



NGĀ HAPŪ O ŌTAKI
HE WAKA EKE NOA

To: Greater Wellington Regional Council
Environmental Policy
PO Box 11646, Manners Street
Wellington 6142

By email: regionalplan@gw.govt.nz

Submitter: Ngā Hapū o Ōtāki

Attention: Hearings Advisor Environmental Policy

Re: Proposed Change 1 to (PC1) to the Natural Resources Plan for the Wellington Region

This is a further submission made on behalf of Ngā Hapū o Ōtāki (NHoŌ), concerning Proposed Change 1 to the Natural Resources Plan as notified by Greater Wellington Regional Council (GWRC) on 30 October 2023.

NHoŌ has an interest in the PC1 that is **greater than the general public's interest** and we also represent a relevant aspect of the public interest, as set out in the Introduction below.

NHoŌ could **not** gain an advantage in trade competition through this further submission.

NHoŌ **would like to be heard** in support of this further submission and will **consider presenting a joint case** with other submitters who have made a similar submission.

NHoŌ seeks that the submissions be allowed or disallowed as set out in Appendix A.

NHoŌ thank GWRC for the opportunity to provide our further submission to PC1, we look forward to continuing work together as partners under Te Tiriti o Waitangi (**Te Tiriti**).



Denise Hapeta
Chairperson, Ngā Hapū o Ōtāki

Dated: 8 March 2024

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Introduction

Tākina te tokotoko ko Ōtāki e
Mai i ngā Maunga whakahī o Tararua
E rere atu ki waho
Ripo kau atu ana te Moana o Raukawa
Tū mai rā te Motu Rongonui o Kāpiti e
Kei te riu o Ōtāki
Ko te Iwi e, Ko Ngāti Raukawa e
Ko Huia, Ko Kapu, Ko Pare, Ko Koroki, Maiōtāki e
Ko Ngā Hapū o Ōtāki e

The mana whenua of Ōtāki are five hapū of Ngāti Raukawa ki te Tonga: Ngāti Koroki, Ngāti Kapu, Ngāti Pare, Ngāti Maiōtāki and Ngāti Huia ki Katihiku (collectively, **Ngā Hapū**). Ngā Hapū are mana whenua and kaitiaki stretching from Horowhenua in the north to Kūkutauaki in the south. Ngā Hapū have mandated NHO to represent them for a variety of purposes, including responding to PC1.

As kaitiaki, Ngā Hapū inherits the obligation to care for, protect, and restore natural resources and other taonga, including all that exist between Papatūānuku and Ranginui. This includes tangible elements such as freshwater, coastal and terrestrial ecosystems and indigenous biodiversity, and intangible elements such as wairua and mauri. This obligation of care exists to ensure the environment is protected for tūpuna, ngā tāngata, and mokopuna (past, present and future generations), and upholds our whakapapa relationship to one another, and to ngā atua Māori.

Te Tiriti guarantees the tino rangatiratanga of Ngā Hapū over our ancestral lands, waterways and all other taonga in our rohe. Te Tiriti also ensures the partnership between Greater Wellington Regional Council and Ngā Hapū.

We, therefore, represent a relevant aspect of the public interest and we also have an interest in the proposal that is greater than the general public has.

General Matters

NHO recognises the mana of the hapū and iwi of the Wellington rohe, and we support their tino rangatiratanga within their rohe. In principle, we support Te Rūnanga o Toa Rangatira's original submission points that seek to give effect to the recommendations of Te Awarua o Porirua and Te Whanganui a Tara Whaitua Implementation Plans in PC1, thus acknowledging our close and long-established relationship through our shared history and continued partnership through the Confederation of Ātiawa ki Whakarongotai, Ngāti Raukawa ki te Tonga, Ngāti Toa Rangatira (the **ĀRT Confederation**).

NHO, together with Ngāti Toa and Ātiawa ki Whakarongotai and the Kāwanatanga House are continuing to progress Whaitua Kāpiti. At the conclusion of Whaitua Kāpiti a plan change will be publicly notified to give effect to our recommendations, at such a time there may be a need to review the proposed amendments suggested through PC1 to assess whether they will apply to Whaitua Kāpiti. We

respectfully request that decisions made regarding PC1 do not limit or preclude our future plan change to give effect to Whaitua Kāpiti.

A matter of particular interest to NHOŌ is the amendments to Schedules F2a, F2b, F2c and F4. We generally support the proposed amendments that update the status of indigenous species and include new indigenous species to sites. Through our Kaitiaki and their observations, as well as our research conducted, we have observed indigenous species at sites not currently included in these Schedules. As kaitiaki, we must ensure that taonga species are protected through mechanisms such as the regional plan. As Te Tiriti partners we look forward to working with Greater Wellington Regional Council to Schedule additional sites at the appropriate time.

