes), as required by clause 3.4.*
- b) *Engage with communities and tangata whenua to identify long-term visions, environmental outcomes, and other elements of the NOF: and*

...

67. Actively involving tangata whenua in these decision-making processes can assist with giving effect to Te Mana o te Wai and restoring the mauri of the wai. It is also an opportunity to apply mātauranga Māori to wider planning¹²

68. I also note clause 3.4 of the NPSFM which includes the clarification that every local authority must actively involve tangata whenua (to the extent they wish to be involved). This is consistent with principles of partnership to allow mana whenua/tangata whenua to decide at what level they would

¹¹ The principles of the Treaty of Waitangi as expressed by the Courts and the Waitangi Tribunal (Te Puni Kōkiri: Wellington, 2002)

¹² Guidance on the National Objectives Framework of the NPSFM 17 April 2023.

like to be involved at. This involvement may be minimal, depending on the circumstance, however, that decision is up to mana whenua/tangata whenua through the partnership model.

69. I therefore recommend that the amendment to include engagement is removed.

POLICY IM.2

[Further submission points FS2.2, FS2.18, FS2.34, FS2.74, FS2.95, FS2.99, FS2.103, FS2.107, S42A report – paras 161-182]

70. Rangitāne further submitted on:
- FS2.2 in opposition of BP Oil NZ Ltd, Mobil Oil Ltd and Z Energy Ltd
 - FS2.18 in opposition of Meridian Energy Limited
 - FS2.34 in opposition of Wairarapa Federated Farmers
 - FS2.74 in support of Muaūpoko Tribal Authority
 - FS2.95 in support of Te Runanga o Toa Rangatira
 - FS2.99 in support of Te Tumu Paeroa Office of the Māori Trustee
 - FS2.103 opposition in part to Carterton District Council
 - FS2.107 in opposition of Powerco Limited
71. The Section 42A report recommends significant amendments to the Policy IM.2. I largely agree with the changes to the proposed policy. However, I recommend minor changes to ensure the policy is read as intended and does not leave room for misinterpretation.

72. As recommended by the Section 42A report the directive to use ...'particularly when' in the context of addressing barriers may cause incorrect interpretations. 'Particularly when' implies that the policy is only relevant when addressing the topics in subclauses (a) to (c). The subclauses are specific actions for considering equity in resource management and decision making. I therefore recommend that the policy is reverted to the 'particularly by'.
73. I also recommend that 'avoiding historical grievances with mana whenua/tangata whenua' is retained to provide a clearer directive to the policy.
74. I therefore recommend the policy is amended as detailed in Appendix 1.

OVERARCHING ISSUE 1

[\[Submission point 168.0191, S42A report – paras 48-66\]](#)

75. Rangitāne original submission was generally supportive of the overarching resource management issues, including overarching Issue 1.
76. Rangitāne also further submitted on:
- FS2.28 in opposition of Wairarapa Federated Farmers
 - FS2.46 in support of Ātiawa ki Whakarongotai Charitable Trust
 - FS2.6 opposition in part of Horticulture New Zealand

77. The 42A recommends refinement of some of the language used in Overarching Issue 1.
78. I am supportive of the amendments proposed by the 42A officer.

OVERARCHING ISSUE 2

[[Submission point 168.0191, S42A report – paras 67-85](#)]

79. The original submission from Rangitāne o Wairarapa was generally supportive of the overarching resource management issues.
80. Rangitāne also further submitted on:
 - FS2.29 in opposition of Wairarapa Federated Farmers
 - FS2.49 in support of Ātiawa ki Whakarongotai Charitable Trust
81. The 42A recommends a number of wording changes, particularly to frame the issue statement to be less negative (ref para 78)
82. I am supportive of the amendments proposed by the 42A officer.

METHOD IM.1

[[Submission point 168.0148, S42A report – paras 183-195](#)]

83. The original submission from Rangitāne o Wairarapa supports supports Method IM.1 and requests it is retained as notified.

