

Part B: Section 2

Hearing Stream 2 - Integrated Management

1. Executive Summary

1. The new Integrated Management (IM) provisions introduced through Proposed Change 1 provide direction on what is required to achieve the integrated management of natural and physical resources in the Wellington Region.¹
2. The recommendations on the merits of submissions on the IM provisions, were made by the P1S1 Panel and are to be read with the attached submission analysis table.
3. Having heard submitters and considered evidence, legal submissions and hearing presentations, the P1S1 Panel recommends Council adopt the IM provisions in the RPS, specifically:
 - a. Four new overarching Resource Management Issues
 - b. A new IM Chapter in the RPS containing the Issues and the new Objective
 - c. An IM Policy and two Methods, and
 - d. IM Anticipated environmental results (AER).
4. We recommend that Policy IM.2 is deleted.
5. The Officer's recommendations on the IM provisions were modified in the course of the submissions and hearing process. The P1S1 Panel agrees with the majority of the Officer's recommendations on the merits of submissions. Our views differ from the Reporting Officer on the following provisions:

¹ Section 32 Report, Proposed Change 1 to the Regional Policy Statement for the Wellington Region, page 115.

Provision	Panel's views
Resource Management Issue 1	We recommend an amendment to recognise the impacts of inappropriate use and development on highly productive land.
Resource Management Issue 3	We recommend amendments to reflect evidence presented by mana whenua / tangata whenua that they have not always been involved in decision-making and this has meant that Te Ao Māori, mātauranga Māori and the relationship of mana whenua / tangata whenua with te Taiao has not been adequately provided for in resource management.
Resource Management Issue 4	We recommend an amendment to recognise: <ul style="list-style-type: none"> • the role of the resource management and planning system in mitigating climate change • the need for informed and engaged communities
Objective A	We recommend Objective A is: <ul style="list-style-type: none"> • renamed 'Integrated Management Objective' given submitters' concerns about whether 'A' signals prioritisation • located in a new IM chapter in the RPS, consistent with the structure in the National Planning Standards • amended to reflect the Council's vision of Wellington being a low emission, as well as climate resilient, region • amended to recognise the role of the resource management and planning system in reducing gross greenhouse gas emissions.

2. Overview

6. The notified version of the IM topic consists of the following provisions:

- a. Overarching Resource Management Issue 1 (RMI 1): Adverse impacts on natural environments and communities
- b. Overarching Resource Management Issue 2 (RMI 2): Increasing pressure on housing and infrastructure capacity
- c. Overarching Resource Management Issue 3 (RMI 3): Lack of mana whenua / tangata whenua involvement in decision making
- d. Objective A: The overarching resource management objective for the Wellington region
- e. Policy IM.1: Integrated Management - ki uta ki tai - consideration
- f. Policy IM.2 Equity and inclusiveness in resource management decision making
- g. Method IM.1: Integrated Management - ki uta ki tai
- h. Method IM.2: Protection and interpretation of Mātauranga Māori and Māori data
- i. Integrated Management Anticipated Environmental Results.

7. The Reporting Officer said in his Reply Evidence that he recommended all the provisions in this Topic be categorised as P1S1 provisions. As we record in Part A of our Report, we agree with this recommendation as the IM provisions are broader than issues relating to freshwater quality and quantity and NPS-FM implementation.

8. The s 32 Report states that the current non-regulatory approach to integrated management has not been effective.² The new IM provisions provide clear direction to the Regional Council and territorial authorities on the need to recognise the interconnectedness of the whole environment and interactions between different domains and receiving environments, as well as the importance of collaboration and coordinated and sequenced management. The provisions do this by, among other things:

- a. Providing greater clarity and direction on what integrated management is

² Section 32 Report, Proposed Change 1 to the Regional Policy Statement for the Wellington Region, page 115.

- b. Ensuring that the Regional Council and territorial authorities are partnering with mana whenua / tangata whenua, as well as providing support to mana whenua / tangata whenua to be adequately and appropriately involved in resource management and decision making
 - c. Giving Te Ao Māori and mātauranga Māori the appropriate and respectful place in resource management and decision making
 - d. Protecting mātauranga Māori from inappropriate use and treatment
 - e. Enabling a more efficient, connected and holistic approach to resource management that looks beyond organisational or administrative boundaries
 - f. Providing greater and more efficient cooperation between organisations with shared or overlapping jurisdiction or responsibility for management of resource or issues.
9. The s 32 Report recognises that there is not a specific policy package that will achieve the new IM Objective, but instead, the integration and how the provisions across the RPS work together will collectively contribute to achieving the Objective.³

2.1 Key Issues Raised

10. Key issues and common themes raised by the submitters on the IM provisions include the following:
- a. Procedural issues regarding the RMA planning process for the proposed provisions (which we discuss in Part A and is not considered further here).
 - b. Whether the RPS should contain an integrated management chapter.
 - c. The overarching resource management issues are negatively worded and not supported by a sufficient evidence base.
 - d. Objective A establishes Te Ao Māori as the pre-eminent concept for delivering integrated management (rather than being part of it) and

³ Section 32 Report, Proposed Change 1 to the Regional Policy Statement for the Wellington Region, page 115.

the objective does not articulate the full range of important resource management issues

- e. Policy IM.2 addresses matters that are outside the scope of the RMA, is not related to achieving the purpose of the RMA, uses unclear and debatable terms, and the s 32 Report does not demonstrate the appropriateness of the Policy in achieving the RPS objectives.
- f. There is a lack of clarity regarding the direction and terms used in some of the proposed provisions.
- g. There is a lack of guidance regarding how proposed provisions are intended to be implemented, particularly how Policies IM.1 and IM.2 are to be implemented through resource consent and notice of requirement processes.

11. Many aspects of these issues were addressed in the s 42A Report, through the Hearing and in the Reporting Officer's Rebuttal Evidence. Other concerns identified in evidence and Hearing presentations include:

- a. An implied hierarchy elevating the relevance / importance of the IM Issues and Objective A ahead of the issues in subsequent RPS topic chapters.
- b. Concern that as a list of overarching issues the Objective A list of considerations is incomplete and overlooks or doesn't give sufficient emphasis to some key issues such as engagement with communities, the role of regionally significant infrastructure(RSI), the value of highly productive land, recognising and providing for the relationship of Māori with te taiao in accordance with section 6(e) of the RMA, sustaining resilience of communities to climate change and reference to *Te Mana o te Wai*.
- c. Objective A should be rationalised and replaced with three separate IM objectives.
- d. The provisions should be shifted to a separate IM chapter as recommended in the National Planning Standards.
- e. Inclusion of provisions in relation to equity and inclusiveness are inconsistent with the purpose of the RMA, Councils already have similar obligations under the Local Government Act, and

interpretation and implementation issues with proposed Policy IM.2.

12. Before turning to analyse specific provisions, we make some brief comments on the relevant statutory framework and submitter relief requesting the inclusion in the RPS of a separated Integrated Management chapter.

2.2 Statutory Framework

13. As noted in Part A, the purpose of the RPS is: (as set out in s 59 of the RMA)

to achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region.

14. The Regional Council has a broad discretion to identify the issues relevant to Proposed Change 1. Sections 62(1)(a) and (b) of the RMA require a RPS to state:

- a. the significant resource management issues for the region, and
- b. the resource management issues of significance to iwi authorities in the region.

15. Section 62(1)(c) of the RMA requires a RPS to state “the objectives sought to be achieved by the [regional policy] statement”.

16. Integrated management is an important concept in national direction. The NPS-FM, NPS-IB (clause 3.4) and NZCPS (Policy 4) for instance all articulate what IM means in the particular context of those instruments. The NPS-UD recognises that an integrated approach to urban development, housing, climate change and freshwater is an important part of creating well-functioning urban environments.

17. Other national direction and management plans and strategies are also relevant to the IM provisions, including the NPS-HPL, the NES-REG, NPS-ET, the Emissions Reduction Plan (ERP) and National Adaptation Plan (NAP). These recognise the need for resilient and effective infrastructure that helps respond to climate change, the importance of protecting highly productive land from incompatible activities, and the role of the resource management and planning system in helping New Zealand reduce gross greenhouse gas emissions and adapt and be resilient to climate change.

