

The Māori Trustee submission on Proposed Wairarapa Combined District Plan

December 2023

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19 December 2023

Proposed Wairarapa Combined District Plan
Planning Team
Masterton District Council
PO Box 444, Masterton 5840

Tēnā koe

Proposed Wairarapa Combined District Plan

Please find attached, the Māori Trustee's submission in response to Proposed Wairarapa Combined District Plan.

Should you have any questions or queries, please feel free to contact my Executive Assistant, [REDACTED]
[REDACTED] can be contacted on [REDACTED] or by email at [REDACTED]

Ngā manaakitanga,

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Māori Trustee Submission

Proposed Wairarapa Combined District Plan



Proposed Wairarapa Combined District Plan

**Submission by the Māori Trustee on the Proposed Wairarapa
Combined District Plan**

19/12/2023



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Summary of Position

1. The Māori Trustee administers, as trustee or agent, around 82,000 hectares of Māori freehold land on behalf of approximately 100,000 individual Māori landowners. Te Tumu Paeroa – the Office of the Māori Trustee - supports the Māori Trustee to carry out her functions, roles and responsibilities. Detailed information regarding the Māori Trustee and Te Tumu Paeroa is set out in Appendix A. Additional information can be found on Te Tumu Paeroa’s website, www.tetumupaeroa.co.nz.
2. The views expressed in this submission on the ‘Proposed Wairarapa Combined District Plan’ (Proposed Plan) are those of the Māori Trustee as the single largest administrator of Māori land. The Māori Trustee administers 51 blocks of Māori freehold land (945 hectares) across the Masterton and South Wairarapa districts, with about 4,000 individual ownership interests. Given that large number, not all of the views of the Māori Trustee will necessarily be shared by all Māori owners of the land impacted by the Proposed Plan. It should also be noted that the Māori Trustee does not speak for or otherwise represent iwi, hapū or other holders of Māori land in the district, some of whom are likely to submit on this Proposed Plan.
3. Our submission table is set out in pages 8-47 below. It contains the Māori Trustee’s specific responses to draft provisions in the Proposed Plan.
4. In summary, the Māori Trustee is generally comfortable with the objectives, policies, rules and methods to manage land use activities and subdivision across the Masterton and South Wairarapa districts in the Proposed Plan. However, she considers amendments are needed to recognise all Māori with rights and interests in the Wairarapa, reduce ambiguity and to provide clear direction to those implementing plan provisions.
5. The Māori Trustee would welcome the opportunity to discuss her submission with Council representatives.
6. Before turning to specific submissions on the Proposed Plan set out below, the Māori Trustee wishes to highlight a number of matters as General submission points.



General Submissions

Objectives and Policy Names

7. The Māori Trustee considers that a consistent and directive approach to naming objectives and policies should be adopted throughout the Proposed Plan to reduce ambiguity. To ensure the Proposed Plan's ease of use, it is important that the intent and purpose of each of its objectives and policies is clear to the reader. For example, all objectives under the Natural Environment chapter seem to be named in a way that indicates the area for which the description of the objective relates to – Wairarapa Moana, Open Space, Coastal Environment, etc – rather than in a way that conveys the intended purpose or goal of each objective. The Māori Trustee considers that the names of all objectives and policies in the Proposed Plan should be reviewed and amended to explicitly convey the intended purpose of each. These suggested amendments would be consistent with s 18A(b)(ii) of the Resource Management Act 1991 (RMA 1991).

Amendments to definitions

8. The Māori Trustee considers the definition of 'papakāinga' needs to be amended in the Proposed Plan to provide for owners of Māori freehold land. The Māori Trustee administers whenua Māori on behalf of owners of Māori freehold land in the Wairarapa, who have had their whakapapa connection to their ancestral lands confirmed by a Māori Land Court by succession order. The current papakāinga definition in the Proposed Plan only provides for tangata whenua which, under the definition in the RMA 1991¹, is not inclusive of Māori freehold landowners. The definition needs to be enlarged to accommodate for the development of papakāinga on Māori land.
9. The Māori Trustee proposes the following amendments be made to the Papakāinga definition and for a new definition of Māori land:

Papakāinga – Means *a development on Māori land which provides* housing and any ancillary activities (including residential, social, cultural, educational, economic, conservation, commercial or recreation activities) ~~for tangata whenua on their ancestral land~~ *the benefit of those who whakapapa to Rangitāne o Wairarapa or Ngāti Kahungūnu ki Wairarapa.*

Māori Land

Māori land means

- a. Land owned by Rangitāne o Wairarapa, Rangitāne Tū Mai Rā Trust, Ngāti Kahungūnu ki Wairarapa or one of their holding companies/Limited Partnerships;*
- b. Land gazetted or determined by order of the Māori Land Court as Māori reservation under s338 Te Ture Whenua Māori Act 1993;*
- c. Māori customary and Māori freehold land as defined in s4 and s129 of Te Ture Whenua Māori Act 1993;*
- d. Any land where:*
 - i. A status declaration under the Māori Affairs Amendment Act 1967 was made converting Māori freehold land to general title, and where there have been no changes of ownership since the conversion other than to an owner's bloodline successor(s); or*

¹ Section 2.



- II. *One or more owners are able to satisfy Rangitāne o Wairarapa or Ngāti Kahungūnu ki Wairarapa that they whakapapa to the land; or*
- III. *The land is vested in a Trust constituted pursuant to Part 12 of Te Ture Whenua Māori Act 1993 or a Māori incorporation constituted pursuant to Part 13 of the Te Ture Whenua Māori Act 1993.*

Māori freehold land

10. Māori freehold land is land determined by the Māori Land Court with that status. The Court also determines the original owners and confirms who can succeed to the interests in the land of those owners.
11. There is a distinct difference between Māori freehold land and general land. Māori freehold land has two main characteristics which make it a unique land tenure: its economic value and its cultural value.
12. An interest in Māori freehold land is, like general land, an economic asset that may be used, traded, sold, or transferred. However, unlike general land, Te Ture Whenua Māori Act 1993 contains robust provisions to ensure that land remains in the hands of its owners. Māori freehold land should not be confused with land owned by iwi, which is normally general land passed into iwi ownership through the Treaty Settlement process.
13. Te Ture Whenua Māori Act 1993 recognises that Māori land is a taonga tuku iho of special significance to Māori passed on from generation to generation. An interest in Māori freehold land is also considered a whakapapa link for owners to their tūpuna, whānau, hapū and iwi, whether they reside on the whenua or not.

Highly Productive land overlay

14. The Māori Trustee notes that the National Policy Statement for Highly Productive Land (NPS-HPL)² requires the mapping of highly productive land that is within the general rural or rural productive zones and being predominately LUC 1, 2, and 3. This ensures the intergenerational protection of highly productive land for use in land-based primary production. However, the Māori Trustee notes that the Proposed Plan incorrectly identifies blocks within the Māori Purpose Zone (MPZ) as 'Highly Productive Land'. Given that there are no associated rules within the MPZ for highly productive land this overlay should be removed.

Natural Hazards

15. The Māori Trustee considers that for owners of Māori freehold land to be empowered to make their own decisions on managing the effects from natural hazards, climate change and sea level rise, they need to be resourced with accurate and reliable information into which they can weave the use of mātauranga Māori. The Māori Trustee therefore, would support the use of a precautionary approach that encourages the use of mātauranga Māori when assessing natural hazard risk and mitigation measures to avoid negative impacts on the surrounding lands.

² [National-policy-statement-highly-productive-land-sept-22-dated.pdf \(environment.govt.nz\)](#)



National Policy Statement for Indigenous Biodiversity

16. The Māori Trustee acknowledges that given the date of the gazetting³ of the National Policy Statement for Indigenous Biodiversity (NPS-IB 2023) and the development and notification of this Proposed Plan, that the Proposed Plan does not currently give effect to the NPS-IB 2023. However, the Māori Trustee considers that this process can provide the Council with the opportunity and scope to align this Proposed Plan with the NPS-IB 2023.

Ecosystems and Indigenous Biodiversity

17. The Māori Trustee is concerned that there is a lack of regard within the Proposed Plan for the NPS-IB 2023 to recognise that partnership with Māori and Māori landowners is required for the protection, enhancement, and management of indigenous biological diversity. The NPS-IB 2023 is a tool for Councils to develop and implement actions that give effect to the statutory matters under ss 6(e), 6(g), 7(a) and 8 of the RMA 1991.

Context of this submission

18. The Māori Trustee's submission naturally focusses on those parts of the Proposed Plan (in its current form) that impact on land she administers.
19. While that remains the Māori Trustee's focus, if any other parts of the Proposed Plan were changed in consequence of this submission round and the Māori Trustee considered that these changes negatively impacted on land she administers, she would like the opportunity to address her concerns with Council officials.

³ 7 July 2023



Specific Submissions

Submission table

Proposed District Plan provisions	Support or oppose	Māori Trustee submission	Relief sought
Part 2			
District Wide Matters			
Strategic Direction			
CCR - Climate Change and Resilience			
CCR-01 – CCR-04	Partially support	<p>The Māori Trustee is generally comfortable with the 'Climate Change and Resilience' objectives in this chapter.</p> <p>However, the Māori Trustee considers that an express objective is needed to address the impacts of climate change on whenua Māori and state how this Proposed Plan intends to build resilience for Māori freehold landowners. This is pertinent given that approximately 90%⁴ of the trusts administered by the Māori Trustee in the Wairarapa have a portion of land located within low-lying⁵ area. This portion equates to 35%⁶ of the trusts' combined title area. However, analysis has shown that this is a pertinent factor for all Māori land within the district as approximately 30%⁷ is located in a low-lying area and will be more susceptible to climatic impacts.</p>	<p>The Māori Trustee considers that the following objective should be inserted into this chapter.</p> <p>Amendment <i>CCR-05. Owners of Māori land are empowered to become resilient so they can build adaptive capacity using mātauranga Māori, accurate data and information to support informed decision-making where climate adaptation and retreat processes are implemented.</i></p>

⁴ The Māori Trustee administers, as responsible trustee, 945 hectares of land within the Wairarapa District for approximately 51 trusts. This equates to 15% of all Māori land within the district.