84. The Section 42A recommends minor amendments to Method IM.1 to improve consistency, clarify intent and address grammatical errors.
85. I am supportive of the amendments proposed by the 42A officer.

METHOD IM.2

[Submission point S168.0196, S42A report – paras 196-208]

86. The original submission from Rangitāne o Wairarapa supports Method IM.2 in part, however requested the following relief:
- Amend the method so that it explicit that mana whenua / tangata whenua will define how and when their data will be collected, stored, protected, shared, and managed, and how or when it might be modified or deleted.
87. The 42A has amended I Method IM.2 to also list mana whenua/tangata whenua as being responsible for implementation of Method IM.2.
88. I am supportive of this amendment and agree with the analysis that successful implementation of Method IM.2 is not possible without mana whenua/tangata whenua.

OBJECTIVE A ANTICIPATED ENVIRONMENTAL RESULTS

[Submission point S168.0195, S42A report – paras 209-219]

89. The original submission from Rangitāne o Wairarapa supports Objective A Anticipated Environmental Results in part, however, requests the following amendment to strengthen the wording:

- *Regional Council and Territorial Authorities collaborate to undertake integrated management of natural resources and recognise and provide for importance of Te Ao Māori and Mātauranga Māori in natural resources management and decision making. or by alternative wording that provides similar relief.*
90. The 42A has accepted this submission point from Rangitāne o Wairarapa and has consequently suggested the Anticipated Environmental Result is amended to refer to “recognise and provide for.” I support the recommendation and analysis from the 42A report.

CONCLUSION

91. My evidence has addressed the submission and further submission from Rangitāne o Wairarapa on provisions relating to Hearing Stream 2 for Plan Change 1. I have provided a full suite of recommended amendments in Appendix A.

Signature of Maggie Rose Burns

Dated 30 June 2023



APPENDIX A: PROPOSED WORDING AMENDMENTS

Provision	Notified Drafting	42A Recommendation	Recommended Wording
Overarching Resource Management Issue 1	<p>Adverse impacts on natural environments and communities Inappropriate and poorly managed use and development of the environment, including both urban and rural activities, have damaged and continue to impact the natural environment, increase greenhouse gas emissions, destroying ecosystems, degrading water, adversely impacting the relationship between mana whenua and the taiao, and leaving communities and nature increasingly exposed to the impacts of climate change.</p>	<p>Adverse impacts on natural environments and communities Inappropriate and poorly managed use and development of the environment, including both urban and rural <u>use and development activities</u>, have damaged and continue to impact the natural environment, <u>and contribute to</u> an increase in greenhouse gas emissions., it <u>It has also contributed to ongoing ecosystem loss and degraded destroying ecosystems and degrading water quality. This has</u> adversely <u>impacted impacting</u> the relationship</p>	Support 42A recommendations.

		<p>between mana whenua/<u>tangata whenua</u> and the taiao, and <u>is</u> leaving communities and nature increasingly exposed to the impacts of climate change.</p>	
<p>Overarching Resource Management Issue 2</p>	<p>Increasing pressure on housing and infrastructure capacity Population growth is putting pressure on housing and infrastructure capacity. To meet the needs of current and future populations, development will place additional pressure on the natural and built environments.</p>	<p>Increasing pressure on housing and infrastructure capacity Population growth is putting pressure on housing supply and choice and infrastructure capacity. To meet the needs of current and future populations, <u>there is a need to increase housing supply and choice across the region in a manner which contributes to a well-functioning urban and rural areas, while managing adverse effects on Development will place additional pressure on</u> the natural and built environments</p>	<p>Support 42A recommendations</p>