2.3 A separate Integrated Management chapter

18. Section 2.4 of the Operative RPS addresses integrated management, providing a detailed overview of the importance of integrated management in the Region. It was not notified as part of Proposed Change 1, so was not subject to any submissions.
19. The Proposed Change 1 IM provisions are proposed to be located in different parts of the RPS:
 - a. **IM Issues:** Proposed amendments to the Chapter introduction, Chapter 3: Resource management issues, objectives and summary of policies and methods to achieve the objectives
 - b. **Objective A:** Proposed amendments to the Chapter introduction, Chapter 3
 - c. **Policy IM.1 and IM.2:** Proposed Amendments to Chapter 4.2, Regulatory policies – matters to be considered
 - d. **Method IM.1 and IM.2:** Proposed amendments to Chapter 4.5.3, Non-regulatory methods – integrating management
 - e. **Objective A – Anticipated Environmental Results:** Proposed amendments to chapter 5, Monitoring the Regional Policy Statement and progress towards anticipated environmental results.
20. There was some discussion in submissions and at the Hearing, about bringing these provisions together into a separate new Chapter in the RPS. Related to this issue, section 2 of the National Planning Standards (Regional Policy Statement Structure Standard), specifies the following structure for an RPS:

PART 2 – RESOURCE MANAGEMENT OVERVIEW	
Chapters:	Significant resource management issues for the region
	Resource management issues of significance to iwi authorities in the region
	Integrated management

21. Directions 2 and 3 of the RPS Structure Standard state that:⁴

⁴ Ministry for the Environment, November 2019, *National Planning Standards*, Regional Policy Statement Structure Standard, pages 8 – 10.

chapters and sections that are black in Table 2 must be included, in the order shown. Unless otherwise specified, chapters and sections that are grey in Table 2 must be included if relevant to the regional policy statement, in the order shown.

22. We understand that the Regional Council has not implemented all aspects of the National Planning Standards. We make no comment on compliance with implementation timeframes as this is a matter for the Council. However, we consider there is scope within the provisions before us to recommend that the RPS include a separate IM chapter. Mr Wyeth commented on this in his Reply Evidence and noted that it was appropriate in his view for the IM provisions to be included in a new IM chapter consistent with the National Planning Standards.⁵ We consider this appropriate although we note the structural challenges, integration with section 2.4 of the Operative RPS, and other difficulties with a standalone chapter that Mr Wyeth identifies in his Reply Evidence.⁶
23. We have considered the two options Mr Wyeth has presented on the standalone chapter issue.⁷ Our preference is to include the Issues and Objective A (renamed as “Integrated Management Objective”) into the standalone chapter, cross-referencing Policy IM.2 and the 2 Methods in a table, similar to other objectives in the RPS. The Policy and Methods would then be located in their respective parts of the RPS (chapters 4.2 and 4.5.3). The AER would be included in Table 14 of the RPS, alongside other AERs.
24. We consider this structure addresses submitters’ concerns that Objective A could be interpreted as more important than other RPS Objectives but we acknowledge this does create some issues regarding the current structure of the Operative RPS which would have section 2.4 “Integrating management of natural and physical resources” sitting separately from the IM chapter.
25. Nevertheless, we consider the structure we recommend aligns with the RPS Structure Standard in the Planning Standards (at least in part). Council may wish in a subsequent RPS change to include introductory text for the new Chapter and integrate the content in section 2.4 into the new

⁵ Reply Evidence of Mr Wyeth, Hearing Stream 2, 28 July 2023, paras 6 and 8.

⁶ Reply Evidence of Mr Wyeth, Hearing Stream 2, 28 July 2023, para 7.

⁷ Reply Evidence of Mr Wyeth, Hearing Stream 2, 28 July 2023, para 8.

IM chapter. We do not consider there is scope to do this within Proposed Change 1.

26. We also note that the RPS Structure Standard includes a chapter titled “Resource management issues of significance to iwi authorities in the region”. No separate chapter has been included in the RPS or notified as part of Proposed Change 1 so would be required in a future change. However, the Issues coded to this topic and which we discuss below, do concern issues that mana whenua / tangata whenua said in their submissions and at the Hearing, were of significant importance to them.
27. We comment again on structure in our analysis of Objective A below.





3. Provision by Provision Analysis

3.1 Resource Management Issues

28. The notified version of Proposed Change 1 specified three “overarching resource management issues for the Wellington Region”:

- a. Adverse impacts on natural environments and communities
- b. Increasing pressure on housing and infrastructure capacity
- c. Lack of mana whenua / tangata whenua involvement in decision making.

29. The notified Issues read:

Chapter introduction	
This chapter provides an overview of the issues addressed by the Regional Policy Statement.	
<u>The overarching resource management issues for the Wellington Region are:</u>	
1. <u>Adverse impacts on natural environments and communities</u>	
<u>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.</u>	
2. <u>Increasing pressure on housing and infrastructure capacity</u>	
<u>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.</u>	
3. <u>Lack of mana whenua / tangata whenua involvement in decision making</u>	
<u>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.</u>	

30. There were some 26 original submission points on the Issues and some 31 further submission points.

31. In identifying the scope of issues to include in Proposed Change 1, the Regional Council identified the requirements from national policy statements and other national direction relevant to the RPS and defined the resource management issues relating to this scope. The evidence and data gathered on these issues is summarised in the s 32 Report.⁸
32. As we explain in Part A of our Report, the Council has sought through Proposed Change 1, to integrate the issues and responses for fresh water, climate change, and indigenous biodiversity as a frame, to identify these three constraints in responding to national policy and in directing urban development capacity and intensification.⁹ Change 1 attempts to consider the connections between these issues, recognising that they are not independent of each other. The s 32 Report provides evidence and discussion of how:¹⁰

“Inappropriate use of natural resources, including both urban and rural activities, have damaged and continue to impact the natural environment, destroying ecosystems, degrading water, and leaving communities and nature increasingly exposed to the impacts of climate change. Projected population growth and economic development will place additional pressure on the natural environment. There are also significant pressures on the built environment in terms of lack of urban development capacity and affordable housing. Te Ao Māori and Mātauranga Māori have not been given sufficient weight in decision-making, from governance through to implementation.”

33. These issues are largely reflected in the notified Overarching Resource Management Issues with the exception of climate resilience as discussed below.

3.1.1 Submissions, Evidence and Analysis

34. HCC [S115.003] opposed the inclusion of the issues as they did not reflect all relevant issues. It said that the purpose of including overarching issues is to provide a more integrated approach across the range of regional resource management issues in the RPS and subordinate planning documents. We agree with this statement. However, as Mr Wyeth stated at the Hearing, the Overarching Issues in Hearing Stream 2 are not intended to cover all relevant resource management issues, nor are they intended to assign more importance to some issues over others. Instead,

⁸ Section 32 Report for Proposed Change 1, see pages 15 – 24 in particular.

⁹ Section 32 Report for Proposed Change, para 53.

¹⁰ Section 32 Report for Proposed Change, para 52.

the intent of the overarching issues is to highlight key strategic issues for the Region.¹¹

35. Some submitters were broadly comfortable with the three overarching issues and sought they be retained. Some wanted more emphasis on the connections between people and place. WFF [S163.004] opposed RM1 and sought it be deleted. It sought alternative issue statements relating to empowering collective action by catchment communities.
36. PCC [S30.001] sought that RMI1 be amended to identify adverse effects on communities and the benefits of urban development. It also sought the relocation of climate change effects into a separate issue.
37. Other territorial authority submitters wanted RMI2 to refer to the need for well-functioning urban environments, and WCC [S140.004] wanted the Issue to acknowledge more strongly the need to increase housing supply and infrastructure capacity. UHCC [S34.001] wanted RMI1 to reference a more relevant and up to date evidence base and data.
38. Some infrastructure providers including Meridian [S100.001] and Wellington Water [S113.001] sought a new Issue that acknowledged the vulnerability of infrastructure, in particular RSI, to the effects of climate change.
39. HortNZ [S34.001] asked for RMI1 to acknowledge that inappropriate and poorly managed use and development of the environment results in loss, fragmentation or reverse sensitivity effects on highly productive land.
40. Some submitters including PCC [S30.001] and UHCC [S34.001 and S34.002] thought the issues were overly negative and should be reframed as general environmental issues, acknowledge population growth (which was not an inherently negative outcome) and the benefits of well-functioning urban environments. At the least, they said that more neutral language should be used rather than critiquing current practices. Robert Anker [S31.003] wanted the Issues to acknowledge the lack of consultation across all sectors of the community and not only focus on consulting Māori.
41. Iwi authorities identified the adverse impacts on te taiao from inappropriate use and development, and the impacts this had on the relationship of mana whenua / tangata whenua with te taiao as being

¹¹ Hearing Transcript, HS2 Integrated Management, Day 1, page 4, lines 82 – 85.

issues of significance in the region (eg Ātiawa [S131.011] and Taranaki Whānui [S167.004/005]).