⁵ Blocks that have been identified as low-slope: [Stock Exclusion Low Slope Land 2022 | MfE Data Service](#)

⁶ Of the 46 trusts identified the total title area is 755 hectares.

⁷ Of the total 6,217 hectares of Māori land in the Wairarapa, 30% is identified as low-slope as per the MfE Stock Exclusion Low Slope Land.

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		Furthermore, the Māori Trustee considers this new objective will need to directly address climate adaptation and retreat processes.	
HC - Historic and Cultural Heritage			
HC-O1 – HC-O2	Support	The Māori Trustee is generally comfortable with the 'Historic and Cultural Heritage' objectives in this chapter.	N/A
NE - Natural Environment			
NE-O1	Partially support	<p>The Māori Trustee is generally comfortable with the 'Natural Environment' objectives in this chapter.</p> <p>However, the Māori Trustee considers that the intention of objective NE-O1 is not clear. The current drafting seems to place an obligation on the natural environment to justify its worth, rather than highlighting the district's responsibility to acknowledge and preserve its inherent natural values.</p>	<p>The Māori Trustee considers that the following amendments need to be made to objective NE-O1.</p> <p>Amendment <i>Recognise, protect and sustain</i> the natural environment's <i>ability to positively contribute</i> to the Wairarapa's sense of place and identity.</p>
NE-O3	Partially support	The Māori Trustee notes the use of 'Sites of Significance to Tangata Whenua' is not used throughout the Proposed Plan. To maintain consistency with the Proposed Plan it is suggested that NE-O3(2) be amended to refer to 'Sites of Significance to Māori' (SASM).	<p>The Māori Trustee considers that the following amendments needs to be made to objective NE-O3.</p> <p>Amendment (2). areas with natural, ecological, and landscape values, and sites of significance to tangata whenua <i>Māori</i> are protected.</p>
NE-O5	Partially support	The Māori Trustee supports and acknowledges Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa as tangata whenua in the Wairarapa District. The Māori Trustee administers whenua Māori on behalf of Māori freehold landowners, who have had their whakapapa connection to their ancestral lands confirmed by a Māori Land Court order upon succession. However, the	<p>The Māori Trustee considers that the following amendments needs to be made to objective NE-O5.</p> <p>Amendment Land and water are managed using an integrated approach, in collaboration with tangata whenua <i>owners of Māori land</i>, the community and other government entities.</p>

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		<p>current definition of tangata whenua in the RMA 1991 does not expressly provide for Māori freehold landowners.</p> <p>Furthermore, the Māori Trustee notes that s 74 of the RMA requires territorial authorities to prepare and change their plans in accordance with Part 2 matters - including recognising and providing for “the relationship of Maori and their culture and traditions with their ancestral lands, water sites, waahi tapu, and other taonga”⁸ as a matter of national importance. In order for the council to perform their functions and duties under the Act, the Proposed Plan should therefore recognise and provide for all Māori rights and interests within this objective.</p> <p>The Māori Trustee therefore considers owners of Māori land, as defined in paragraph 9, should be included within the objective.</p>	
<p>NE-06</p>	<p>Partially support</p>	<p>The Māori Trustee considers that the objective should be amended to reference ‘ecosystem services’, in addition to biological diversity, as an important function of a healthy ecosystem.</p> <p>As a strategic objective it is highly relevant to consider that healthy ecosystems, in addition to providing habitat for indigenous biodiversity, can also provide important services for people and communities such as:</p> <ul style="list-style-type: none"> • food and water • flood and disease control • nutrient cycling • spiritual, recreational, and cultural benefits 	<p>The Māori Trustee considers that the following amendment needs to be made to objective NE-06.</p> <p>Amendment The biological diversity <i>and ecosystem services</i> of indigenous species and habitats within the Wairarapa are maintained and enhanced, and restored where degraded.</p>

⁸ Section 6(e).

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RE – Rural Environment			
RE-O1 – RE-O5	Partially support	<p>The Māori Trustee is generally comfortable with the ‘Rural Environment’ objectives in this chapter.</p> <p>However, the Māori Trustee reiterates her point made under her general submissions, that the NPS-HPL only requires the mapping of highly productive land that is within the general rural or rural productive zones and that are also predominately LUC 1, 2, and 3. The Māori Trustee notes that the Proposed Plan incorrectly identifies blocks within the MPZ as ‘Highly Productive Land’. Given that there are no associated rules within the MPZ for highly productive land, this overlay should be removed.</p>	<p>The Māori Trustee considers the ‘Highly Productive Land’ overlay should be removed from land within the MPZ.</p>
TW - Tangata Whenua			
TW-O1 – TW-O4	Partially support	<p>The Māori Trustee is generally comfortable with the ‘Tangata Whenua’ objectives in this chapter.</p> <p>The Māori Trustee notes that the Proposed Plan does not currently provide a definition for ‘Māori land’ within the definitions chapter. However, the introduction to the Māori Purpose Zone chapter states the purpose of the zone is to recognise and provide for the “relationship of Māori with Māori land as defined by the Te Ture Whenua Māori Act 1993”⁹. If the use of Māori land within objective TW-O3 adopts Te Ture Whenua Māori Act’s definition¹⁰, this only refers to Māori freehold and customary land, which is land not owned by iwi and</p>	<p>The Māori Trustee considers that the following definition for Māori land be included within the definitions chapter of the Proposed Plan.</p> <p>Amendment <i>Māori land means</i></p> <ul style="list-style-type: none"> a. Land owned by Rangitāne o Wairarapa, Rangitāne Tū Mai Rā Trust, Ngāti Kahungūnu ki Wairarapa or one of their holding companies/Limited Partnerships; b. Land gazetted or determined by order of the Māori Land Court as Māori reservation under s338 Te Ture Whenua Māori Act 1993;

⁹ [Proposed Wairarapa Combined District Plan Māori Purpose Zone chapter](#), p. 1.

¹⁰ Section 4.

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	<p>hapū (tangata whenua). The Māori Trustee therefore considers that a definition for Māori land, which is inclusive of land owned by Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa and any additional holding companies, should be included within the definitions chapter of the Proposed Plan.</p> <p>However, the Māori Trustee notes that s 74 of the RMA requires territorial authorities to prepare and change their plans in accordance with Part 2 matters - including recognising and providing for “the relationship of Maori and their culture and traditions with their ancestral lands, water sites, waahi tapu, and other taonga”¹¹ as a matter of national importance. In order for the Council to perform their functions and duties under the Act, the Proposed Plan should therefore recognise and provide for all Māori rights and interests within this objective.</p> <p>Furthermore, the Māori Trustee considers that the objective should additionally provide for the cultural and environmental aspirations of Māori.</p>	<p><i>c. Māori customary and Māori freehold land as defined in s4 and s129 of Te Ture Whenua Māori Act 1993;</i></p> <p><i>d. Any land where:</i></p> <ul style="list-style-type: none"> <i>I. A status declaration under the Māori Affairs Amendment Act 1967 was made converting Māori freehold land to general title, and where there have been no changes of ownership since the conversion other than to an owner’s bloodline successor(s); or</i> <i>II. One or more owners are able to satisfy Rangitāne o Wairarapa or Ngāti Kahungūnu ki Wairarapa that they whakapapa to the land; or</i> <i>III. The land is vested in a Trust constituted pursuant to Part 12 of Te Ture Whenua Māori Act 1993 or a Māori incorporation constituted pursuant to Part 13 of the Te Ture Whenua Māori Act 1993.</i> <p>The Māori Trustee also considers that the following amendments needs to be made to objective TW-O3.</p> <p>Amendment Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa <i>Owners of Māori land</i> can protect, develop, and use Māori land to undertake customary activity, and to support their <i>cultural, environmental,</i> social and economic aspirations.</p>
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¹¹ Section 6(e).

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UFD-O1 – UFD-O6	Support	The Māori Trustee is generally comfortable with the ‘Urban Form and Development’ objectives in this chapter.	N/A
INF – Infrastructure			
INF-O1	Support	The Māori Trustee is generally comfortable with the ‘Infrastructure’ objective in this chapter.	N/A
Energy, Infrastructure and Transport			
ENG - Energy			
Objectives			
ENG-O1 – ENG-O3	Support	The Māori Trustee is generally comfortable with the ‘Energy’ objectives in this chapter.	N/A
Policies			
ENG-P1 – ENG-P6	Partially support	<p>The Māori Trustee is generally comfortable with the ‘Energy’ policies in this chapter. However, she notes the following matter should be addressed.</p> <p>The Māori Trustee considers that policy ENG-P3 should be amended to include the MPZ. Land zoned within the MPZ often has similar characteristics to land zoned as General Rural Zone (GRUZ) under the Proposed Plan. Therefore, the same resource consent activity status for small scale or community scale renewable energy proposals in the GRUZ should also apply to proposals within the MPZ.</p> <p>The ENG standards as written for the GRUZ should also apply to the MPZ.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to ENG-P3.</p> <p>Amendment Encourage community-scale renewable electricity generation in the General Rural Zone <i>and Māori Purpose Zone</i> where effects are appropriately managed, by having regard to:</p>
Rules			