Appendix A: Further submission of Ngā Hapū o Ōtaki – Allow / Disallow Submission Points

NHoŌ support or oppose the submission of:	Sub Point Number:	NRP Change 1 Provision:	Support or oppose:	The reasons for NHoŌ's support or opposition are:	NHoŌ seeks the following:
Rangitāne o Wairarapa	S85.001	5.4.8 Damming and diverting water – Rule R151A: Ongoing diversion of a river – permitted activity	Support	NHoŌ agree with Rangitāne o Wairarapa that Proposed Rule 151A is inappropriate as it removes the mechanism to review the consent conditions over a long term (i.e. beyond 10 years) and whether the diversion remains appropriate.	Allow the submission point and relief sought to delete the proposed rule.
Rangitāne o Wairarapa	S85.002	6.16 Freshwater Action Plan Programme- Method 36	Support	NHoŌ agrees with Rangitāne o Wairarapa that mana whenua may wish to take an active role (to the extent they wish) in monitoring the effectiveness of Freshwater Action Plans. Monitoring plan provisions is a critical part of the planning cycle to review how well the rule (or other provisions) contribute to achieving the policies and objectives of the regional plan. Given that Freshwater Action Plans will be created in partnership with mana whenua, there also needs to be provision for mana whenua active involvement in assessing their effectiveness, including the application of mātauranga Māori.	Allow the submission point and relief sought to include the words: “Wellington Regional Council <u>in partnership with mana whenua</u> will monitor the effectiveness of the Freshwater Action Plans...”
Rangitāne o Wairarapa	S85.003	5.4.4 Uses of beds of lakes and rivers – general condition (n)	Support	NHoŌ agrees with the proposed amendments as they improve clarity and provide certainty for the protection of named birds identified in Schedule F2a (birds-rivers) or Schedule F2b (birds-lakes) at all times, rather than only during critical periods.	Allow the submission point.
Rangitāne o Wairarapa	S85.004	Rule R128: New structures - permitted activity	Support	NHoŌ supports the proposed amendments that improve certainty by identifying which activities the rule applies to. This ensures that other	Allow the submission point and relief sought to amend the rule to include an additional mechanism to consult with mana whenua for

				<p>structures are not inadvertently captured by the rule and considered permitted activities.</p> <p>We agree with Rangitāne o Wairarapa that there is no protection for sites of significance to mana whenua that are not recorded (in a regional plan) are protected from new structures. We also agree that there are many reasons why mana whenua may choose not to include certain sites within a plan and our relationship with significant sites and the sites themselves should not be limited or adversely impacted as a result.</p>	<p>activities in the beds of lakes and rivers.</p>
Rangitāne o Wairarapa	S85.005	Rule R132: Minor sand and gravel extraction - permitted activity	Support	<p>NHoŌ agrees with Rangitāne o Wairarapa that the proposed amendment to remove reference to the bed of a lake improves the clarity and interpretation of the rule and ensures that those activities are more appropriately dealt with under Rule R145.</p> <p>We agree with Rangitāne o Wairarapa that there is no protection for sites of significance to mana whenua that are not recorded (in a regional plan) from new structures. We also agree that there are many reasons why mana whenua may choose not to include certain sites within a plan and our relationship with significant sites and the sites themselves should not be limited or adversely impacted as a result.</p> <p>We note that gravel extraction from a waterbody and other activities that disturb the bed of a waterbody can have a direct impact on our relationship with the water and sites in, on or near</p>	<p>Allow the submission point and relief sought to amend the rule to include an additional mechanism to consult with mana whenua for activities in the beds of lakes and rivers.</p>

				<p>the waterbody by restricting access to the waterbody or site, reducing water quality, disrupting natural flows and damaging sites or values associated with cultural practices. This negatively impacts our ability to uphold our inherited obligation as kaitiaki to protect and care for te taiao.</p>	
Rangitāne o Wairarapa	S85.006	<p>Rule R133: Gravel extraction for flood protection purposes or erosion mitigation inside of sites of significance - discretionary activity</p>	Support	<p>NHoŌ agrees with Rangitāne o Wairarapa that the proposed amendments improve clarity and remove incorrect cross-references to Schedules in the Coastal and Marine Area (CMA).</p> <p>We agree that there is no protection for sites of significance to mana whenua that are not recorded (in a regional plan) from excavation, deposition, or disturbance associated with gravel extraction for flood protection purposes or erosion mitigation.</p> <p>We support Rangitāne o Wairarapa whakaaro that there are many reasons why mana whenua may choose not to include certain sites within a plan and our relationship with significant sites and the sites themselves should not be limited or adversely impacted as a result.</p> <p>We note that gravel extraction from a waterbody and other activities at certain times or from particular locations that disturb the bed of a waterbody can have a direct impact on our relationship with the water and sites in, on or near the waterbody by restricting access to the waterbody or site, reducing water quality, disrupting natural flows and damaging sites or</p>	<p>Allow the submission point and relief sought to amend the rule to include an additional mechanism to consult with mana whenua for activities in the beds of lakes and rivers.</p>