42. The submission by Ātiawa supports an integrated approach to resource management which aligns with te tirohanga Māori/Māori worldview of understanding te ao Tūroa, the natural world as an interconnected, interdependent whole. These provisions enable mana whenua values and provide for our mātauranga to be applied to resource management. Ātiawa [S131.01 0] also supported RMI1 and wanted pressures on te taiao to also be reflected in RMI2.¹² The Officer recommends this change is made and we agree with that recommendation.
43. Taranaki Whānui [S167.00 5] wanted the Issues to be strengthened with reference to ss 6, 7 and 8 of the RMA and Policy 9 of the NPS-UD. Ātiawa [S131.01 2] and Rangitāne [FS2.50] also sought that RMI3 include explicit reference to s 6(e) of the RMA.
44. Ngāti Toa [S170.00 2] wanted stronger recognition in RMI3 of the lack of Mana Whenua/Tangata Whenua involvement, and Te Ao Māori and mātauranga Māori in resource management decision-making, and the impacts this has caused including on the relationship of mana whenua / tangata whenua with te taiao.
45. The Reporting Officer Mr Wyeth, recommended through his Rebuttal and Reply Evidence that much of this relief be granted. He recommended that a statement be included at the end of the Overarching Issues to clarify that they do not address all relevant resource management issues in the region but should be read with topic-specific resource management issues in the RPS as relevant.
46. The Officer also accepted the concerns of submitters that because of the framing of these three issues as “Overarching Issues” there are some gaps relating to climate change and infrastructure given the intent of Proposed Change 1 to address climate change and the role of RSI to both support reductions in greenhouse gas emissions (GHGe) and improve community resilience to climate change.¹³ He recommended an additional IM Issue 4 regarding “The effects of climate change on communities and the natural

¹² Also see Hearing Transcript, HS2 Integrated Management, Day 1, page 33, lines 1608 – 1622 per Ms Gibb.

¹³ Statement of Rebuttal Evidence of Jerome Wyeth on behalf of Wellington Regional Council, Hearing Stream 2 – Integrated Management, 7 July 2023, paras 14 – 15.

and built environment” and including in this the need for “resilient and well-functioning infrastructure networks”.

47. He recommended the reference to the impacts of climate change in RMI1 be deleted as a consequence, given the more comprehensive statement in new RMI4,¹⁴ and also that “communities” be deleted from RMI1 and the focus instead be on impacts on natural environments.¹⁵
48. At the Hearing, Ms Foster, providing expert planning evidence for Meridian, confirmed that RMI4 captured the essence of Meridian’s relief.¹⁶
49. Mr Wyeth recommended the language “destroying ecosystems” in RMI1 be tempered in light of submitters’ concerns and his review of the evidence base in the s 32 Report,¹⁷ but he considered the phrase “ongoing ecosystem loss” was justified from the evidence.¹⁸ The degradation of freshwater is also discussed and acknowledged in the s 32 Report.¹⁹
50. We agree with the amendments Mr Wyeth recommends. We support the stronger references to impacts and pressures on te taiao and note the submissions on this point by mana whenua / tangata whenua. We also support the term “natural and physical resources” replace the phrase “natural and built environments” as the former term is more aligned with the language in the RMA, but “natural and built environment” is appropriate in the heading to RMI4 for the reasons the Officer provided at the hearing.²⁰ The Officer also commented that built environment would include assets and infrastructure.²¹ Mr Rowe presenting evidence for Powerco and the Fuel Companies had no particular concerns with the term.²²
51. We also accept the need for specific recognition of the effects of climate change on communities in the new Issue statement and the importance of resilient and well-functioning infrastructure. Ms Hunter for WIAL said at the Hearing that she would prefer the last sentence in RMI4 to read

¹⁴ Statement of Rebuttal Evidence of Jerome Wyeth on behalf of Wellington Regional Council, Hearing Stream 2 – Integrated Management, 7 July 2023, para 17.

¹⁵ Hearing Transcript, HS2 Integrated Management, Day 1, page 6, lines 198 – 199.

¹⁶ Hearing Transcript, HS2 Integrated Management, Day 2, page 43, lines 151 – 152.

¹⁷ Section 42A Hearing Report, Hearing Stream 2- Overarching Issues and Objective, Integrated Management, 16 June 2023, paras 57 – 58.

¹⁸ Section 42A Hearing Report, Hearing Stream 2- Overarching Issues and Objective, Integrated Management, 16 June 2023, paras 57 – 58.

¹⁹ Section 32 Report for Proposed Change, paras 66 – 68 (and elsewhere in the Report).

²⁰ Hearing Transcript, HS2 Integrated Management, Day 1, page 7, lines 226 – 230.

²¹ Hearing Transcript, HS2 Integrated Management, Day 1, page 25, lines 1211 – 1212.

²² Hearing Transcript, HS2 Integrated Management, Day 1, page 25, lines 1184 – 1197.

“Critical to this is the protection of and provision for well-functioning and resilient infrastructure, including RSI”.²³ We do not support this wording for the Issue statement, and consider that specific provisions to provide for, enable and protect RSI, should be in topic-specific chapters.

52. We recommend four further additions.

3.1.1.1 Highly productive land

53. We agree with the submission of Hort NZ [S128.001] in part, and recommend that RMI1 is amended to recognise the impacts of inappropriate use and development on highly productive land. The wording we recommend is:

“It has also contributed to ongoing ecosystem loss, ~~and~~ degraded water quality, and loss of highly productive land”.

54. This amendment recognises that highly productive land is a finite resource (consistent with Policy 1, NPS-HPL) and that direct and indirect effects can impact on this land and contribute to its loss. The amendment does not grant all of HortNZ’s relief on RM1 but we consider the wording appropriate, it reflects the intent of the relief, and is in balance with the other matters expressed in the Issue. While Proposed Change 1 does not specifically include provisions implementing the NPS-HPL, and is not required to give effect to it in this process²⁴ particularly because it was notified before the NPS-HPL came into effect, it can still do so where there is scope.²⁵ We appreciate the NPS-HPL has an interim regime that applies to highly productive land²⁶ but we consider there is justification, and scope for including the amendment proposed in RMI1, and it is practicable to do so.²⁷

²³ Hearing Transcript, HS2 Integrated Management, Day 2, page 86, lines 2358 – 2360.

²⁴ Counsel for Council explained at the hearing that other than the mapping of highly productive land, there are no specific timeframes for regional councils to implement the NPS-HPL (other than as soon as practicable); Hearing Transcript, HS2 Integrated Management, Day 1, page 14, lines 612 – 617.

²⁵ As explained in Legal submissions in reply on behalf of Wellington Regional Council, Hearing Stream 2 – Integrated Management, 7 July 2023, paras 9 -18.

²⁶ Legal submissions in reply on behalf of Wellington Regional Council, Hearing Stream 2 – Integrated Management, 7 July 2023, para 12.

²⁷ As suggested by Counsel for Council (although in relation to a discussion on Objective A, Hearing Transcript, HS2 Integrated Management, Day 1, page 21, lines 973 – 977).

55. At the Hearing, the Officer agreed that highly productive land is a nationally and regionally significant issue²⁸ but said that including the relief HortNZ sought in RMI1 is:²⁹

not going to be effective without supporting objectives, policies and methods, and that is best addressed [through] a comprehensive change to [the RPS] which ... the Council will do in ... accordance with the NPS-HPL.

56. Through the other hearings, Hort NZ asked for amendments to other provisions in Proposed Change 1 recognising food security and the value of, and need to protect, highly productive land. The Officers have recommended some of this relief be included in Proposed Change 1, and we have also agreed with some of these recommendations (for instance Objective 22 (HS4), and Policy CC.15 (food security (HS3))). We therefore consider it appropriate to recognise the loss of highly productive land as an Overarching Resource Management Issue for the reasons above and as supported by the information in HortNZ's submission and Ms Levenson's evidence.³⁰

3.1.1.2 Mana whenua / tangata whenua involvement and participation

57. The second amendment we recommend accepts relief sought by Ngāti Toa [S170.00 2] regarding mana whenua / tangata whenua lack of involvement in resource management processes and decisions. This was also a concern raised by Ms Craig for Rangitāne³¹ and also arose in other Hearing Streams including in the Climate Change topic. We recommend Ngāti Toa's relief is accepted in part with amendments to RMI3 to acknowledge that mana whenua / tangata whenua have not always been involved in decision-making, and as a result, mana whenua / tangata whenua values, Te Ao Māori, mātauranga Māori and the relationship of mana whenua whenua / tangata whenua with te taiao have not been adequately provided for in resource management.

58. We recommend the amendment is not expressed in a definitive or absolute way in light of the Officer's comments in the s 42A Report.³² We

²⁸ Hearing Transcript, HS2 Integrated Management, Day 1, page 10, lines 436 – 437.

²⁹ Hearing Transcript, HS2 Integrated Management, Day 1, page 10, lines 412 – 414.

³⁰ Industry Statement to be Tabled by Emily Levenson for Horticulture New Zealand, 30 June 2023; see also Hearing Transcript, HS2 Integrated Management, Day 2, pages 85 – 86.

³¹ Hearing Transcript, HS2 Integrated Management, Day 2, page 60, lines 1045 – 1046.

³² Section 42A Hearing Report, Hearing Stream 2- Overarching Issues and Objective, Integrated Management, 16 June 2023, para 94.

therefore recommend the inclusion of the words “not always” with respect to mana whenua / tangata whenua involvement.

3.1.1.3 Community engagement

59. Mr Anker [S31.002] commented on the importance of consulting with all communities in the Region. We agree and consider that this is particularly important to achieve the national and regional climate change objectives. We recommend that new RMI4 is amended to acknowledge the need for communities to be informed and involved in order to respond effectively to the effects of climate change.