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<p>ENG-R3</p>	<p>Partially support</p>	<p>The Māori Trustee is generally comfortable with the ‘Energy’ rules in this chapter. However, she notes the following matters should be addressed.</p> <p>The Māori Trustee considers that the ability for Māori freehold landowners to install small scale renewable electricity (wind) generation activities on their land will be impeded by ENG-R3. Although land blocks zoned as MPZ are in general smaller in size compared with land within GRUZ, there are no physical differences between them. The different activity status for resource consent purposes is inconsistent and not equitable. Māori land zoned as MPZ is likely to be further from a reticulated power supply, and the ability to utilise a wind turbine would increase resilience and development opportunities.</p> <p>The Māori Trustee considers that the installation of a wind turbine, should be assessed as a ‘controlled’ activity on land within the MPZ (as it is for the GRUZ). In addition, the <i>Matter of Control: 4. Measures to avoid and minimise any potential loss of highly productive land</i> is not a valid consideration for MPZ land as discussed above within the submission on the ‘Rural Environment’ Strategic Objective’ and below in reference to the MPZ.</p>	<p>The Māori Trustee considers that rule ENG-R3(2) needs to be amended to provides for the installation of a maximum of one wind turbine as a “controlled” activity within the MPZ, where compliance is achieved with the relevant standards set out under R3(2)(b).</p>
<p>ENG-R4</p>	<p>Partially support</p>	<p>The ability for Māori freehold landowners to install community scale renewable electricity generation (solar) activities on their land will be impeded by ENG-R4. Although land blocks zoned as MPZ are in general smaller in size compared with land within GRUZ, there are no physical differences between them. The different activity status for resource consent purposes is inconsistent and not equitable. Māori land zoned as MPZ is likely</p>	<p>The Māori Trustee considers that rule ENG-R4(1) should provide for the operation, maintenance, repair, and upgrade of community-scale renewable electricity generation (solar) as a “controlled” activity within the MPZ where compliance is achieved with the relevant standards set out under R4(1)(b).</p>

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		<p>to be further from a reticulated power supply, and the ability to utilise solar panels would increase resilience and development opportunities.</p> <p>The Māori Trustee considers that the installation of community scale renewable electricity generation (solar) activities on land within the MPZ should have the same resource consent activity class as is provided within the GRUZ.</p>	<p>If compliance with the relevant standards set out under R4(1)(b) is not achieved, or the site is within a moderate hazard zone, then rule ENG -R4 (2) applies for the activity to be assessed as a “restricted discretionary” activity.</p>
ENG-R5	Partially support	<p>The ability for Māori freehold landowners to install small scale renewable electricity generation (wind) activities on their land will be impeded by ENG-R5. Although land blocks zoned as MPZ are in general smaller in size compared with land within GRUZ, there are no physical differences between them. The different activity status for resource consent purposes is inconsistent and not equitable. Māori land zoned as MPZ is likely to be further from a reticulated power supply, and the ability to utilise wind turbines would increase resilience and development opportunities.</p> <p>The Māori Trustee considers that the installation of community scale renewable electricity generation (wind) activities on land within the MPZ should have the same resource consent activity class as is provided within the GRUZ.</p>	<p>The Māori Trustee considers that rule ENG-R5(1) should provide for the operation, maintenance, repair, and upgrade of community-scale renewable electricity generation (wind) as a “controlled” activity within the MPZ where compliance is achieved with the relevant standards set out under R5(1)(b).</p> <p>If compliance with the relevant standards set out under R5(1)(b) is not achieved, then rule ENG -R4 (2) applies for the activity to be assessed as a “restricted discretionary” activity.</p>
NU – Network Utility			
Objectives			
NU-O1 – NU-O4	Partially support	<p>The Māori Trustee is generally comfortable with the ‘Network utility’ objectives in this chapter. However, she notes the following matters should be addressed.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to objective NU-O2.</p> <p>Amendment</p>

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		<p>The Māori Trustee does not support the inclusion of ‘operational need,’ within objective NU-02, as a gateway test for allowing adverse effects on the environment from a Network Utility, particularly on Māori land. The Māori Trustee is concerned that the use of such a test will likely result in the degradation of areas with significant environmental values, including on Sites of Significance to Māori, for purely economic reasons. The Māori Trustee acknowledges that there may be instances where activities will need to be located in these areas however, a ‘functional need’ test, though also not perfect, will be available for these cases.</p>	<p>a. the functional need and operational need of network utilities; and</p>
Policies			
<p>NU-P1 – NU-P6</p>	<p>Partially support</p>	<p>The Māori Trustee is generally comfortable with the ‘Network utility’ policies in this chapter. However, she notes the following matter should be addressed.</p> <p>The Māori Trustee does not support the inclusion of the term ‘operational need’ within policy NU-P5 as a gateway test for allowing adverse effects on the environment from a Network Utility, particularly on Māori land. The Māori Trustee is concerned that the use of such a test will likely result in the degradation of areas with significant environmental values, including Sites of Significance to Māori, for purely economic reasons. The Māori Trustee acknowledges that there may be instances where activities will need to be located in these areas, however, a ‘functional need’ test, though also not perfect, will be available for these cases.</p>	<p>The Māori Trustee considers that the following amendments need to be made to policy NU-P5.</p> <p>Amendment Ensure that network utilities avoid, remedy, or mitigate adverse effects on the environment, while recognising the functional need and operational need of the network utility, and having regard to:</p> <p>a. the extent to which adverse effects have been addressed through site, route, or method selection and/or the extent to which the network utility is constrained by functional need or operational need;</p>
Rules			

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NU-R1 – NU-R20	Support	The Māori Trustee is generally comfortable with the 'Network utility' rules in this chapter.	N/A
TR - Transport			
Objectives			
TR-O1 – TR-O3	Support	The Māori Trustee is generally comfortable with the 'Transport' objectives in this chapter.	N/A
Policies			
TR-P1 – TR-P11	Support	The Māori Trustee is generally comfortable with the 'Transport' policies in this chapter.	N/A
Rules			
TR-R1 – TR-R7	Support	The Māori Trustee is generally comfortable with the 'Transport' rules in this chapter.	N/A
Hazards and Risks			
CL- Contaminated Land			
Objectives			
CL-O1	Support	The Māori Trustee is generally comfortable with the 'Contaminated land' objectives in this chapter.	N/A
Policies			
CL-P1 – CL-P2	Support	The Māori Trustee is generally comfortable with the 'Contaminated land' policies in this chapter.	N/A
Hazardous Substances			
Objectives			
HAZ-O1 – HAZ-O2	Support	The Māori Trustee is generally comfortable with the 'Hazardous Substances' objectives in this chapter.	N/A

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Policies			
HAZ-P1 – HAZ-P2	Support	The Māori Trustee is generally comfortable with the 'Hazardous Substances' policies in this chapter.	N/A
Rules			
HAZ-R1 – HAZ-R2	Support	The Māori Trustee is generally comfortable with the 'Hazardous Substances' rules in this chapter.	N/A
NH - Natural Hazards			
Objectives			
NH-O1 – NH-O2	Support	The Māori Trustee is generally comfortable with the 'Natural Hazard' objectives in this chapter.	N/A
Policies			
NH P1	Partially support	<p>The Māori Trustee is generally comfortable with the 'Natural Hazard' policies in this chapter. However, she notes the following matters should be addressed.</p> <p>The Māori Trustee notes that the natural hazard risk to people and property from 'Wildfire' is not identified and that no statement about the assessed level of risk is made.</p> <p>'Wildfire' is a natural hazard that is likely to be exacerbated by climate change and is identified in the publicly notified GWRC RPS PC 1¹². The Māori Trustee considers that there should be an explanation or discussion of the level of risks from 'wildfire' to the Wairarapa. This needs to be addressed in the introduction to the chapter before the objectives.</p>	The Māori Trustee considers that 'Wildfire' should be identified as a natural hazard risk in the Natural Hazard Chapter.

¹² Refer Pages 68-69 GWRC RPS Plan Change 1 *Proposed amendment to Chapter 3.8: Natural hazards*

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		Furthermore, Wildfire is a natural hazard risk that should be assessed using the framework that is within this chapter to categorise natural hazards.	
NH-P2	Partially support	<p>The Māori Trustee does not support the use of an ‘operational need’ test for locating hazard sensitive activities or potentially hazard sensitive activities within areas of high natural hazard risk, particularly on Māori land. The Māori Trustee is concerned that the use of such a test will result in the approval of development or land uses that would put people and property at risk for purely economic reasons. The Māori Trustee acknowledges that there may be instances where activities will need to be located in these areas however, a ‘functional need’ test, though also not perfect, will be available for these cases.</p> <p>The Māori Trustee considers that the removal of ‘operational need’ is important to provide a consistent framework for assessing natural hazard risks for new development.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to policy NH-P2.</p> <p>Amendment Avoid locating hazard sensitive activities and potentially hazard sensitive activities within high hazard areas unless the activity has an operational need or functional need to locate within the high hazard area.</p>
NH-P8	Partially support	<p>The Māori Trustee does not support the use of an ‘operational need’ test under clause 1 of policy NH-P8. The Māori Trustee is concerned that the use of such a test will promote the maintenance or location of infrastructure in areas with ongoing or increased risks from natural hazards (and exacerbated by climate change) that will not support people or communities to enhance their resilience from the risks of natural hazard events. The Māori Trustee acknowledges that there may be instances where existing infrastructure activities will need to be located in these areas however, a ‘functional need’ test, though also not perfect, will be available for these cases.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to policy NH-P8.</p> <p>Amendment Allow for the upgrade of existing infrastructure, and only allow new infrastructure to be established in hazard areas where: 1. it has an operational need or functional need for the location;</p>

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<p>NH-P11</p>	<p>Partially support</p>	<p>The Māori Trustee considers that landowners want to be empowered with information on natural hazard risk to make their own decisions in managing effects upon their communities and whenua from natural hazards, climate change and sea level rise.</p> <p>The Māori Trustee would support the use of a precautionary approach that encourages the use of mātauranga Māori when assessing natural hazard risk and mitigation measures to avoid negative impacts on the surrounding lands. She considers that decision-makers should apply a precautionary, but adaptive, approach when encountering uncertainty. This would ensure that each development proposal is dynamically assessed and responsive to changing situations.</p> <p>The Māori Trustee also considers that if decision-makers are to adopt a precautionary approach, that this recommendation does not unintentionally undermine the use of mātauranga Māori to inform decisions, as research in this area has historically been underfunded.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to policy NH-P11.</p> <p>Amendment Ensure a precautionary approach <i>that includes the application of mātauranga Māori</i>, is taken in relation to planning for and adapting to the effects of natural hazards caused by climate change and sea level rise on both the natural environment and existing and future development.</p>
<p>NH-P12</p>	<p>Partially support</p>	<p>The Māori Trustee considers that this policy and rule NH-R7 (discussed below) creates uncertainty where a 'Flood Alert Area' is partially identified over the land and the magnitude of the Flood Alert hazard ranges from 'low-moderate-high'¹³.</p> <p>To better manage this uncertainty and provide clarity for landowners, the overlay display of the Flood Alert Area should be</p>	<p>The Māori Trustee considers that the following amendment needs to be made in relation to policy NH-P12.</p> <p>Amendment – Flood Alert Area Representation of the 'Flood Alert Area' is changed as follows:</p> <ul style="list-style-type: none"> Policy NH-12 should be re-written to refer the suggested changes below.