Overarching Resource Management Issue 3	<p>Lack of Mana Whenua/Tangata Whenua involvement in decision making</p> <p>Mana whenua / tangata whenua values, Te Ao Māori and mātauranga Māori have not been given sufficient weight in decision-making, including from governance level through to the implementation. As a result, mana whenua / tangata whenua values have not been adequately provided for in resource management, causing disconnection between mana whenua / tangata whenua and the environment.</p>	Retain as notified	<p>Lack of Mana Whenua/Tangata Whenua involvement in decision making</p> <p>Mana whenua / tangata whenua values, Te Ao Māori and mātauranga Māori have not been given sufficient weight in decision-making, including from governance level through to the implementation. As a result, mana whenua / tangata whenua values and relationship with Te Taiao have not been adequately provided for in resource management, causing disconnection between mana whenua / tangata whenua and the environment.</p>
Objective A	<p>Objective A: Integrated management of the region’s natural and built environments is guided by Te Ao Māori and:</p> <p>(a) incorporates mātauranga Māori; and</p>	<p>Objective A: Integrated management of the region’s natural and built environments: guided by Te Ao Māori and:</p>	<p>Objective A: Integrated management of the region’s natural and built environments: guided by Te Ao Māori and:</p> <p>(j) is guided by Te Ao Māori; and</p>

	<p>(b) recognises ki uta ki tai – the holistic nature and interconnectedness of all parts of the natural environment; and</p> <p>(c) protects and enhances mana whenua / tangata whenua values, in particular mahinga kai, and the life-supporting capacity of ecosystems; and</p> <p>(d) recognises the dependence of humans on a healthy natural environment; and</p> <p>(e) recognises the role of both natural and physical resources in providing for the characteristics and qualities of well-functioning urban environments; and</p> <p>(f) responds effectively to the current and future</p>	<p>(a) <u>is guided by Te Ao Māori; and</u></p> <p>(b) incorporates mātauranga Māori; and</p> <p>(c) recognises ki uta ki tai – the holistic nature and interconnectedness of all parts of the natural environment; and</p> <p>(d) protects and enhances mana whenua / tangata whenua values, in particular mahinga kai and the life supporting capacity of ecosystems; and</p> <p>(e) <u>protects and enhances the life-supporting capacity of ecosystems;</u> and</p> <p>(f) recognises the dependence of humans on a healthy natural environment; and</p> <p>(g) recognises the role of both natural and</p>	<p>(k) <u>incorporates mana whenua/tangata whenua led</u> mātauranga Māori; and</p> <p>(l) <u>Gives effect to Te Mana o te Wai</u></p> <p>(m) recognises <u>and provides for</u> ki uta ki tai – the holistic nature and interconnectedness of all parts of the natural environment; and</p> <p>(n) <u>recognises and provides for mana whenua/tangata whenua relationship with te taiao</u> <u>and</u> protects and enhances mana whenua / tangata whenua values, in particular mahinga kai and the life supporting capacity of ecosystems; and</p> <p>(o) <u>protects and enhances the life-supporting capacity of ecosystems;</u> and</p>
--	--	--	---

	<p>pressures of climate change, population growth and development.</p>	<p>physical resources in providing for the characteristics and qualities of well-functioning urban <u>and rural areas environments</u>; and</p> <p>(h) responds effectively to the current and future effects pressures of climate change, <u>and</u> population growth and development <u>pressures and opportunities</u>.</p> <p>1.</p>	<p>(p) recognises the dependence of humans on a healthy natural environment; and</p> <p>(q) recognises the role of both natural and physical resources in providing for the characteristics and qualities of well-functioning urban <u>and rural areas environments</u>; and</p> <p>(r) responds effectively to the current and future effects pressures of climate change, <u>and</u> population growth and development <u>pressures and opportunities</u>.</p>
--	--	---	--