60. The amendment we recommend to RMI4 is:

“This will also require informed and engaged communities, and resilient and well-functioning infrastructure networks, including regionally significant infrastructure”.

61. This also connects well to Objective A(e), added by the Reporting Officer in his Rebuttal Evidence³³ referring to integrated management being informed by the input of communities, and to various Methods in other topics of Proposed Change 1, including Method CC.1 (Climate Change education and behaviour change programme).

3.1.1.4 Climate change mitigation

62. The urgent need to reduce gross GHGe is a recurring issue throughout many Proposed Change 1 Hearing Streams. We consider there to be adequate scope from PCC’s submission [S30.001] which sought the relocation of the effects of climate change into a separate issue statement. Mr Wyeth said at the Hearing that the new RMI4 he recommended “is intended to recognise ... climate change [as a] significant and strategically important issue for the Region...”.³⁴ We agree with this but consider that the Issue should also address the reduction of emissions and the role of the resource management and planning system in addressing the crisis. This was discussed at length in the Climate Change Topic (HS3) and we consider it appropriate to include as part of the Issue statement as it aligns with various objectives and policies in Proposed Change 1.

63. The wording we recommend is below:

³³ Statement of Rebuttal Evidence, Hearing Stream 2, 7 July 2023, para 36.2

³⁴ Hearing Transcript, HS2 Integrated Management, Day 1, page 4, lines 95 – 96.

“Gross greenhouse gas emissions must be reduced significantly, immediately and rapidly. The resource management and planning system has an important role in addressing the climate change crisis. The region’s communities...”

- 64. We also recommend adding “also” into the sentence that follows for readability.
- 65. Responding to the climate change crisis requires engagement, education, collaboration. We recommend RMI4 is amended to recognise the role of education and engagement in mitigating and adapting to climate change.

3.1.2 Finding and s 32AA Evaluation

- 66. We largely agree with the Reporting Officer’s recommendations on the IM Issues for the reasons above, and otherwise as set out in the Officer’s s 42A Report, or the Officer’s Rebuttal and Reply Evidence. In addition, we recommend the additions below for the reasons we have provided above (including some minor typographical corrections).
- 67. These amendments are appropriate and recognise and articulate important resource management issues that were discussed in various Hearing Streams and feature in numerous provisions in Proposed Change 1. The amendments will help to achieve the integrated management of natural and physical resources and the sustainable management purpose of the RMA. Using the defined term for “regionally significant infrastructure” will improve the interpretation and application of RMI4.
- 68. Recognising in RMI1 that inappropriate use and development can impact highly productive land recognises a matter of national importance by acknowledging that inappropriate use and development of land can impact adversely on highly productive land. This is appropriate and supports amendments recommended to the IM Objective.
- 69. The amendments also acknowledge that mana whenua / tangata whenua have not always been involved in RMA processes and decision-making and this has impacted on the partnership relationship, recognition of Te Ao Māori and mātauranga Māori, and the relationship of mana whenua / tangata whenua with te taiao which is a matter of national importance in s 6 of the RMA. Acknowledging this in RMI3 supports the provisions in Proposed Change 1 that seek to better provide for and support mana whenua / tangata whenua values, Te Ao Māori and mātauranga Māori.

70. Numerous methods in Proposed Change and also some policies recognise the importance of engagement and information sharing. It is appropriate for this to also be recognised in RMI4. Providing stronger recognition of climate mitigation and the role of the resource management and planning system appropriately recognises strategies and action plans in the ERP and NAP.
71. Also as discussed above, we recommend that the Issues are incorporated into a new IM chapter together with Objective A (renamed 'Integrated Management objective' and we recommend they are renamed 'Integrated Management Resource Management Issues'.

3.1.3 Recommendation

3. Resource management issues, objectives and summary of policies and methods to achieve the objectives in the Regional Policy Statement

This chapter provides an overview of the issues addressed by the Regional Policy Statement, the objectives sought to be achieved and ~~provides~~ a summary of the policies and methods to achieve the objectives. These are presented under the following topic headings:

- Integrated management
 - Air quality
 - Coastal environment, including public access
 - Energy, infrastructure and waste
 - Fresh water, including public access
 - Historic heritage
 - Indigenous ecosystems
 - Landscape
 - Natural hazards
 - Regional form, design and function
 - Resource management with tangata whenua
 - Soils and minerals

Each section in this chapter addresses a topic then introduces the issues. All the issues are issues of regional significance or have been identified as issues of significance to the Wellington region's iwi authorities. Each section includes a summary table showing all the objectives that relate to that topic and the titles of the policies and methods that will achieve those objectives. The table also includes a reference to other policies that need to be considered alongside to gain a complete view of the issue across the full scope of the Regional Policy Statement.

New IM chapter before 3.1 Air quality

The overarching integrated management resource management issues for the Wellington Region are:

Overarching Integrated Management Resource Management Issue 1

Adverse impacts on natural environments and communities

Inappropriate and poorly managed use and development of the environment, including both urban and rural **use and development activities**, have damaged and continue to impact the natural environment, **and contribute to** an increase in *greenhouse gas emissions*. **It has also contributed to ongoing ecosystem loss, and degraded destroying ecosystems and degrading water quality and loss of highly productive land.** This has adversely **impacted impacting** the relationship between mana whenua/*tangata whenua* and **the taiao, and is leaving communities and nature increasingly exposed to the impacts of climate change.**

Overarching Integrated Management Resource Management Issue 2

Increasing pressure on housing, and infrastructure capacity and te taiao

Population growth is putting pressure on housing supply and choice, **and infrastructure capacity and te taiao.** To meet the needs of current and future populations, **there is a need to increase housing supply and choice across the region in a manner which contributes to a well-functioning urban areas and rural areas, while managing adverse effects on Development will place additional pressure on the natural and built environments.**

Overarching Integrated Management Resource Management Issue 3

Lack of mana whenua / tangata whenua involvement in decision making

Mana whenua / tangata whenua **values, Te Ao Māori and mātauranga Māori** have not **always** been **involved given sufficient weight** in decision-making, including from governance level through to the implementation. As a result, mana whenua / tangata whenua values, **Te Ao Māori, mātauranga Māori and the relationship of mana whenua whenua / tangata whenua with te taiao** have not been adequately provided for in resource management, causing disconnection between mana whenua / tangata whenua and the environment.

Overarching Integrated Management Resource Management Issue 4

The effects of climate change on communities and the natural and built environment

Gross greenhouse gas emissions must be reduced significantly, immediately and rapidly **to avert the climate crisis.** The resource management and planning system has an **important role in this challenge.** The region's communities and **natural and built environments are also** vulnerable to the current and future effects of climate change. There is a need to ensure that **natural and physical resources built environments** are resilient to and can effectively adapt to the effects of climate change **to strengthen the resilience of our communities to these impacts.** This will also require **informed and engaged communities, and resilient and well-functioning infrastructure networks, including regionally significant infrastructure.**

[These overarching resource management issues should be read with topic-specific resource management issues in the following chapters where relevant.](#)

3.2 Objective A

72. As notified the Objective read:

Objective A

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

- (a) incorporates Mātauranga Māori; and
- (b) recognises ki uta ki tai – the holistic nature and interconnectedness of all parts of the natural environment; and
- (c) protects and enhances mana whenua / tangata whenua values, in particular mahinga kai, and the life-supporting capacity of ecosystems; and
- (d) recognises the dependence of humans on a healthy natural environment
- (e) recognises the role of both natural and physical resources in providing for the

(f)

characteristics and qualities of well-functioning urban environments; and responds effectively to the current and future pressures of climate change, population growth and development.

73. The s 32 Report outlines that the intent of Objective A is to provide greater clarity and direction to Council and territorial authorities in the region about what is meant by integrated management of natural and built environments, and to recognise the importance of Te Ao Māori in natural resource management and decision-making.³⁵ The Report assesses the appropriateness of the Objective and says, among other things, that it:

- a. “provides a clear description of what the success of achieving integrated management of natural and physical resources looks like”,
- b. will “enable more efficient implementation”,
- c. gives “more certainty to both regional and district/city councils about the desired outcome of successful integrated management and what this should look like”, and

³⁵ Section 32 Report, page 60.

- d. will lead to “better outcomes for the environment and people” through early identification of issues and “more connected and joined up management and decision making”.

3.2.1 Submissions, Evidence and Analysis

- 74. There were 34 original submission points and 47 further submission points received on Objective A.

3.2.1.1 Overarching Objective, and location in a new Chapter

- 75. In the notified version of Proposed Change 1, Objective A was expressed as being “the overarching resource management objective for the Wellington Region”.
- 76. Quite a few submitters raised concerns with this and how it would be interpreted alongside other objectives in the RPS and its relationship with policies. Was it intended to operate as an objective that had priority over, or was accorded a different interpretation to, other objectives? We support Mr Wyeth’s recommendation to delete the word “overarching”. Objective A is intended to be the “integrated management” Objective in the RMA and it does not hold any additional weighting or importance than other objectives. We received advice from Counsel for the Council at the hearing on this point. Ms Anderson said that for a provision such as Objective A to take priority over other objectives in the RPS, there would have to be:³⁶

some direction in the policy statement that says that; otherwise, aside from things like the difference in directive wording versus non-directive wording, each objective sort of stands and falls [as] is relevant to whatever you’re assessing.