¹³ Refer to the Proposed Wairarapa Combined District Plan Map Viewer: Hazards and Risks - Flood Alert Area layer
<https://wairarapa.maps.arcgis.com/apps/webappviewer/index.html?id=dbe50e1d19ff4f4c91b7ff4598576fba>

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		amended. It is also considered that the policy should be re-written to refer to the suggested changes.	<ul style="list-style-type: none"> • Reassign 'Flood alert' as a layer within 'Flood Hazard'. • Change the level of hazard risk for the Flood Alert Area from 'low / moderate / high' to one level of hazard risk (and one colour) for all locations identified within the Flood Alert Area. • Assign a commonly understood measure of height for 'flood alert areas' which will assist landowners when future development is considered either within the map layer or in the Natural Hazards chapter.
NH-P13	Partially support	<p>The Māori Trustee considers that NH-P13 does not currently recognise the limitations that Māori freehold landowners encounter in developing their whenua. Due to the nature of Māori freehold land ownership and the barriers to accessing capital for risk mitigation, owners could face an inability to develop within tolerable areas of high risk. Therefore, if a property is located within a 'Flood Alert Area' but has no history of a natural hazard (flood) occurrence, development should still be possible if evidence is provided.</p> <p>The Māori Trustee also considers that further information needs to be provided on how the 'Flood Alert Area' modelling determined the susceptibility of properties and buildings to an identified flood event.</p>	<p>The Māori Trustee considers that the following amendments need to be made to policy NH-P13.</p> <p>Amendment Discourage new buildings in flood alert areas unless:</p> <ol style="list-style-type: none"> 1. there is no increase in flood flow or level on adjoining sites; 2. risk to people's safety will be low; 3. the activity incorporates mitigation measures so that the risk of damage to buildings and structures is not significantly increased; and 4. people can safely evacuate the property during a natural hazard event; <i>and</i> 5. <i>there is no history of natural hazard (flood) occurrence.</i>
Rules			
NH-R1	Partially support	The Māori Trustee is generally comfortable with the 'Natural Hazard' rules in this chapter. However, she notes the following matters should be addressed.	The Māori Trustee considers that rule NH-R1 is amended to provide for landowners to undertake works for flood mitigation or stream/river management on their own property as a permitted activity.

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		<p>The Māori Trustee considers that there should be an accompanying rule as part of the Proposed Plan NH-R1 that provides for landowners to undertake works for flood mitigation or stream/river management on their own property as a permitted activity.</p> <p>Rural land can include streams or rivers which if not managed may exacerbate the areas flood risk. These streams or rivers may not be prioritised for flood mitigation or river management works by Council. Therefore, provided that landowners meet minimum standards, works for the purpose of flood mitigation, stream or river management should be a permitted activity.</p> <p>This rule could have permitted standards in terms of the works being in accordance with standards set by Council for managing any adverse effects on indigenous biodiversity, and water quality.</p>	
NH-R9	Oppose	<p>The Māori Trustee considers that this rule should be a ‘restricted discretionary’ rather than a discretionary activity. This would put the proposed rule NH-R9 on the same basis as the proposed rule NH-R7¹⁴. If both of these proposed Rules are ‘restricted discretionary’, this would reflect the severity of the (moderate or low) hazard which can be mitigated through risk assessment and physical measures as a basis for an acceptable development (using the criteria listed under Policy NH-P3 <i>Activities in moderate hazard areas</i> and <i>NH-R7</i>). Retaining NH-R9 as ‘discretionary’ is considered inconsistent when this might be the only reason that resource consent is required.</p>	<p>The Māori Trustee considers the following amendment needs to be made to rule NH-R9.</p> <p>Amendment Change the activity status of NH-R9 from ‘Discretionary’ to ‘Restricted Discretionary’.</p>

¹⁴ Refer Proposed plan rule NH-R7 Any new potentially hazard sensitive activity or hazard sensitive activity and associated buildings within flood alert areas.

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Historical and Cultural Values			
HH – Historic Heritage			
Objectives			
HH-O1 – HH O2	Support	The Māori Trustee is generally comfortable with the ‘Historic Heritage’ objectives in this chapter.	N/A
Policies			
HH-P1 – HH-P12	Support	The Māori Trustee is generally comfortable with the ‘Historic Heritage’ policies in this chapter.	N/A
Rules			
HH-R1 – HH-R11	Support	The Māori Trustee is generally comfortable with the ‘Historic Heritage’ rules in this chapter.	N/A
SASM – Sites and Areas of Significance to Māori			
Objectives			
SASM-O1 – SASM-O3	Partially support	<p>The Māori Trustee is generally comfortable with the ‘Sites and Areas of Significance to Māori’ objectives in this chapter. However, she notes the following matters in SASM-O2 should be addressed.</p> <p>The Māori Trustee supports and acknowledges Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa as tangata whenua in the Wairarapa District. The Māori Trustee administers whenua Māori on behalf of Māori freehold landowners, who have had their whakapapa connection to their ancestral lands confirmed by a Māori Land Court order upon succession. However, the current definition of tangata whenua in the RMA 1991 does not expressly provide for Māori freehold landowners.</p>	<p>The Māori Trustee considers that the definition for Māori land provided in paragraph 9, be included within the definitions chapter of the Proposed Plan.</p> <p>The Māori Trustee also considers that the following amendments needs to be made to objective SASM-O2.</p> <p>Amendment Tangata whenua <i>Owners of Māori land</i> can exercise kaitiakitanga in relation to sites and areas of significance to them in the Wairarapa.</p>

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		<p>The Māori Trustee notes that the current drafting of SASM-O2 only provides for tangata whenua. This appears to be inconsistent with the National Planning Standards 2019, which directs that sites and areas of significance to Māori in a plan are identified where there is agreement by Māori to include them. Therefore, objectives in relation to SASM sites should recognise and provide for the rights and interests of all Māori to have their sites and areas identified within the Proposed Plan, not just tangata whenua.</p> <p>The Māori Trustee therefore considers owners of Māori land, as defined in paragraph 9, should be included within this objective.</p>	
Policies			
SASM-P1	Partially Support	<p>The Māori Trustee is generally comfortable with the ‘Sites and Areas of Significance to Māori’ policies in this chapter. However, she notes the following matters should be addressed.</p> <p>The Māori Trustee supports and acknowledges Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa as tangata whenua in the Wairarapa District. The Māori Trustee administers whenua Māori on behalf of Māori freehold landowners, who have had their whakapapa connection to their ancestral lands confirmed by a Māori Land Court order upon succession. However, the current definition of tangata whenua in the RMA 1991 does not expressly provide for Māori freehold landowners.</p> <p>The Māori Trustee notes that the current drafting of SASM-P1 only provides for tangata whenua. This appears to be inconsistent with the National Planning Standards 2019, which directs that sites and areas of significance to Māori in a plan are</p>	<p>The Māori Trustee considers the Proposed Plan should clearly state the involvement of Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa in the identification process sites and areas of significance to Māori.</p> <p>The Māori Trustee considers that the definition for Māori land provided in paragraph 9, be included within the definitions chapter of the Proposed Plan.</p> <p>The Māori Trustee also considers that the following amendments needs to be made to policy SASM-P1.</p> <p>Amendment Work with Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa owners of Māori land in accordance with tikanga Māori to identify and schedule sites and areas of significance to Māori, and their cultural and spiritual values, including by:</p>

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		<p>identified where there is agreement by Māori to include them. Therefore, all Māori, including Māori freehold landowners, with rights and interests in the region should have the ability to identify SASM sites. This can be achieved by including ‘owners of Māori land’, as defined in paragraph 9.</p> <p>Furthermore, the Māori Trustee supports Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa identifying sites and areas of significance. However, considers it is not clear how involved they have been in identifying SASM sites, including the extent of some of the mapping. The Proposed Plan should therefore clearly state their involvement in the identification process.</p> <p>Additionally, the Māori Trustee considers SASM-P7(e) should be removed from SASM-P7 and inserted into SASM-P1. This is because it better aligns with the policy and ensures that the extend of SASM mapping is not being identified late in the process or placing an expectation on Māori to redefine the boundaries of the SASM sites.</p>	<p>(a) for sites in Schedule 4, <i>seeking to establish an extent through engagement and collaboration with tangata whenua owners of Māori land.</i></p>
<p>SASM-P2</p>	<p>Partially Support</p>	<p>The Māori Trustee supports and acknowledges Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa as tangata whenua in the Wairarapa District. The Māori Trustee administers whenua Māori on behalf of Māori freehold landowners, who have had their whakapapa connection to their ancestral lands confirmed by a Māori Land Court order upon succession. However, the current definition of tangata whenua in the RMA 1991 does not expressly provide for Māori freehold landowners.</p> <p>The Māori Trustee notes that the current drafting of SASM-P2 only provides for tangata whenua. This appears to be</p>	<p>The Māori Trustee considers that the definition for Māori land provided in paragraph 9, be included within the definitions chapter of the Proposed Plan.</p> <p>The Māori Trustee also considers that the following amendments needs to be made to policy SASM-P2.</p> <p>Amendment (b). requiring activities on, or in proximity to sites and areas of significance to Māori to maintain the site or area's cultural,</p>