<p>Policy IM.1</p>	<p>Policy IM.1: Integrated management – ki uta ki tai - consideration When considering an application for a resource consent, notice of requirement, or a change, variation or review of a regional or district plan particular regard shall be given to:</p> <ul style="list-style-type: none"> (a) partnering with mana whenua / tangata whenua to provide for mana whenua / tangata whenua involvement in resource management and decision making; and (b) recognising the interconnectedness between air, freshwater, land, coastal marine areas, ecosystems and all living things – ki uta ki tai; and 	<p>Policy IM.1: Integrated management – ki uta ki tai - consideration When considering an application for a resource consent, notice of requirement, or a change, variation or review of a regional or district plan, particular regard shall be given to, <u>adopt an integrated approach to the management of the region’s natural and physical resources by:</u></p> <ul style="list-style-type: none"> a) partnering <u>or engaging</u> with mana whenua / tangata whenua to provide for mana whenua / tangata whenua involvement in resource management and decision making; and b) recognising the interconnectedness 	<p>Policy IM.1: Integrated management – ki uta ki tai - consideration When considering an application for a resource consent, notice of requirement, or a change, variation or review of a regional or district plan, particular regard shall be given to, <u>adopt an integrated approach to the management of the region’s natural and physical resources by:</u></p> <ul style="list-style-type: none"> a) partnering or engaging with mana whenua / tangata whenua to provide for mana whenua / tangata whenua involvement in resource management and decision making; and b) recognising the interconnectedness between air, freshwater, land, coastal marine areas,
--------------------	---	--	---

	<p>(c) recognising the interrelationship between natural resources and the built environments; and</p> <p>(d) making decisions based on the best available information, improvements in technology and science, and mātauranga Māori; and</p> <p>(e) upholding Māori data sovereignty; and</p> <p>(f) requiring Māori data and mātauranga Māori to be interpreted within Te Ao Māori; and</p> <p>(g) recognising that the impacts of activities may extend beyond immediate and directly adjacent area, and beyond organisational or administrative boundaries.</p>	<p>between air, freshwater, land, coastal marine areas, ecosystems and all living things – ki uta ki tai; and</p> <p>c) <u>recognising that the effects of activities may extend beyond immediate and directly adjacent area, and beyond organisational or administrative boundaries; and</u></p> <p>d) recognising the interrelationship between natural resources and the built environments; and</p> <p>e) making decisions based on the best available information, improvements in technology and science, and mātauranga Māori; and</p>	<p>ecosystems and all living things – ki uta ki tai; and</p> <p>c) <u>recognising that the effects of activities may extend beyond immediate and directly adjacent area, and beyond organisational or administrative boundaries; and</u></p> <p>d) recognising the interrelationship between natural resources and the built environments; and</p> <p>e) making decisions based on the best available information, improvements in technology and science, and mātauranga Māori; and</p> <p>f) upholding Māori data sovereignty; and</p> <p>g) requiring Māori data and mātauranga Māori to be interpreted within Te Ao Māori <u>while upholding</u></p>
--	---	---	---

	<p>Explanation: This policy requires that a holistic, integrated view is taken when making resource management decisions. It also requires both regional and district councils to provide for mana whenua / tangata whenua are actively involved in in resource management and decision making, including the protection of mātauranga Māori and Māori data.</p>	<p>f) upholding Māori data sovereignty; and g) requiring Māori data and mātauranga Māori to be interpreted within Te Ao Māori <u>while upholding Māori data sovereignty</u>.; and h) recognising that the impacts of activities may extend beyond immediate and directly adjacent area, and beyond organisational or administrative boundaries.</p> <p>Explanation: This policy requires that a holistic, integrated view is taken when making resource management decisions. It also requires both regional and district councils to provide for mana whenua/tangata whenua are to be actively involved in in</p>	<p><u>Māori data sovereignty</u>.; and h) recognising that the impacts of activities may extend beyond immediate and directly adjacent area, and beyond organisational or administrative boundaries.</p> <p>Explanation: This policy requires that a holistic, integrated view is taken when making resource management decisions. It also requires both regional and district councils to provide for mana whenua/tangata whenua are to be actively involved in in resource management and decision making, including the protection of mātauranga Māori and Māori data.</p>
--	---	--	---