As I understood it, the explanatory text is reasonably clear that all relevant objectives and policies will apply. There is nothing that suggests there is as hierarchy between them. I think the deletion of overarching is helpful in terms of dispelling that.

- 77. Ms Foster presenting planning evidence for Meridian did raise a concern that the location of Objective A at the beginning of the RPS, could still create a hierarchy, or at least someone could argue that it was more important.³⁷ Mr Rachlin for PCC also thought the Objective elevated some

³⁶ Hearing Transcript, HS2 Integrated Management, Day 1, page 18, lines 830 – 838.

³⁷ Hearing Transcript, HS2 Integrated Management, Day 2, page 46, lines 283 – 296.

topics above others,³⁸ but Ms Horrocks for Wellington Water, was less concerned about this, particularly with the word “overarching” deleted.³⁹

78. HCC [S115.005] and Wellington Water [S140.005] sought that Objective A should not be located within a chapter Introduction but should stand alone. Mr Rachlin and Mr Smeaton, planners for PCC also supported this.⁴⁰
79. As discussed above, for the reasons set out in Mr Wyeth’s Reply Evidence, we consider it appropriate for Objective A to be included in a new Integrated Management Chapter in the RPS. This will align with the National Planning Standards and assist with a future RPS change (which as Mr Wyeth notes, may not need a Schedule 1 process).⁴¹ It responds to submitters’ concerns about how the Objective relates to other objectives and policies in the RPS. The amendment should address concerns that the Objective “assigns more importance to certain matters over others”.⁴²
80. We also recommend that a similar statement be included below the Objective, consistent with Mr Wyeth’s recommended statement below the Issues to clarify the relationship of the Objective with other provisions. We recommend the statement is along the following lines: “This integrated management Objective is to be read with the topic-specific objectives in the RPS where relevant and is to be achieved through a range of policies and methods in the RPS in addition to the specific integrated management policies and methods: Policy IM.1, Method IM.1, Method IM.2”.
81. Similar to other objectives in the RPS, the new IM Objective should sit in a table with a cross-reference to Policy IM.1, Method IM.1 and Method IM.2. Incorporating of the text in section 2.4 could then perhaps occur as part of a future change proposal.

3.2.1.2 Other relief on Objective A

82. Submitters sought a range of relief on Objective A. Several sought that “guided by Te Ao Māori” be removed from the chapeau (eg Meridian [S100.002] or be included in its own subclause so that its application and effect was clearer (Wellington Water [S113.002]). Others such as Powerco [S134.00 1] and the Director-General of Conservation [S32.002]

³⁸ Hearing Transcript, HS2 Integrated Management, Day 2, page 76, lines 1833 – 1837; 1879 – 1886.

³⁹ Hearing Transcript, HS2 Integrated Management, Day 2, page 55, lines 772 – 778.

⁴⁰ Hearing Transcript, HS2 Integrated Management, Day 2, page 76, lines 1860 – 1863.

⁴¹ Reply Evidence of Mr Wyeth, Hearing Stream 2, 28 July 2023, paras 8 – 9.

⁴² As summarised by the Officer at the hearing, Hearing Transcript, HS2 Integrated Management, Day 1, page 4, lines 100 – 101.

sought that “the life supporting capacity of ecosystems” should not be included in the same subclause as the s 6(e) matters in subclause (c), as it should be safeguarded in its own right in accordance with s 5(2)(b) rather than be stated as a subset of mana whenua values. Te Tumu Paeroa/Office of the Māori Trustee [S102.00 1] sought inclusion of Te Mana o te Wai in Objective A and also an amendment to recognise “and provide for” ki uta ki tai [S102.00 2].

83. Ātiawa [S131.01 3] sought a new subclause be inserted to “support the connection between mana whenua and te taiao”. Taranaki Whānui [S167.00 8] sought an amendment to the Objective to refer to working in partnership with mana whenua / tangata whenua, and Ngāti Toa [S170.00 6] sought greater recognition of the kaitiakitanga role of Māori and that how Te Ao Māori and Mātauranga is used should be ‘co-designed’ with mana whenua and iwi.
84. Various infrastructure providers including Wellington Water [S113.00 2] asked that Objective A be amended to recognise the role of RSI in improving the resilience of communities and supporting well-functioning urban environments (eg Fuel Companies [S157.001/003/005]. Meridian [S100.00 2] sought reference to “enables use and development of natural and physical resources to support the infrastructure (including RSI) necessary to strengthen the resilience of communities to meet the future challenges associated with climate change”.
85. In his Rebuttal and Evidence in Reply, Mr Wyeth recommends various changes to Objective A in response to submissions and submitter evidence and legal submissions at the Hearing. Much of the relief sought is recommended to be included such as recognising “and providing for” ki uta ki tai - the holistic nature and interconnectedness of all parts of the natural environment, and “recognising and providing for the relationship of mana whenua / tangata whenua with te taiao” which we consider gives appropriate effect to the relief sought by Ātiawa. Mr Wyeth also recommended that “protects and enhances the life-supporting capacity of ecosystems” be included in a separate clause in the Objective, as sought by the Director-General and others. Mr Brass, the planner for the Director-General, said he was comfortable with the wording proposed in new clause (f).⁴³

⁴³ Hearing Transcript, HS2 Integrated Management, Day 2, page 92, lines 2690 – 2694.

86. In his Rebuttal Evidence, Mr Wyeth supports clause (h) being amended to refer to RSI, identifying this as a gap.⁴⁴ At the hearing, Ms Foster for Meridian said clause (h) addressed Meridian’s relief in part, but she still supported a reference to “enabling regionally significant infrastructure”.⁴⁵
87. Mr Wyeth did not support Meridian’s relief regarding “enabling RSI” as that could give the impression that this physical resource was more important in improving resilience whereas clause (h) as the Officer recommended it be amended, appropriately recognised the role of both natural and physical resources as being equally important in providing for well-functioning urban and rural areas and improving resilience to climate change.⁴⁶ He also said that Chapter 3.3 of the RPS is the more appropriate location for specific policy direction on enabling RSI.
88. In legal submissions, Counsel for Fish and Game requested an amendment to the Objective to refer to “input from stakeholders of the community”. Mr Wyeth supports this amendment in part by including a new clause referring to “informed by the input of communities” and said at the Hearing that in his view, community incorporates stakeholders.⁴⁷ Counsel for Fish and Game, Mr Malone, said that other provisions in the RPS refer to both community and stakeholders, and Fish and Game’s preference is for “stakeholders” to also be included in clause (e).⁴⁸ Mr Slyfield, counsel for Wellington Water, responding to a question during the Hearing on this point, said that he did not think much turned on it from a legal perspective, and he was comfortable that Wellington Water would be able to share its input based on “communities”, and a specific reference to “stakeholder” was not needed.⁴⁹
89. HortNZ had requested amendments to the Issues relating to recognition of highly productive land and had sought general relief in their submission “to address the substance of the concerns [they had] raised”.⁵⁰ Although Hort NZ wanted Objective A retained as notified, Mr Wyeth has accommodated their relief in part into clause (h). He considered there was scope to do this within their submission and that highly productive land is

⁴⁴ Statement of Rebuttal Evidence of Jerome Wyeth on behalf of Wellington Regional Council, Hearing Stream 2 – Integrated Management, 7 July 2023, para 35.

⁴⁵ Hearing Transcript, HS2 Integrated Management, Day 2, page 44, lines 190 – 195.

⁴⁶ Reply Evidence of Mr Wyeth, Hearing Stream 2, 28 July 2023, para 37.

⁴⁷ Hearing Transcript, HS2 Integrated Management, Day 1, page 7, lines 258 – 261.

⁴⁸ Hearing Transcript, HS2 Integrated Management, Day 1, page 29, lines 1400 – 1422 per Mr Malone.

⁴⁹ Hearing Transcript, HS2 Integrated Management, Day 2, page 52, lines 626 – 629.