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		<p>inconsistent with the National Planning Standards 2019, which directs that sites and areas of significance are to all Māori. Therefore, Māori freehold landowners should be able to protect and maintain sites and areas of significance to them in addition to Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa. This can be achieved by including ‘owners of Māori land’, as defined in paragraph 9.</p>	<p>spiritual, and historical values, interests, or associations of importance to tangata whenua <i>owners of Māori land</i>; and (c). enabling maintenance, repair and restoration of sites and areas of significance to Māori where the cultural, spiritual, and historical values, interests, associations of importance to tangata whenua <i>owners of Māori land</i> of the site or area are protected.</p>
SASM-P3	Partially Support	<p>The Māori Trustee supports and acknowledges Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa as tangata whenua in the Wairarapa District. The Māori Trustee administers whenua Māori on behalf of Māori freehold landowners, who have had their whakapapa connection to their ancestral lands confirmed by a Māori Land Court order upon succession. However, the current definition of tangata whenua in the RMA 1991 does not expressly provide for Māori freehold landowners.</p> <p>The Māori Trustee notes that the current drafting of SASM-P3 only provides for tangata whenua. This appears to be inconsistent with the National Planning Standards 2019, which directs that sites and areas of significance are to all Māori. Therefore, SASM-P3 should give protection and regard to the cultural, spiritual, and historical values of all Māori, with rights and interests in the region, within or near their SASM sites. This can be achieved by including ‘owners of Māori land’, as defined in paragraph 9.</p>	<p>The Māori Trustee considers that the definition for Māori land provided in paragraph 9, be included within the definitions chapter of the Proposed Plan.</p> <p>The Māori Trustee also considers that the following amendments needs to be made to policy SASM-P3.</p> <p>Amendment (iv). the cultural, spiritual, and historical values, interests, associations of importance to tangata whenua <i>owners of Māori land</i> of the site or area.</p>
SASM-P4	Partially Support	<p>The Māori Trustee supports and acknowledges Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa as tangata whenua in the Wairarapa District. The Māori Trustee administers whenua Māori on behalf of Māori freehold landowners, who have had</p>	<p>The Māori Trustee considers that the definition for Māori land provided in paragraph 9, be included within the definitions chapter of the Proposed Plan.</p>

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		<p>their whakapapa connection to their ancestral lands confirmed by a Māori Land Court order upon succession. However, the current definition of tangata whenua in the RMA 1991 does not expressly provide for Māori freehold landowners.</p> <p>The Māori Trustee notes that the current drafting of SASM-P4 only provides for tangata whenua. This appears to be inconsistent with the National Planning Standards 2019, which directs that sites and areas of significance are to all Māori. Therefore, SASM-P4 should not compromise the cultural, spiritual and historical values of all Māori, with rights and interests in the region, within or near their SASM sites. This can be achieved by including ‘owners of Māori land’, as defined in paragraph 9.</p>	<p>The Māori Trustee also considers that the following amendments needs to be made to policy SASM-P4.</p> <p>Amendment Allow the following activities to occur on, or in proximity to sites and areas of significance to Māori, while ensuring their design, scale, and intensity will not compromise cultural, spiritual, and historical values, interests, or associations of importance to tangata whenua owners of Māori land:</p>
SASM-P5	Partially Support	<p>The Māori Trustee supports and acknowledges Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa as tangata whenua in the Wairarapa District. The Māori Trustee administers whenua Māori on behalf of Māori freehold landowners, who have had their whakapapa connection to their ancestral lands confirmed by a Māori Land Court order upon succession. However, the current definition of tangata whenua in the RMA 1991 does not expressly provide for Māori freehold landowners.</p> <p>The Māori Trustee notes that the current drafting of SASM-P5 only provides for tangata whenua. This appears to be inconsistent with the National Planning Standards 2019, which directs that sites and areas of significance are to all Māori. Therefore, policy SASM-P5 should recognise and provide for the rights and interests of all Māori to have their sites and areas of significance protected and maintained within the Proposed Plan,</p>	<p>The Māori Trustee considers that the definition for Māori land provided in paragraph 9, be included within the definitions chapter of the Proposed Plan.</p> <p>The Māori Trustee also considers that the following amendments needs to be made to policy SASM-P5.</p> <p>Amendment Only allow any other use and development on, or in proximity to sites and areas of significance to Māori where it can be demonstrated that the cultural, spiritual, and historical values, interests, or associations of importance to tangata whenua owners of Māori land of the site or area are protected and maintained, having regard to: (a). whether there are alternative methods, locations, or designs that would avoid or reduce the impact on the values,</p>

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		<p>not just tangata whenua. This can be achieved by including 'owners of Māori land', as defined in paragraph 9.</p>	<p>interests, or associations of importance to tangata whenua <i>owners of Māori land</i> associated with the site or area of significance; (b). outcomes articulated by tangata whenua <i>owners of Māori land</i> through an assessment of environmental effects, cultural impact assessment, or iwi planning documents; (c). the protection and maintenance or potential enhancement of the values, interests, or associations of importance to tangata whenua <i>owners of Māori land</i> of the site or area of significance and the relationship of by tangata whenua <i>owners of Māori land</i> with their taonga, commensurate with the scale and nature of the proposal; (d). how values of significance to by tangata whenua <i>owners of Māori land</i>, including tikanga, kaitiakitanga, and mātauranga Māori may be incorporated; and (e). for subdivision, ensure sufficient land is provided around the site or area of significance to Māori to protect values, interests, or associations of importance to by tangata whenua <i>owners of Māori land</i> and the remainder of the site is of a size which continues to provide it with a suitable setting to the values, interests, or associations of importance to by tangata whenua <i>owners of Māori land</i> of the site or area.</p>
<p>SASM-P7</p>	<p>Partially Support</p>	<p>The Māori Trustee supports and acknowledges Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa as tangata whenua in the Wairarapa District. The Māori Trustee administers whenua Māori on behalf of Māori freehold landowners, who have had their whakapapa connection to their ancestral lands confirmed by a Māori Land Court order upon succession. However, the current definition of tangata whenua in the RMA 1991 does not expressly provide for Māori freehold landowners.</p>	<p>The Māori Trustee considers that the definition for Māori land provided in paragraph 9, be included within the definitions chapter of the Proposed Plan.</p> <p>The Māori Trustee considers SASM-P7(e) should be removed and inserted into SASM-P1.</p>

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		<p>The Māori Trustee notes that the current drafting of SASM-P7 only provides for tangata whenua. This appears to be inconsistent with the National Planning Standards 2019, which directs that sites and areas of significance are to all Māori. Therefore, SASM-P7 should recognise and provide for all Māori rights and interests, including the ability to engage with owners of Māori land regarding the management, maintenance and preservation of sites and areas of significance to Māori. This can be achieved by including 'owners of Māori land', as defined in paragraph 9.</p> <p>Furthermore, the Māori Trustee reiterates her point made in SASM-P1 that SASM-P7(e) should be removed and inserted into SASM-P1. This is because it better aligns with the intended outcome of SASM-P1 and ensures the extend of SASM mapping is not only being identified this late in the process or placing an expectation on Māori to redefine the boundaries of the SASM sites.</p> <p>The Māori Trustee also considers that SASM-P7 should expressly provide for the resourcing of landowners to manage, maintain and preserve sites and areas of significance to Māori. This will further incentivise landowners to actively engage with Māori for the protection of SASM sites.</p>	<p>The Māori Trustee also considers that the following amendments needs to be made to policy SASM-P7.</p> <p>Amendment Support <i>and resource</i> landowners to manage, maintain, preserve, and protect sites and areas of significance to Māori, including by:</p> <p>(b). encouraging landowners to engage with local tangata whenua <i>owners of Māori land</i> and/or marae and develop positive working relationships in respect of the ongoing management and/or protection of sites or areas of significance to Māori;</p> <p>(c). promoting the use of mātauranga Māori, tikanga, and kaitiakitanga to manage, maintain, preserve, and protect sites and areas of significance to Māori through engagement and collaboration with tangata whenua <i>owners of Māori land</i>;</p> <p>(e). for sites in Schedule 4, seeking to establish an extent through engagement and collaboration with tangata whenua.</p>
SASM-P8	Partially Support	<p>The Māori Trustee supports and acknowledges Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa as tangata whenua in the Wairarapa District. The Māori Trustee administers whenua Māori on behalf of Māori freehold landowners, who have had their whakapapa connection to their ancestral lands confirmed</p>	<p>The Māori Trustee considers that the definition for Māori land provided in paragraph 9, be included within the definitions chapter of the Proposed Plan.</p>

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		<p>by a Māori Land Court order upon succession. However, the current definition of tangata whenua in the RMA 1991 does not expressly provide for Māori freehold landowners.</p> <p>The Māori Trustee notes that the current drafting of SASM-P8 only provides for tangata whenua. This appears to be inconsistent with the National Planning Standards 2019, which directs that sites and areas of significance are to all Māori. Therefore, SASM-P8 should recognise and provide for all Māori rights and interests, including the ability to engage with owners of Māori land regarding where activities could have a potential adverse effect on sites and areas of significance to Māori. This can be achieved by including ‘owners of Māori land’, as defined in paragraph 9.</p>	<p>The Māori Trustee also considers that the following amendments needs to be made to policy SASM-P8.</p> <p>Amendment Encourage engagement with tangata whenua owners of Māori land where activities have the potential to adversely affect sites or areas of significance to Māori.</p>
<p>SASM-P9</p>	<p>Partially Support</p>	<p>The Māori Trustee supports and acknowledges Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa as tangata whenua in the Wairarapa District. The Māori Trustee administers whenua Māori on behalf of Māori freehold landowners, who have had their whakapapa connection to their ancestral lands confirmed by a Māori Land Court order upon succession. However, the current definition of tangata whenua in the RMA 1991 does not expressly provide for Māori freehold landowners.</p> <p>The Māori Trustee notes that the current drafting of SASM-P9 only provides for tangata whenua. This appears to be inconsistent the National Planning Standards 2019, which directs that sites and areas of significance are to all Māori. Therefore, SASM-P9 should recognise and provide for all Māori rights and interests, including the promotion or development of access to</p>	<p>The Māori Trustee considers that the definition for Māori land provided in paragraph 9, be included within the definitions chapter of the Proposed Plan.</p> <p>The Māori Trustee also considers that the following amendments needs to be made to policy SASM-P9.</p> <p>Amendment Promote the provision or development of access for tangata whenua owners of Māori land to sites and areas of significance to Māori, including through: (b). informal arrangements or understandings between landowners and local tangata whenua owners of Māori land, iwi, hapū, or marae.</p>