				values associated with cultural practices. This negatively impacts our ability to uphold our inherited obligation as kaitiaki to protect and care for te taiao.	
Ara Poutama Aotearoa, The Department of Corrections	S248.069	Schedule 29: Stormwater Impact Assessments	Oppose in part	<p>In principle NHoŌ supports Schedule 29 which requires Stormwater Impact Assessments.</p> <p>NHoŌ opposes in part the proposed amendments to clause 8, as suggested by Ara Poutama Aotearoa. In particular, we oppose, reference to engaging only “<u>where there is a direct discharge to Ngā Taonga Nui a Kiwa identified in Schedule B or Sites of Significance identified in Schedule C</u>”.</p> <p>There may be other sites that would be adversely impacted by the effects of stormwater that are not listed in the regional plan, and the proposed amendment by Ara Poutama Aotearoa remove the requirement to engage with mana whenua where the discharge does not directly impact Schedule B and C.</p> <p>Further, we oppose the proposed amendment “<u>information supplied by, or the outcomes of any consultation with the relevant iwi authorities for the catchment within which the discharge is located</u>”. The proposed amendment is unclear, the drafting could be interpreted that any previous consultation regarding a particular catchment removes the requirement for further engagement with mana whenua on any new activities that require a Stormwater Impact Assessment [emphasis added]. It would be inappropriate to assume, in all circumstances, that information</p>	Disallow in part by retaining clause 8.

				<p>previously provided by mana whenua removes the requirement for future engagement without explicit permission from mana whenua.</p> <p>We acknowledge that there needs to be a pragmatic approach to engagement with mana whenua that considers capacity and resourcing issues. However, the amendments proposed by Ara Poutama Aotearoa could negatively impact our values, our relationship with te taiao, and our tino rangatiratanga.</p>	
Enviro NZ Services Ltd (Enviro NZ)	S209.061	Schedule 29: Stormwater Impact Assessments	Oppose in part	<p>In principle, NHoŌ supports Schedule 29 which requires Stormwater Impact Assessments.</p> <p>We oppose the deletion of clause 8. We are yet to conclude Waitua Kāpiti and therefore have not confirmed whether the detail of Freshwater Action Plans would forego the requirement for Stormwater Impact Assessments.</p>	Disallow in part by retaining clause 8.
Woodridge Holdings Ltd	S255.093	Schedule 29: Stormwater Impact Assessments	Oppose	<p>It is unclear how the requirement to engage with mana whenua regarding a Stormwater Impact Assessment is in conflict with Clause 6(1)(f) of Schedule 4 of the RMA. On the contrary, it could be considered that Clause 8 of Schedule 29 of the NRP Change 1 would give effect to Clause 6(1)(f).</p> <p>We do not support the deletion of the requirement to engage with mana whenua for the reasons set out in our response to Ara Poutama Aotearoa's submission point S248.069 above.</p>	Disallow the submission point.
Minister of Conservation	S245.077	Rule R1: Outdoor burning – permitted activity	Support	NHoŌ agrees that the proposed amendments increase the rule's efficacy in the CMA, and will provide greater protection for te taiao and people	Allow the submission point.

				from discharges to air from outdoor burning by ensuring that the same level of protection is applied to the CMA as on land/property.	
Minister of Conservation	S245.081- S245.104	Rules R7, R8, R9, R10, R11, R12, R14, R15, R16, R17, R18, R19, R20, R21, R25, R26, R27, R29, R30, R31, R34, R35, R36, R37, R38, R49	Support	<p>NHoŌ agrees that these activities do not have a functional need to be located in the CMA and therefore should not be enabled as a permitted activity. While the likelihood of these activities occurring in the CMA is small, the operative drafting provides no mechanism to require resource consent to consider any potential effects on the environment.</p> <p>The CMA is a culturally significant area to Ngā Hapū. The CMA is an area where we maintain our connection with mahinga kai, cultural practices, values and wāhi tapu. It is of the utmost importance that the CMA is provided the appropriate protection through the regional plan.</p>	Allow the submission points.
Forest & Bird	S261.211	Schedule F1: Rivers and lakes with significant indigenous ecosystems	Support in part	NHoŌ support the proposed amendments to Schedule F1 to amend the status of indigenous fish species and include new indigenous fish species in Schedule F1.	Allow the submission point.
Environmental Defence Society Inc.	S222.119-122	Schedule F2a: Significant habitats for indigenous birds in rivers; Schedule F2b: Significant habitats for indigenous birds in lakes;	Support in part	<p>NHoŌ support the proposed amendments to Schedule F2a, F2b, F2c and F4 to the extent that they update the status of indigenous bird species and include new species.</p> <p>We note that we would like to explore with GWRC including further sites to these Schedules at the appropriate time. Through our kaitiaki and their observations, as well as our research conducted, we have observed indigenous species at sites not</p>	Allow the submission point.

		<p>Schedule F2C Significant habitats for indigenous birds in the coastal marine area;</p> <p>Schedule F4: Sites with significant indigenous biodiversity values in the CMA</p>		<p>currently included in the Schedule. Schedules must be continually reviewed and updated to ensure that taonga species are protected across the rohe. As kaitiaki, we are obligated to ensure that taonga species are protected through mechanisms such as the regional plan. As Te Tiriti partners we look forward to working together with Greater Wellington Regional Council to Schedule additional sites in the future.</p>	
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