⁵⁰ Reply Evidence of Mr Wyeth, Hearing Stream 2, 28 July 2023, paras 23-24.

an important consideration in terms of integrated management,⁵¹ although Mr Wyeth did comment that there was risk in giving effect to the NPS-HPL in a piecemeal way and that the Council intends to give full effect to the NPS in a future RPS change.⁵²

90. Mr Wyeth considered that *Te Mana o te Wai* is given effect through a range of specific and directive provisions elsewhere in Proposed Change 1, and that additional reference in Objective A would add little value.⁵³
91. At the Hearing, Mr Wyeth said that “responds effectively” in clause (j) requires a proactive response to climate change, and he did not think you could respond effectively by “basically doing nothing”.⁵⁴
92. Mr Wyeth does not agree with the proposal from PCC to replace Objective A and its list of considerations with PCC’s proposed Objectives A, B and C. Alongside other concerns he notes he has reservations about recommending a new set of IM objectives through Reply Evidence, as submitters will not have the opportunity to provide evidence on such substantive amendments. PCC’s amendments also remove some key considerations and matters from the Objective which are relevant to integrated management such as the role of natural and physical resources in achieving well-functioning urban areas and rural areas and improving resilience to climate change.⁵⁵ We agree with these concerns and do not recommend that PCC’s relief is accepted by Council.
93. We recommend an amendment to the Objective relating to climate mitigation, and the role of the resource management and planning system in contributing to reducing gross greenhouse gas emissions. We consider this aligns with the amendment we recommend to RMI4, and conveys the the importance of managing land use and development activities as part of climate change response and mitigation. We consider there is scope to recommend this amendment as it aligns with the amendment we recommend to RMI4, for which there is scope from PCC’s submission [S30.001].

⁵¹ Reply Evidence of Mr Wyeth, Hearing Stream 2, 28 July 2023, para 24.

⁵² Reply Evidence of Mr Wyeth, Hearing Stream 2, 28 July 2023, para 26.

⁵³ Reply Evidence of Mr Wyeth, Hearing Stream 2, 28 July 2023, paragraph 21.

⁵⁴ Hearing Transcript, HS2 Integrated Management, Day 1, page 8, lines 367 – 376.

⁵⁵ Reply Evidence of Mr Wyeth, Hearing Stream 2, 28 July 2023, paragraph 33.

3.2.2 Finding and s 32AA Evaluation

94. We agree with the Reporting Officer’s recommendations on Objective A for the reasons above, and otherwise as set out in the Officer’s s 42A Report, or the Officer’s Rebuttal and Reply Evidence. In addition, we recommend that:
- a. Objective A is renamed “Integrated Management Objective” (or similar)
 - b. The Objective is included as a single objective in a new Integrated Management chapter of the RPS with a corresponding table included cross-referencing Policy IM.1 and the two IM Methods,
 - c. The Objective is amended to recognise the role of the resource management and planning system in contributing to reducing gross greenhouse gas emissions
 - d. “Significant mineral resources” in clause (i) is italicised as it is a defined term in the Operative RPS⁵⁶ and that this change occur as a clause 16, Schedule 1 minor correction, and
 - e. A statement is included below the Objective saying that it is to be read with the topic-specific objectives in the RPS, and is to be achieved through a range of policies and methods in the RPS in addition to the specific integrated management policies and methods: Policy IM.1, Method IM.1, Method IM.2.
95. We consider the amendments we have recommended are the most appropriate way to achieve the sustainable management purpose of the RMA and climate change management plans and strategies (the ERP and NAP) which describe a clear role for the planning and resource management system in addressing the climate crisis. The amendments do not change the underlying intent of the Objective and provide appropriate direction to consider the integrated nature of the climate change mitigation and response, as also provided for in other policies and methods in Proposed Change 1.
96. Our recommendations to rename the Objective and include it in a separate IM chapter will aid interpretation and application of the Objective in the RPS and also align with the Structure Standards in the National Planning Standards and support future RPS changes that seek to give full effect to the Standards. Using an existing defined term for “significant

⁵⁶ Meaning “Deposits of minerals, the extraction of which is of potential importance in order to meet the current or future mineral needs of the region or nation”.

mineral resources” will help achieve integration across the RPS and assist interpretation of the Objective.

3.2.3 Recommendation

[Locate to IM chapter and include the Objective in a table after the Issues as set out broadly below]

Objective A Integrated Management Objective

The overarching resource integrated management objective for the Wellington Region is:

Objective A Integrated Management Objective: Integrated management of the region’s natural and physical resources built environments: guided by Te Ao Māori and:

- (a) is guided by Te Ao Māori; and
- (b) incorporates mātauranga Māori in partnership with mana whenua/tangata whenua;
and
- (c) recognises and provides for ki uta ki tai – the holistic nature and interconnectedness of all parts of the natural environment; and
- (d) recognises and provides for the relationship of mana whenua/tangata whenua with te taiao and protects and enhances mana whenua / tangata whenua values, in particular mahinga kai and the life-supporting capacity of ecosystems; and
- (e) is informed by the input of communities; and
- (f) protects and enhances the life-supporting capacity of ecosystems; and
- (g) recognises the dependence of humans on a healthy natural environment; and
- (gg) recognises the role of the resource management and planning system in reducing gross greenhouse gas emissions
- (h) recognises the role of both natural and physical resources, including highly productive land and regionally significant infrastructure, in providing for the characteristics and qualities of well-functioning urban and rural areas environments and improving the resilience of communities to climate change; and
- (i) recognises the benefits of protecting and utilising the region's significant mineral resources; and
- (j) responds effectively to the current and future effects pressures of climate change, and population growth, and development pressures and opportunities.

The table will cross refer to Policy IM.1 and the IM Methods and also note text along these lines:

The integrated management Objective is to be read with the topic-specific objectives in the RPS and is to be achieved through a range of policies and methods in the RPS in addition to the specific integrated management policies and methods: Policy IM.1, Method IM.1, Method IM.2.


3.3 Introductory wording to Chapter 4.2: Regulatory policies – matters to be considered

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

97. The introductory wording to Chapter 4.2 stated:

This section contains the policies that need to be given particular regard, where relevant, when assessing and deciding on resource consents, notices of requirement, or when changing, or varying district or regional plans. Within this section, policies are presented in numeric order, although the summary table below lists the policy titles by topic headings.

98. The notified Policy IM.1 stated:

<u>Policy IM.1: Integrated management - ki uta ki tai – consideration</u>	
<p><u>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></p> <ul style="list-style-type: none"> (a) <u>partnering with mana whenua / tangata whenua to provide for mana whenua / tangata whenua involvement in resource management and decision making; and</u> (b) <u>recognising the interconnectedness between air, freshwater, land, coastal marine areas, ecosystems and all living things – ki uta ki tai; and</u> (c) <u>recognising the interrelationship between natural resources and the built environments; and</u> (d) <u>making decisions based on the best available information, improvements in technology and science, and mātauranga Māori; and</u> (e) <u>upholding Māori data sovereignty; and</u> (f) <u>requiring Māori data and mātauranga Māori to be interpreted within Te Ao Māori; and</u> (g) <u>recognising that the impacts of activities may extend beyond immediate and directly adjacent area, and beyond organisational or administrative boundaries</u> <p><u>Explanation</u></p> <p><u>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.</u></p>	

99. This Policy directs councils on what is required to achieve integrated management of resources in the Region when considering consent applications, NoRS or changes, variations or reviews of plans.
100. There were 17 original submission points and 22 further submission points received on Policy IM.1.

3.3.1 Submissions, Evidence and Analysis

101. Various submitters supported the Policy but requested some amendments. Some submitters had concerns with the consideration policies in general in Change 1 (as discussed in Part B, Section 1 (General Submissions)). PCC thought they were over-reaching and opposed them in their entirety [S30.0123] but also sought specific amendments to Policy IM.1 so it provides clear direction [S30.056].
102. Mr Wyeth has proposed some wording changes to Policy IM.1, in particular to clarify it is directed at local authorities not consent applicants, and that the matters in (a) to (g) are not an exclusive list (which incorporates relief proposed by Fish and Game). Ms Burns providing planning evidence for Rangitāne sought that clause (a) only refer to partnering and not “partnering or engaging” given it is a direction to local authorities and a partnership approach is appropriate. We agree with these recommendations.
103. In Minute 8, we asked Mr Wyeth to consider the introductory wording to Chapter 4.2 which we found potentially confusing and possibly inconsistent with the statutory direction in the RMA. We support the amendments Mr Wyeth has recommended in his Evidence in Reply, including to clarify that RPS policies need to be “had particular regard to” when territorial authorities make recommendations on NoRs. We consider Mr Wyeth’s amendments clarify the policy and legislative requirements, and remove inconsistent weighting.
104. The meaning of the key terms in the Chapter 4.2 introductory text (i.e. “give effect to”, “have regard to” and “have particular regard”,) is set out in legal submissions filed by Counsel for the Council on 23 June 2023. The submissions also talk about the relevant statutory directions for local authorities to give effect to a RPS, and for resource consent decision-making and NoR recommendations.
105. Ms Anderson explained that the statutory direction will apply and there is no issue with a council being required to have particular regard to certain

matters when making decisions on plans.⁵⁷ In any event, we note the Officer supports language in the Chapter 4.2 introductory section that aligns with the relevant statutory direction, and in Policy IM.1, the Officer recommends deleting “particular regard” and replacing it with a mandatory direction to adopt an integrated approach when considering a consent application, NoR or change, variation or review of a plan. We agree with the recommended amendments.