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		sites and areas of significance to Māori. This can be achieved by including 'owners of Māori land', as defined in paragraph 9.	
Rules			
SASM-R1 – SASM-R8	Support	The Māori Trustee is generally comfortable with the 'Sites of Significance to Māori' rules in this chapter.	N/A
Natural Environment Values			
ECO - Ecosystems and Indigenous Biodiversity			
Objectives			
ECO-01	Oppose	<p>The Māori Trustee acknowledges that given the timeframe of gazetting of the NPS-IB 2023 and the development and notification of this Proposed Plan, that the Proposed Plan does not currently give effect to the NPS-IB 2023. However, the Māori Trustee considers that this process can provide the Council with the opportunity and scope to align this Proposed plan with the NPS-IB 2023.</p> <p>The Māori Trustee therefore considers that ECO-01 should be amended, or a new objective inserted in this chapter, to align with the intent of the NPS-IB 2023 and the objectives and policies of the GWRC RPS PC1 in relation to indigenous biodiversity.</p>	<p>The Māori Trustee considers that the following amendments needs to be made to objective ECO-01.</p> <p>Amendment The biological diversity of Indigenous <i>biodiversity</i> species and habitats within the Wairarapa is <i>protected</i>, maintained, and enhanced, or restored where degraded <i>so that there is at least no overall loss</i>.</p>
ECO-02	Partially Support	The Māori Trustee understands that the NPS-IB 2023 requires Council's to give effect to the document within 5 years of its commencement date ¹⁵ . However, as this process would require a subsequent plan change, she considers that this process could	<p>The Māori Trustee considers that the following objective should be inserted into this chapter.</p> <p>Amendment</p>

¹⁵ Refer Table 1, Page 9 *National Policy Statement for Indigenous Biodiversity: Implementation plan* (Ministry for the Environment; 2023)

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		<p>provide an opportunity for the Council to align the Proposed Plan with the NPS-IB 2023.</p> <p>In this regard, an additional objective should be included within this chapter to recognise and provide for the relationship that Māori have with their indigenous biodiversity. This would also be consistent with s6(e) of the RMA.</p>	<p><i>ECO O3: Recognise and provide for the relationship of owners of Māori land and their traditions and culture with indigenous vegetation and fauna.</i></p>
Policies			
ECO-P1	Oppose	<p>The Māori Trustee is generally comfortable with the 'Ecosystems and Indigenous Biodiversity' policies in this chapter. However, she considers that the wording of ECO-P1 should be amended, or a new policy inserted, to empower Māori, in partnership with Council, to make decisions in relation to the management and protection for their indigenous biodiversity. This would better align with the direction of the NPS-IB 2023.</p>	<p>The Māori Trustee considers that the following amendments need to be made to policy ECO-P1.</p> <p>Amendment Coordinate with other agencies, and organisations, <i>and partner with owners of Māori land</i>, in identifying risks, requirements, opportunities, and effective methods for protecting and enhancing Wairarapa's indigenous biodiversity and restoring the Wairarapa's indigenous biodiversity where it has been degraded.</p>
ECO-P3	Oppose	<p>The Māori Trustee understands that the Council intends to undertake further work in the future to give effect to the NPS-IB 2023. However, the Māori Trustee considers that this process can provide the Council with the opportunity and scope to align this Proposed plan with the NPS-IB 2023 where appropriate.</p> <p>The Māori Trustee therefore believes it to be particularly prudent that the Proposed Plan reflects the requirement in the NPS-IB 2023 for Councils to engage and partner with Māori in the identification of areas of significant indigenous vegetation or significant habitats of indigenous fauna.</p>	<p>The Māori Trustee considers that the following amendments need to be made to policy ECO-P3.</p> <p>Amendment Identify, <i>in partnership with owners of Māori land</i>, those areas that are habitats comprising significant indigenous vegetation or significant habitats of indigenous fauna in the Wairarapa.</p>

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<p>ECO-P4</p>	<p>Oppose</p>	<p>The Māori Trustee considers that maintaining ecosystem services should also be protected within ECO-P4.</p> <p>The Māori Trustee also does not support the use of an ‘operational need’ test as a determining factor for locating land use activities or development within areas of significant indigenous vegetation or significant habitats of indigenous fauna. The Māori Trustee is concerned that the use of such a test will likely result in the degradation of significant indigenous vegetation or habitats and their values, for purely economic reasons. The Māori Trustee acknowledges that there may be instances where activities will need to be located in these areas, however, a ‘functional need’ test, though not perfect, will be available for these cases. The Māori Trustee considers that it is important to remove the ‘operational need’ test from all policies of the Proposed Plan to ensure a consistent and equitable framework to assess land use and development.</p>	<p>The Māori Trustee considers that the following amendments need to be made to policy ECO-P4.</p> <p>Amendments Protect those areas that are habitats comprising significant indigenous vegetation or significant habitats of indigenous fauna <i>or areas providing ecosystem functions and services</i> in the Wairarapa from inappropriate subdivision, land use, and development by: (a) only providing for activities that demonstrate an operational need or functional need to be located in this area;</p>
<p>ECO-P5</p>	<p>Oppose</p>	<p>The Māori Trustee considers ECO-P5 should be amended to provide an additional subclause that aligns with the NPS-IB 2023 considerations of the use and development of Māori land.</p>	<p>The Māori Trustee considers that the following policy should be amended to include sub clause (g) to ECO-P5.</p> <p>Amendment <i>(g). enable new occupation, use, and development of Māori land to support the social, cultural, and economic wellbeing of owners of Māori land.</i></p>
<p>ECO-P6</p>	<p>Oppose</p>	<p>The Māori Trustee considers that the wording of the ECO-P6 should be amended to align with the NPS-IB 2023 through providing specific exceptions for Māori land.</p>	<p>The Māori Trustee considers that the following policy should be amended to include subclause (d) to ECO-P6.</p> <p>Amendment</p>

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			<i>(d). The criteria (a) to (c) for managing adverse effects on SNAs do not apply to Māori land. Councils are to work in partnership with owners of Māori land to apply an alternative, flexible approach (that enables development and use) to support the social, economic and cultural wellbeing of owners of Māori land while maintaining and protecting indigenous biodiversity.</i>
ECO-P8	Partially Support	The Māori Trustee considers that the ‘values’ and ‘significance’ referred to in ECO-P8 are currently undefined and ambiguous. To ensure that the significance and values of vegetation and habitats are appropriately managed, further context needs to be provided. This could be achieved through providing a guidance note or identifying and listing their values and significance against each site in a schedule of this Proposed Plan.	The Māori Trustee considers a guidance note or schedule should be provided within this Proposed Plan to identify and list the values and significance of each vegetation and habitat site. This will reduce ambiguity.
Rules			
ECO-R1	Partially Support	<p>The Māori Trustee is generally comfortable with the ‘Ecosystems and Indigenous Biodiversity’ rules in this chapter. However, whilst she is aware that the NPS-IB 2023 has not been given effect to in this Proposed Plan change, she notes the following matter could be addressed.</p> <p>The Māori Trustee considers that ECO-R1 should be amended to include references to the exemptions provided for under the NPS-IB 2023¹⁶</p>	The Māori Trustee considers that ECO-R1 should be amended to include references to the exemptions provided for under the NPS-IB 2023.
Natural Character Objective			

¹⁶ Refer exemptions relating to adverse effects under the NPS-IB Sections 3.10 and 3.11.

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NATC-O1	Support	The Māori Trustee is generally comfortable with the 'Natural Character' objective in this chapter.	N/A
Policies			
NATC-P5	Partially Support	<p>The Māori Trustee is generally comfortable with the 'Natural Character' policies in this chapter. However, she notes the following matter in NATC-P5 should be addressed.</p> <p>The Māori Trustee does not support the use of an 'operational need' test to allow for buildings and structures within 5m or 10m of surface waterbodies or 25m of a significant waterbody. The Māori Trustee is concerned that the use of such a test will likely result in the degradation of waterbodies and their values, for purely economic reasons. The Māori Trustee acknowledges that there may be instances where buildings and structures will need to be located within 5m or 10m of surface waterbodies or 25m of a significant waterbody however, a 'functional need' test, though also not perfect, will be available for these cases.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to policy NATC-P5.</p> <p>Amendment P5(a). there is a functional need or operational need for their location within the setback;</p>
Rules			
NACT-R1 – NACT-R2	Support	The Māori Trustee is generally comfortable with the 'Natural Character' rules in this chapter.	N/A
Natural Features and Landscapes			
Objective			
NFL-O1 – NFL-O2	Support	The Māori Trustee is generally comfortable with the 'Natural Features and Landscapes' objectives in this chapter.	N/A
Policies			
NFL-P1 – NFL-P7	Support	The Māori Trustee is generally comfortable with the 'Natural Features and Landscapes' policies in this chapter.	N/A

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Rules			
NFL-R1 – NFL-R2	Support	The Māori Trustee is generally comfortable with the 'Natural Features and Landscapes' rules in this chapter.	N/A
Public Access			
Objectives			
PA-O1	Support	The Māori Trustee is generally comfortable with the 'Public Access' objective in this chapter.	N/A
Policies			
PA-P1 – PA-P3	Support	The Māori Trustee is generally comfortable with the 'Public Access' policies in this chapter.	N/A
Subdivision			
SUB - Subdivision			
Objectives			
SUB-01 to SUB-03	Support	The Māori Trustee is generally comfortable with the 'Subdivision' objectives in this chapter.	N/A
Policies			
SUB-P1 to SUB-P8	Support	The Māori Trustee is generally comfortable with the 'Subdivision' policies in this chapter.	N/A
Rules			
SUB-R14	Oppose	<p>The Māori Trustee is generally comfortable with the 'Subdivision' rules in this chapter. However, she notes the following matter in rule SUB-R14 should be addressed.</p> <p>The Māori Trustee considers that the subdivision of land containing a SASM site is a defined issue and should be afforded the same activity status as a subdivision of land within an</p>	<p>The Māori Trustee considers that the following amendment needs to be made to rule SUB-R14.</p> <p>Amendment Change the activity status of SUB-R14 from 'Discretionary' to 'Restricted Discretionary'.</p>