		<p>resource management and decision making, including the protection of mātauranga Māori and Māori data.</p>	
<p>Policy IM.2</p>	<p>Policy IM.2: Equity and Inclusiveness – consideration When considering an application for a notified resource consent, notice of requirement, or a change, variation or review of a regional and district plan particular regard shall be given to achieving the objectives and policy outcomes of this RPS in an equitable and inclusive way, by:</p> <ul style="list-style-type: none"> (a) avoiding compounding historic grievances with iwi/Māori; and (b) not exacerbating existing inequities, in particular but not limited 	<p>Policy IM.2: Equity and Inclusiveness in resource management decision making When considering an application for a notified resource consent, notice of requirement, or a change, variation or review of a regional or and district plan, <u>Wellington Regional Council, city and district councils shall seek to particular regard shall be given to</u> achieving the <u>RPS objectives and policies y outcomes of this RPS</u> in an equitable and inclusive way, <u>particularly whenby:</u></p> <ul style="list-style-type: none"> a) <u>addressing barriers and providing opportunities for mana whenua/tangata</u> 	<p>Policy IM.2: Equity and Inclusiveness in resource management decision making When considering an application for a notified resource consent, notice of requirement, or a change, variation or review of a regional or and district plan, <u>Wellington Regional Council, city and district councils shall seek to particular regard shall be given to</u> achieveing the <u>RPS objectives and policies y outcomes of this RPS</u> in an equitable and inclusive way, <u>particularly whenby:</u></p> <ul style="list-style-type: none"> a) <u>addressing barriers and providing opportunities for mana whenua/tangata whenua to undertake use and development to</u>

	<p>to, access to public transport, amenities and housing; and</p> <p>(c) not exacerbating environmental issues; and</p> <p>(d) not increasing the burden on future generations.</p> <p>Explanation: This policy requires that equity and inclusiveness are at the forefront of resource management and decision making to prevent any increase in existing inequities, to ensure intergenerational equity, and to improve the overall wellbeing of people and communities.</p>	<p><u>whenua to undertake use and development to support the economic and cultural well-being of their communities avoiding compounding historic grievances with iwi/Māori;</u> and</p> <p>b) <u>providing for the development of urban and rural areas to improve the not exacerbating existing inequities, in particular but not limited to, access of communities to active and public transport, amenities and affordable housing and choice; and</u></p> <p>c) <u>enabling and supporting the transition of communities to a low-emissions and climate resilient region, including recognising</u></p>	<p><u>support the economic and cultural well-being of their communities avoiding compounding historic grievances with iwi/Māori;</u> and</p> <p>b) <u>providing for the development of urban and rural areas to improve the not exacerbating existing inequities, in particular but not limited to, access of communities to active and public transport, amenities and affordable housing and choice; and</u></p> <p>c) <u>enabling and supporting the transition of communities to a low-emissions and climate resilient region, including recognising the need to act now to avoid more costly mitigation and adaption responses for future generations. not</u></p>
--	---	---	---

		<p>the need to act now to avoid more costly mitigation and adaption responses for future generations. not exacerbating environmental issues; and</p> <p>d) not increasing the burden on future generations.</p> <p>Explanation: This policy requires that equity and inclusiveness are <u>is</u> at the forefront of resource management and decision making, particularly when making decisions that affect the economic and cultural well-being of mana whenua/tangata whenua, the development of rural and urban areas, and the transition to a low-emissions and climate resilient region. <u>to</u></p>	<p>exacerbating environmental issues; and</p> <p>d) not increasing the burden on future generations.</p> <p>Explanation: This policy requires that equity and inclusiveness are <u>is</u> at the forefront of resource management and decision making, particularly when making decisions that affect the economic and cultural well-being of mana whenua/tangata whenua, the development of rural and urban areas, and the transition to a low-emissions and climate resilient region. to prevent any increase in existing inequities, to ensure intergenerational equity, and to improve the overall wellbeing of people and communities.</p>
--	--	---	---