3.3.2 Finding

106. We agree with the Reporting Officer’s recommendations on the introductory wording to Chapter 4.2 and Policy IM.1 for the reasons above, and otherwise as set out in the Officer’s s 42A Report, or the Officer’s Rebuttal and Reply Evidence.

3.3.3 Recommendation

Chapter 4.2: Regulatory policies – matters to be considered

This section contains the policies that need to be ~~given effect to, where relevant, when reviewing, changing, or varying district or regional plans, and that particular~~ regard ~~must be had to~~, where relevant, when assessing and deciding on resource consents, and ~~particular regard must be had to when making recommendations on~~ notices of requirement, ~~or when changing, or varying district or regional plans. This applies regardless of whether this is stated at the start of each policy in this section.~~ Within this section, policies are presented in numeric order, although the summary table below lists the policy titles by topic headings.

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, local authorities shall adopt an integrated approach to the management of the region’s natural and physical resources built environments, including 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
- (b) recognising the interconnectedness between air, freshwater, land, coastal marine areas, ecosystems and all living things – ki uta ki tai; and
- (c) ~~recognising that the effects of activities may extend beyond immediate and directly adjacent area, and beyond organisational or administrative boundaries~~; and
- (d) recognising the interrelationship between natural and physical resources and the built environments; and
- (e) making decisions based on the best available information, improvements in technology, and science, and mātauranga Māori; and


⁵⁷ Legal submissions on behalf of Wellington Regional Council – key terminology used and consideration policies in Hearing Stream 2, 23 June 2023, paras 7 – 9.

- (f) ~~upholding Māori data sovereignty; and~~
- (g) requiring Māori data and mātauranga Māori to be interpreted within Te Ao Māori ~~while upholding Māori data sovereignty.; and~~
- (h) ~~recognising that the impacts of activities may extend beyond immediate and directly adjacent area, and beyond organisational or administrative boundaries.~~

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.

3.4 Policy IM.2: Equity and inclusiveness - consideration

107. The notified Policy stated:

Policy IM.2: Equity and inclusiveness – consideration	
<p><u>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:</u></p> <ul style="list-style-type: none">(a) <u>avoiding compounding historic grievances with iwi/Māori; and</u>(b) <u>not exacerbating existing inequities, in particular but not limited to, access to public transport, amenities and housing; and</u>(c) <u>not exacerbating environmental issues; and</u>(d) <u>not increasing the burden on future generations.</u> <p>Explanation <u>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.</u></p>	

108. There were 19 original submission points and 30 further submission points on Policy IM.2.

109. The Policy aims to ensure equity and inclusiveness in resource management and decision-making as stated in the s 32 Report.⁵⁸

3.4.1 Submissions, Evidence and Analysis

110. Some submitters supported the Policy (eg Taranaki Whānui [S167.097]) and said that it will ensure that resource management decision-making creates fair and equitable outcomes and avoids exacerbating existing inequalities.

111. Some submitters requested clarification and supported the Policy in part (eg Waka Kotahi [S129.005]). However, the majority of submitters requested deletion of Policy IM.2 (eg KCDC [S16.030] and CDC [S25.035]). Mr Wyeth agrees with these submitters that there are numerous issues with Policy IM.2 as notified, including that it has potential to undermine the effectiveness and efficiency of the RPS and would be problematic to

⁵⁸ Section 32 Report for Proposed Change 1 to the RPS for the Wellington Region, page 115.

implement especially in consenting processes.⁵⁹ He also agrees with submitter evidence that retaining Policy IM.2 will not be effective or efficient to achieve the RPS objectives⁶⁰ or the purpose of the RMA, and he identifies a lack of sufficient support in the s 32 Report including how the benefits of a more equitable and inclusive approach will be achieved.

112. In their planning evidence, Ms Burns for Rangitāne supported retaining the Policy, but Ms Foster for Meridian, Mr Rowe for the Fuel Companies and PowerCo, and Mr Smeaton for PCC, did not think that the amendments the Officer proposed in the s 42A Report overcome the ambiguity in interpretation and could cause unnecessary debate and uncertainty.⁶¹ At the hearing, Ms Burns said that even though equity was not something commonly dealt with in an RPS, she thought it was consistent with s 5 which provides for enabling communities to provide for their social, cultural, economic wellbeing, and this could include the need to address equity.⁶²
113. Mr Wyeth's view remained as per his Rebuttal Evidence, that is, that Policy IM.2 should be deleted.
114. Equitable transition is an important principle and was discussed in Hearing Stream 3 – Climate Change. The Reporting Officer made some recommendations regarding Objective CC.2 and Method CC.1 in the HS3 provisions. We are satisfied that other provisions in Proposed Change 1 appropriately provide for equitable considerations in resource management decision-making and planning.

3.4.2 Finding

115. We agree with the Reporting Officer's recommendation to delete Policy IM.2 for the reasons above, and otherwise as set out in the Officer's s 42A Report, or the Officer's Rebuttal and Reply Evidence.

3.4.3 Recommendation

[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, Wellington Regional](#)

⁵⁹ Section 42A Hearing Report, Hearing Stream 2- Overarching Issues and Objective, Integrated Management, 16 June 2023, para 170; Hearing Transcript, HS2 Integrated Management, Day 1, page 5, lines 160 – 161.

⁶⁰ Hearing Transcript, HS2 Integrated Management, Day 1, page 5, lines 162 – 163.

⁶¹ This is further discussed by Mr Rowe during the hearing, Hearing Transcript, HS2 Integrated Management, Day 1, page 14, lines 1139 – 1145.

⁶² Hearing Transcript, HS2 Integrated Management, Day 2, page 59, lines 980 - 984.


~~Council, city and district councils shall seek to particular regard shall be given to achieveing the RPS objectives and policies y outcomes of this RPS in an equitable and inclusive way, particularly whenby:~~

- ~~(a) addressing barriers and providing opportunities for mana whenua/tangata whenua to undertake use and development to support the economic and cultural well-being of their communities avoiding compounding historic grievances with iwi/Māori; and~~
- ~~(b) 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~~
- ~~(c) 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 exacerbating environmental issues; and~~
- ~~(d) not increasing the burden on future generations.~~

Explanation: ~~This policy requires that equity and inclusiveness are is 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.~~

3.5 Method IM.1: Integrated Management - ki uta ki tai

116. The notified Method stated:

Method IM.1: Integrated management - ki uta ki tai	
<p><u>To achieve integrated management of natural resources, the Wellington Regional Council, district and city councils shall:</u></p> <ul style="list-style-type: none">(a) <u>partner with and provide support to mana whenua / tangata whenua to provide for their involvement in resource management and decision making; and</u>(b) <u>partner with and provide support to mana whenua / tangata whenua to provide for mātauranga Māori in natural resource management and decision making; and</u>(c) <u>work together with other agencies to ensure consistent implementation of the objectives, policies and methods of this RPS; and</u>(d) <u>enable connected and holistic approach to resource management that looks beyond organisational or administrative boundaries; and</u>(e) <u>recognise that the impacts of activities extend beyond immediate and directly adjacent area; and</u>(f) <u>require Māori data, including mātauranga Māori, sites of significance, wāhi tapu, wāhi tūpuna are only shared in accordance with agreed tikanga and kawa Māori; and</u>(g) <u>share data and information (other than in (f) above) across all relevant agencies; and</u>(h) <u>incentivise opportunities and programmes that achieve multiple objectives and benefits.</u> <p><i><u>Implementation: Wellington Regional Council* and city and district councils</u></i></p>	

117. The Method sets out the actions local authorities in the Region will take to achieve integrated management of resources.

118. There were 23 original submission points and 15 further submission points on Method IM.1.

3.5.1 Submissions, Evidence and Analysis

119. In general, Method IM.1 was supported by submitters with Taranaki Whanui, Rangitane, Fish and Game and Forest and Bird requesting the retention of clauses (c), (e), (g) and (h) as notified.

120. The submission from Te Ātiawa to delete the word “natural” from clause (b) was accepted by the Council Officer to make clause (b) consistent with clause (a) and Policy IM.1.

121. Submissions by Te Tumu Paeroa [S102.089/090], to extend responsibility for implementation of this Method to mana whenua / tangata whenua and

to move the position of the Method, were not accepted, for reasons outlined in the s 42A.⁶³ PCC and HCC submissions requesting the language of Method IM.1 be consistent with National Planning Standards 2019, references to city and district councils be replaced with “territorial authorities,” and for the Method not to apply to city and district councils were also rejected.⁶⁴

122. The Officer said that although Policy IM.1 and Method IM.1 both refer to partnerships with mana whenua / tangata whenua, in his view, it is appropriate that the primary responsibility for implementing Method IM.1 be limited to Council and territorial authorities in the Region. He said that assigning implementation responsibility of RPS non-regulatory methods to mana whenua / tangata whenua could exacerbate capacity and capability pressures.⁶⁵
123. We recommend one minor amendment to the Method to correct what we consider is a typographical or minor drafting amendment.