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		‘Outstanding Natural Feature and Landscape’ (restricted discretionary) ¹⁷ . The impact of a proposed subdivision proposal can be adequately assessed through criteria set under a restricted discretionary activity rule.	
FC – Financial Contributions			
Objectives			
FC-01 to FC-02	Support	The Māori Trustee is generally comfortable with the ‘Financial Contribution’ objectives in this chapter.	N/A
Policies			
FC-P1 to FC P6	Support	The Māori Trustee is generally comfortable with the ‘Financial Contribution’ policies in this chapter.	N/A
Rules			
FC-R1	Support	The Māori Trustee is generally comfortable with the ‘Financial Contribution’ rules in this chapter.	N/A
General District Wide Matters			
ASW – Activities on the Surface of Water			
Objectives			
ASW-O1	Support	The Māori Trustee is generally comfortable with the ‘Activities on the surface of water’ objective in this chapter.	N/A
Policies			
ASW-P1 – ASW-P5	Support	The Māori Trustee is generally comfortable with the ‘Activities on the surface of water’ policies in this chapter.	N/A

¹⁷ refer Proposed Plan SUB-R13 Subdivision within Outstanding Natural Feature and Landscape

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Rules			
ASW-R1 – ASW-R3	Support	The Māori Trustee is generally comfortable with the ‘Activities on the surface of water’ rules in this chapter.	N/A
CE – Coastal Environment			
Objectives			
CE-O1 – CE-O5	Partially support	<p>The Māori Trustee is generally comfortable with the ‘Coastal Environment’ objectives in this chapter. However, she notes the following matters in CE-O4 should be addressed.</p> <p>The Māori Trustee supports and acknowledges Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa as tangata whenua in the Wairarapa District. The Māori Trustee administers whenua Māori on behalf of Māori freehold landowners, who have had their whakapapa connection to their ancestral lands confirmed by a Māori Land Court order upon succession. However, the current definition of tangata whenua in the RMA 1991 does not expressly provide for Māori freehold landowners.</p> <p>Furthermore, the Māori Trustee notes that s 74 of the RMA requires territorial authorities to prepare and change their plans in accordance with Part 2 matters - including recognising and providing for “the relationship of Maori and their culture and traditions with their ancestral lands, water sites, waahi tapu, and other taonga”¹⁸ as a matter of national importance. In order for the Council to perform their functions and duties under the Act, the Proposed Plan should therefore recognise and provide for all Māori rights and interests within this objective.</p>	<p>The Māori Trustee considers that the definition for Māori land provided in paragraph 9, be included within the definitions chapter of the Proposed Plan.</p> <p>The Māori Trustee considers that the following amendments needs to be made to objective CE-O4.</p> <p>Amendment Tangata whenua <i>The values of Owners of Māori land values</i>, mātauranga, and tikanga are recognised <i>and provided for</i> in resource management processes for the coastal environment.</p>

¹⁸ Section 6(e).

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Policies			
<p>CE-P3</p>	<p>Partially support</p>	<p>The Māori Trustee is generally comfortable with the ‘Coastal Environment’ policies in this chapter. However, she notes the following matters should be addressed.</p> <p>The Māori Trustee supports and acknowledges Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa as tangata whenua in the Wairarapa District. The Māori Trustee administers whenua Māori on behalf of Māori freehold landowners, who have had their whakapapa connection to their ancestral lands confirmed by a Māori Land Court order upon succession. However, the current definition of tangata whenua in the RMA 1991 does not expressly provide for Māori freehold landowners. Therefore, CE-P3 should recognise and provide for all Māori rights and interests by including ‘owners of Māori land’, as defined in paragraph 9.</p> <p>Furthermore, the Māori Trustee does not support the use of an ‘operational need’ test for subdivision, use or development activities within areas identified as Very High and High Natural Character. The Māori Trustee is concerned that the use of such a test will likely result in the degradation of areas with significant environmental values, including in Sites of Significance to Māori, for purely economic reasons. The Māori Trustee acknowledges that there may be instances where activities will need to be located in Very High and High Natural Character areas however, a ‘functional need’ test, though also not perfect, will be available for these cases.</p>	<p>The Māori Trustee considers that the definition for Māori land provided in paragraph 9, be included within the definitions chapter of the Proposed Plan.</p> <p>The Māori Trustee considers that the following amendments needs to be made to policy CE-P3.</p> <p>Amendment</p> <p>(b)(i). having an operational need or functional need to be located in this area;</p> <p>(b)(vi). enabling the continuation, or enhancing, of tangata whenua owners of Māori land cultural and spiritual values and customary activities.</p>
<p>CE-P4</p>	<p>Partially Support</p>	<p>The Māori Trustee supports and acknowledges Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa as tangata whenua in the Wairarapa District. The Māori Trustee administers whenua</p>	<p>The Māori Trustee considers that the definition for Māori land provided in paragraph 9, be included within the definitions chapter of the Proposed Plan.</p>

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		<p>Māori on behalf of Māori freehold landowners, who have had their whakapapa connection to their ancestral lands confirmed by a Māori Land Court order upon succession. However, the current definition of tangata whenua in the RMA 1991 does not expressly provide for Māori freehold landowners. Therefore, CE-P4 should recognise and provide for all Māori rights and interests by including ‘owners of Māori land’, as defined in paragraph 9.</p> <p>Furthermore, the Māori Trustee does not support the use of an ‘operational need’ test for activities and subdivision within the Coastal Environment. The Māori Trustee is concerned that the use of such a test will likely result in the degradation of areas with significant environmental values, including on Sites of Significance to Māori, for purely economic reasons. The Māori Trustee acknowledges that there may be instances where activities will need to be located in the Coastal Environment however, a ‘functional need’ test, though also not perfect, will be available for these cases.</p>	<p>The Māori Trustee considers that the following amendments needs to be made to policy CE-P4.</p> <p>Amendment (a). there is a functional need or operational need for the activity to be located in the coastal environment; and (b)(ix). taking into account the outcomes of any consultation with and/or cultural advice provided by tangata whenua <i>owners of Māori land</i>, including the extent to which the activity may compromise tangata whenua's <i>owners of Māori land</i> relationship with their ancestral lands, water, sites, wāhi tapu, and other taonga, and/or tangata whenua's <i>owners of Māori land</i> responsibilities as kaitiaki and mana whenua in the coastal environment;</p>
<p>CE-P8</p>	<p>Partially Support</p>	<p>The Māori Trustee considers that decision-makers should apply a precautionary, but adaptive, approach when encountering the uncertainty of coastal hazards for new subdivisions, use and development. This would ensure that any subdivision, use or development proposal is dynamically assessed and responsive to changing environments. The Māori Trustee also considers that where a precautionary approach is adopted, decision makers do not unintentionally undermine the use of mātauranga Māori held at place to inform their decision on any new subdivision, use or development. This is particularly important as mātauranga Māori, especially within coastal communities, is held by very few and</p>	<p>The Māori Trustee considers that decision-makers should apply a precautionary, but adaptive, approach when encountering the uncertainty of costal hazards for new subdivisions, use and development.</p> <p>The Māori Trustee also considers that the following amendment needs to be made to policy CE-P8.</p> <p>Amendment P8(a). only providing for activities that have an operational need <i>or functional need</i> within the Foreshore Protection Area;</p>

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		<p>those who hold it may not want their mātauranga made public within a plan process.</p> <p>Furthermore, the Māori Trustee does not support the use of an ‘operational need’ test for activities within the Foreshore Protection Area. The Māori Trustee is concerned that the use of such a test will likely result in the degradation of areas with significant environmental values, including on Sites of Significance to Māori, for purely economic reasons. The Māori Trustee acknowledges that there may be instances where activities will need to be located in the Foreshore Protection Area however, a ‘functional need’ test, though also not perfect, will be available for these cases.</p>	
Rules			
CE-R1 – CE-R6	Support	The Māori Trustee is generally comfortable with the ‘Coastal Environment’ rules in this chapter.	N/A
LIGHT - Light			
Objectives			
LIGHT-01 - LIGHT-03	Support	The Māori Trustee is generally comfortable with the ‘Light’ objectives in this chapter.	N/A
Policies			
LIGHT-P1 - LIGHT-P4	Support	The Māori Trustee is generally comfortable with the ‘Light’ policies in this chapter.	N/A
Rules			
LIGHT-R1	Support	The Māori Trustee is generally comfortable with the ‘Light’ rule in this chapter.	N/A

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Part 3 Area Specific Matters			
Rural Zones			
GRUZ – General Rural Zone			
Objectives			
GRUZ O1 – GRUZ O7	Support	The Māori Trustee is generally comfortable with the 'General Rural Zone' objectives in this chapter.	N/A
Policies			
GRUZ-P1 – GRUZ-P10	Support	The Māori Trustee is generally comfortable with the 'General Rural Zone' policies in this chapter.	N/A
Rules			
GRUZ-R1 – GRUZ-R19	Support	The Māori Trustee is generally comfortable with the 'General Rural Zone' rules in this chapter.	N/A
Special Purpose Zones			
MPZ – Māori Purpose Zone			
Objectives			
MPZ-O1	Partially support	<p>The Māori Trustee is generally comfortable with the objectives in the 'Māori Purpose Zone' chapter. However, she notes the following matters should be addressed.</p> <p>The Māori Trustee supports and acknowledges Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa as tangata whenua in the Wairarapa District. The Māori Trustee administers whenua Māori on behalf of Māori freehold landowners, who have had their whakapapa connection to their ancestral lands confirmed by a Māori Land Court order upon succession. However, the current definition of tangata whenua in the RMA 1991 does not expressly provide for Māori freehold landowners.</p>	<p>The Māori Trustee considers that the definition for Māori land provided in paragraph 9, be included within the definitions chapter of the Proposed Plan.</p> <p>The Māori Trustee considers that the following amendments needs to be made to objective MPZ-O1.</p> <p>Amendment The Māori Purpose Zone enables a range of social, cultural, and economic development opportunities that support the occupation, use, development, and ongoing relationship of tangata whenua owners of Māori land with ancestral land.</p>

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		<p>Furthermore, the Māori Trustee notes that s 74 of the RMA requires territorial authorities to prepare and change their plans in accordance with Part 2 matters - including recognising and providing for “the relationship of Maori and their culture and traditions with their ancestral lands, water sites, waahi tapu, and other taonga”¹⁹ as a matter of national importance. In order for the council to perform their functions and duties under the Act, the Proposed Plan should therefore recognise and provide for all Māori rights and interests within this objective.</p> <p>The Māori Trustee is supportive of the MPZ, however, considers that owners of Māori land, as defined in paragraph 9, should be referenced instead of tangata whenua within the objective.</p>	
MPZ-O2	Partially support	<p>The Māori Trustee considers that the intention of objective MPZ-O2 is not clear and should be amended.</p> <p>The Māori Trustee also reiterates her point made under her general submissions, that the NPS-HPL only requires the mapping of highly productive land that is within the general rural or rural productive zones and that are also predominately LUC 1, 2, and 3. The Māori Trustee notes that the Proposed Plan incorrectly identifies blocks within the MPZ as ‘Highly Productive Land’. Given that there are no associated rules within the MPZ for highly productive land, this overlay should be removed.</p>	The Māori Trustee considers the ‘Highly Productive Land’ overlay should be removed from land within the Māori Purpose Zone.
MPZ-O3	Partially support	The Māori Trustee supports and acknowledges Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa as tangata whenua in the Wairarapa District. The Māori Trustee administers whenua	The Māori Trustee considers that the definition for Māori land provided in paragraph 9, be included within the definitions chapter of the Proposed Plan.