		prevent any increase in existing inequities, to ensure intergenerational equity, and to improve the overall wellbeing of people and communities.	
Method IM.1	<p>Method IM.1: Integrated Management – ki uta ki tai</p> <p>To achieve integrated management of natural resources, the Wellington Regional Council, district and city councils shall:</p> <p>(a) partner with and provide support to mana whenua / tangata whenua to provide for their involvement in resource management and decision making; and</p> <p>(b) partner with and provide support to mana whenua / tangata whenua to provide for mātauranga Māori in</p>	<p>Method IM.1: Integrated Management – ki uta ki tai</p> <p>To achieve integrated management of natural <u>resources and built environments</u>, the Wellington Regional Council, district and city councils shall:</p> <p>a) partner with and provide support to mana whenua / tangata whenua to provide for their involvement in resource management and decision making; and</p> <p>b) partner with and provide support to mana</p>	Support 42A recommendations.

	<p>natural resource management and decision making; and</p> <p>(c) work together with other agencies to ensure consistent implementation of the objectives, policies and methods of this RPS; and</p> <p>(d) enable connected and holistic approach to resource management that looks beyond organisational or administrative boundaries; and</p> <p>(e) recognise that the impacts of activities extend beyond immediate and directly adjacent area; and</p> <p>(f) require Māori data, including mātauranga Māori, sites of significance, wāhi tapu wāhi tūpuna are only</p>	<p>whenua / tangata whenua to provide for mātauranga Māori in natural resource management and decision making; and</p> <p>c) work together with other agencies to ensure consistent implementation of the objectives, policies and methods of this RPS; and</p> <p>d) enable connected and holistic approach to resource management that extends looks beyond organisational or administrative boundaries; and</p> <p>e) recognise that the impacts of activities extend beyond the immediate and directly adjacent area; and</p>	
--	--	--	--

	<p>shared in accordance with agreed tikanga and kawa Māori; and</p> <p>(g) share data and information (other than in (f) above) across all relevant agencies; and</p> <p>(h) incentivise opportunities and programmes that achieve multiple objectives and benefits.</p> <p>Implementation: Wellington Regional Council* and city and district councils.</p>	<p>f) require Māori data, including mātauranga Māori, sites <u>and areas</u> of significance, wāhi tapu <u>and</u> wāhi tūpuna are only shared in accordance with agreed tikanga and kawa Māori; and</p> <p>g) share data and information (other than in (f) above) across all relevant agencies; and</p> <p>h) incentivise opportunities and programmes that achieve multiple objectives and benefits.</p>	
Method IM.2	<p>Method IM.2 Protection and interpretation of Mātauranga Māori and Māori data</p> <p>By 2025, the Wellington Regional Council in partnership with each mana whenua / tangata whenua will develop and uphold tikanga and kawa</p>	<p>Method IM.2 Protection and interpretation of Mātauranga Māori and Māori data</p> <p>By 2025, the Wellington Regional Council in partnership with each mana whenua / tangata whenua will develop and uphold tikanga</p>	Support 42A Recommendations

	<p>for Māori data sovereignty, including but not limited to:</p> <ul style="list-style-type: none"> (a) how Māori data and information is collected, stored, protected, shared and managed; and (b) how mātauranga Māori and other forms of Māori data is analysed and interpreted. <p>Implementation: Wellington Regional Council</p>	<p>and kawa for Māori data sovereignty, including but not limited to:</p> <ul style="list-style-type: none"> (a) how Māori data and information is collected, stored, protected, shared and managed; and (b) how mātauranga Māori and other forms of Māori data is analysed and interpreted. <p>Implementation: Wellington Regional Council and <u>mana whenua/tangata whenua.</u></p>	
--	--	--	--