3.5.2 Finding and s 32AA Evaluation

124. We agree with the Reporting Officer’s recommendation on Method IM.1 for the reasons above, and otherwise as set out in the Officer’s s 42A Report, or the Officer’s Rebuttal and Reply Evidence with the minor correction below to improve readability and alignment with the defined term “natural and physical resources” in the RMA. This is minor amendment and does not change the intent, but referring to a defined and well-known term will assist with the interpretation and application of the Method.

3.5.3 Recommendation

Method IM.1 – Integrated Management – ki uta ki tai

To achieve integrated management of natural ~~resources~~ and physical resources built environments, the Wellington Regional Council, district and city councils shall:

- (a) partner with and provide support to mana whenua / tangata whenua to provide for their involvement in resource management and decision making; and
- (b) partner with and provide support to mana whenua / tangata whenua to provide for mātauranga Māori in ~~natural~~ resource management and decision making; and

⁶³ Section 42A Hearing Report, Hearing Stream 2- Overarching Issues and Objective, Integrated Management, 16 June 2023, para 190.

⁶⁴ Section 42A Hearing Report, Hearing Stream 2- Overarching Issues and Objective, Integrated Management, 16 June 2023, para 188 and 192.


⁶⁵ Section 42A Hearing Report, Hearing Stream 2- Overarching Issues and Objective, Integrated Management, 16 June 2023, para 190.

- (c) work with communities to achieve effective integrated management outcomes;
- (d) work together with other agencies to ensure consistent implementation of the objectives, policies and methods of this RPS; and
- (e) enable connected and holistic approach to resource management that **looks extends** beyond organisational or administrative boundaries; and
- (f) recognise that the impacts of activities extend beyond the immediate and directly adjacent area; and
- (g) require Māori data, including mātauranga Māori, **areas and** sites of significance, wāhi tapu, **and** wāhi tūpuna are only shared in accordance with agreed tikanga and kawa Māori; and
- (h) share data and information (other than in (f) above) across all relevant agencies; and
- (i) incentivise opportunities and programmes that achieve multiple objectives and benefits.

Implementation: Wellington Regional Council* and city and district councils.

3.6 Method IM.2: Protection and interpretation of Mātauranga Māori and Māori data

125. The notified Method stated:

<u>Method IM.2 Protection and interpretation of Mātauranga Māori and Māori data</u>	
<p><u>By 2025, the Wellington Regional Council in partnership with each mana whenua / tangata whenua will develop and uphold tikanga and kawa for Māori data sovereignty, including but not limited to:</u></p> <p>(a) <u>how Māori data and information is collected, stored, protected, shared and managed; and</u></p> <p>(b) <u>how mātauranga Māori and other forms of Māori data is analysed and interpreted.</u></p> <p><i>Implementation: Wellington Regional Council</i></p>	

126. There were 7 original submission points and 5 further submission points on Method IM.2.

3.6.1 Submissions, Evidence and Analysis

127. Method IM.2 was broadly supported by submitters with Fish and Game, WCC and Taranaki Whanau requesting the Method be retained as notified. A number of iwi submitters sought amendments to strengthen and clarify the Method. Te Tumu Paeroa's submission raised concerns about adequate protection of mātauranga Māori and Māori data sovereignty. Their submission requested responsibility for implementing the Method go to mana whenua / tangata whenua and for the Method to be regulatory. These submissions were partly accepted for the reasons outlined in the s 42A report.

128. Mr Wyeth identified Method IM.2, along with Method IM.1, as non-regulatory actions that are to be achieved by Council working in partnership with mana whenua / tangata whenua and are appropriately located in the non-regulatory section of the RPS. Further to this, Mr Wyeth also noted there were other methods in the RPS which lists iwi authorities as being responsible for implementation with the Council. Notwithstanding those other methods, implementation of Method IM.2 would not be possible without mana whenua / tangata whenua partnership. Accordingly, the Officer recommended that implementation of this Method is extended to include mana whenua / tangata whenua. We agree with this recommendation.

129. Mana whenua / tangata whenua and Te Tumu Paeroa also raised concerns surrounding the use and management of Māori data sovereignty with Rangitāne submitting Method IM.2 be explicit in defining how and when their data will be collected, stored, protected, shared and managed, and how or when it might be modified or deleted. Although these submissions did not result in the provision being amended, the timeline of 2025 in Method IM.2 would appear to go some way to allow for the development of tikanga and kawa surrounding Māori data sovereignty.
130. In Minute 8, we requested some specific information from the Council about Māori data sovereignty so that we could better understand the intent of the Proposed Change 1 provisions. We acknowledge Council's helpful response (set out in Mr Wyeth's Evidence in Reply, although provided by others working within Council).⁶⁶
131. Council stated:⁶⁷

GWRC has an organisation-wide data strategy under development, which recognises Māori data sovereignty and Māori data as taonga. GWRC will embed the relevant values and practices appropriate to the creation, care, use and protection of Māori data as an outcome of that strategy. These practices are inherently linked to a required increase in the maturity of information and data management at GWRC so that Māori data can be identified and treated appropriately.

Training and development are required for GWRC staff to better understand how data is taonga and what their accountability, responsibility, stewardship and relationships need to be around the data they and their teams interact with. Tools required to handle this level of maturity around data will be made available.

This will involve establishing clear roles, responsibilities, and processes for overseeing data throughout its lifecycle (from collection and management to usage and disposal). The primary goal of the data stewardship model will be to promote data quality, integrity, privacy, and security and maximizing the value and usefulness of GWRC data in line with the principles of Māori data sovereignty.

⁶⁶ Reply Evidence of Jerome Wyeth on behalf of Wellington Regional Council, Hearing Stream Two – Integrated Management, 28 July 2023, paras 27 – 30.

⁶⁷ Reply Evidence of Jerome Wyeth on behalf of Wellington Regional Council, Hearing Stream Two – Integrated Management, 28 July 2023, para 30.

132. We found this information helpful and it provided us with assurances and some confidence that Māori data will be treated with respect and care. Ātiawa said it was pleased that mātauranga Māori is being given its due recognition by Regional Council, and stressed at the hearing that mātauranga Māori and other forms of Māori data must be provided the appropriate protections. This includes Māori data sovereignty, including but not limited to the way Māori data is stored, protected, accessed, shared, used and analysed. Ātiawa support provisions that seek to develop tikanga and kawa to govern Māori data sovereignty and said they looked forward to developing tikanga and kawa for data sovereignty for mātauranga-a-Ātiawa ki Whakarongotai.
133. The submission from Atiawa requested including a reference to funding and resourcing iwi which was not accepted. The s 42A Report identified specific funding arrangements are subject to processes under the Local Government Act and other Council processes. We note that in Hearing Stream 3 – Climate Change, the Reporting Officer makes reference to recently established Kaupapa funding agreements with mana whenua / tangata whenua.

3.6.2 Finding

134. We agree with the Reporting Officer’s recommendation on Method IM.2 for the reasons above, and otherwise as set out in the Officer’s s 42A Report, or the Officer’s Rebuttal and Reply Evidence.

3.6.3 Recommendation

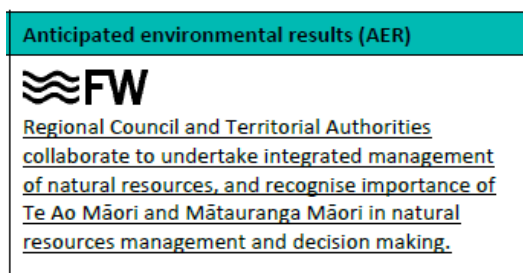
Method IM.2 Protection and interpretation of Mātauranga Māori and Māori data
By 2025, the Wellington Regional Council in partnership with each mana whenua / tangata whenua will develop and uphold tikanga and kawa for Māori data sovereignty, including but not limited to:

- (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.

*Implementation: Wellington Regional Council **and mana whenua/tangata whenua.***

3.7 Objective A - Anticipated Environmental Results

135. The AER reads:



136. There were 4 original submission points and 5 further submission points on the integrated management AER.

3.7.1 Submissions, Evidence and Analysis

146. Rangitāne [S168.0195] supported the AER but considered it should be strengthened by referring to recognise “and provide for” Te Ao Māori and mātauranga Māori. Fish and Game [S147.0104] sought reference to community and stakeholder input. Ātiawa sought a more specific, measurable and time-bound AER developed with involvement from mana whenua / tangata whenua.

147. The Officer supported the amendment sought by Rangitāne and Fish and Game in part, by including reference in the AER to consideration of the “views of communities”.

3.7.2 Finding

148. We agree with the Reporting Officer’s recommendation on the AER for the Objective for the reasons above, and otherwise as set out in the Officer’s s 42A Report, or the Officer’s Rebuttal and Reply Evidence.

3.7.3 Recommendation

Objective A - Anticipated Environmental Results

Wellington Regional Council, city and district councils and Territorial Authorities collaborate to undertake integrated management of natural and physical resources and built environments, and recognise and provide for the importance of Te Ao Māori and mātauranga Māori, and consider the views of communities in natural resources management and decision-making.