¹⁹ Section 6(e).

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		<p>Māori on behalf of Māori freehold landowners, who have had their whakapapa connection to their ancestral lands confirmed by a Māori Land Court order upon succession. However, the current definition of tangata whenua in the RMA 1991 does not expressly provide for Māori freehold landowners.</p> <p>Furthermore, the Māori Trustee notes that s 74 of the RMA requires territorial authorities to prepare and change their plan in accordance with Part 2 matters - including recognising and providing for “the relationship of Maori and their culture and traditions with their ancestral lands, water sites, waahi tapu, and other taonga”²⁰ as a matter of national importance. In order for the council to perform their functions and duties under the Act, the Proposed Plan should therefore recognise and provide for all Māori rights and interests within this objective.</p> <p>The Māori Trustee is supportive of the MPZ, however, considers owners of Māori land, as defined in paragraph 9, should be enabled to exercise kaitiakitanga in relation to their whenua.</p>	<p>The Māori Trustee considers that the following amendments needs to be made to objective MPZ-O3.</p> <p>Amendment Tangata whenua <i>Owners of Māori land</i> are able to exercise their role as kaitiaki in the Māori Purpose Zone to protect, maintain, and promote their spiritual, cultural, social, economic, and environmental interests and associations.</p>
MPZ-O4	Partially support	<p>The Māori Trustee considers it is not necessary to reference ‘ancestral land’ within this objective as the term is not defined and the concept already exists implicitly within the MPZ.</p>	<p>The Māori Trustee considers that the following amendments needs to be made to objective MPZ-O4.</p> <p>Amendment A range of activities and development of ancestral land are enabled in the Māori Purpose Zone, whilst ensuring actual or potential adverse effects of activities and development are avoided, remedied, or mitigated.</p>

²⁰ Section 6(e).

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Policies			
MPZ-P1 – MPZ-P5	Partially supports	<p>The Māori Trustee is generally comfortable with the ‘Māori Purpose Zone’ policies in this chapter. However, she notes the following matters in MPZ-P2 should be addressed.</p> <p>The Māori Trustee supports and acknowledges Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa as tangata whenua in the Wairarapa District. The Māori Trustee administers whenua Māori on behalf of Māori freehold landowners, who have had their whakapapa connection to their ancestral lands confirmed by a Māori Land Court order upon succession. However, the current definition of tangata whenua in the RMA 1991 does not expressly provide for Māori freehold landowners.</p> <p>The Māori Trustee therefore considers that the Proposed Plan should recognise and provide for all Māori rights and interests within this policy, by referencing owners of Māori land as defined in paragraph 9.</p>	<p>The Māori Trustee considers that the definition for Māori land provided in paragraph 9, be included within the definitions chapter of the Proposed Plan.</p> <p>The Māori Trustee considers that the following amendments needs to be made to policy MPZ-P2.</p> <p>Amendment</p> <p>a. the purpose of the activity enables tangata whenua <i>owners of Māori land</i> to achieve MPZ-O1, MPZ-O2, MPZ-O3, and MPZ-O4;</p> <p>b. the activity will enable tangata whenua <i>owners of Māori land</i> to provide for their cultural, environmental, and economic needs;</p>
Rules			
MPZ-R1 – MPZ-R23	Support	The Māori Trustee is generally comfortable with the Māori Purpose Zone’ rules in this chapter.	N/A
Designations			
GWRC-S-25	Support	The Māori Trustee is generally comfortable with the ‘Designations’ as scheduled in this chapter.	N/A
Part 4 Appendices and Schedules			
Schedules			
SCHED1 – Schedule of Heritage			

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Hs179	Support	The Māori Trustee supports the listing of Hs179 in Schedule 1 of the Proposed Plan that is located on the lands she administers.	N/A
SCHED4 – Schedule of Sites and Areas of Significance to Māori			
TWs26 TWs30 TWs60 TWs60 TWs65 TWs99 TWm33 TWm35 TWm40	Partially support	<p>The Māori Trustee supports the 9 listed SASM sites in Schedule 4 of the Proposed Plan that are located on lands she administered.</p> <p>However, the Māori Trustee notes that the current drafting of Schedule 4 only provides for tangata whenua. This appears to be inconsistent with the National Planning Standards 2019, which directs that sites and areas of significance to Māori in a plan are identified where there is agreement by Māori to include them. Therefore, Māori freehold landowners should have the ability to identify sites and areas of significance to Māori in addition to Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa.</p> <p>Furthermore, the Māori Trustee supports Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa identifying the sites and areas of Significance. However, it is not clear how involved they have been in identifying the SASM sites, including the extent of some of the mapping. The Proposed Plan should therefore clearly state their involvement in the identification process.</p>	The Māori Trustee considers the Proposed Plan should clearly state the involvement of Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa in the identification process of sites and areas of significance to Māori.
SCHED5 – Schedule of Significant Natural Areas			
SNs08	Support	The Māori Trustee supports the listing of SNs08 in Schedule 5 of the Proposed Plan that is located on the lands she administers.	N/A
SCHED8 – Schedule of Significant Amenity Landscapes			
SAL1	Support	The Māori Trustee supports the listing of SAL1 in Schedule 8 of the Proposed Plan that is located on the lands she administers.	N/A

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SCHED10 – Schedule of Very High and High Natural Character			
HNC10	Support	The Māori Trustee supports the listing of HNC10 in Schedule 10 of the Proposed Plan that is located on the lands she administers.	N/A



Appendix A – The Māori Trustee and Te Tumu Paeroa

Who we are

The Māori Trustee is appointed by the Minister for Māori Development under the Māori Trustee Act 1953. One of the principal roles of the Māori Trustee is to administer as trustee or agent whenua Māori and other client assets in accordance with the principles and obligations of trusteeship and agency, and relevant legislation including the Māori Trustee Act 1953, Trusts Act 2019 and Te Ture Whenua Māori Act 1993. The current Māori Trustee, Dr Charlotte Severne, was appointed for a three-year term in September 2018 and was re-appointed for a five-year term in October 2021.

Te Tumu Paeroa is the organisation that supports the Māori Trustee to undertake her statutory and other legal functions, duties and responsibilities.

The Māori Trustee administers approximately 82,000 hectares of Māori freehold land, as well as general land and other interests and investments, on behalf of over 100,000 Māori landowners.

A primary objective of The Māori Trustee, is to protect, utilise and grow the assets of our Māori landowners. The organisation provides land administration and professional trustee services to one third of all Māori land trusts (over 1700 trusts), as well as targeted development and sector-specific expertise. The organisation is involved in the management of a number of Māori enterprises and development projects.

The Māori Trustee currently employs approximately 166 staff across five offices throughout New Zealand, with the Māori Trustee based in Te Whanganui-a-Tara.

Te Tumu Paeroa is unique, in that it is the only nation-wide organisation that manages significant tranches of Māori land and assets on behalf of Māori landowners.

Our Vision and Priorities

Our vision is: Ko Te Tumu Paeroa tēnei, te tauawhi nei, te taunaki nei, te tiaki nei ngā whenua Māori mō naianei, mō āpōpō hoki. Ensuring Māori land is protected and enhanced, now and for generations to come.

Our vision requires a careful balance between protection of the whenua and taiao and enhancement of the whenua through a range of pathways, including commercial development.

Our purpose is to be a dedicated professional trustee service for Māori.

Our strategic priorities assist us to deliver on our vision and purpose:

- a. Enhancing operational excellence.
- b. Growing an inclusive culturally competent organisation committed to a greater understanding of Te Ao Māori.
- c. Contributing to growth, development and future leadership in whenua Māori administration and governance.
- d. Increasing the resilience and sustainability of the assets and whenua we administer.



Our Portfolio

Our portfolio currently²¹ consists of the following:

- a. Number of trusts and other entities under administration – 1746.
- b. Number of hectares under management – 82,000.
- c. Number of owner accounts maintained - 102,502.
- d. Number of ownership interests - 258,469.
- e. Number of leases administered – 1,732.
- f. Client funds under management (market value) - \$ 130.1 million.
- g. Māori Trustee equity - \$ 170.7 million.

Our Mahi

The Māori Trustee has the responsibility to ensure that the best interests and outcomes for Māori land owners are advanced by Te Tumu Paeroa's mahi.

Our core services are:

- a. Administration of trusts where the Māori Trustee is the responsible trustee.
- b. Agreed trustee services where the Māori trustee is an agent or custodian trustee.
- c. J. Keeping records for trusts we administer.
- d. Managing finances and preparing financial statements.
- e. Consulting with and convening meetings for advisory trustees.
- f. Consulting with and convening meetings for beneficial owners.
- g. Reporting to responsible trustees, advisory trustees and beneficial owners.
- h. Administering trust distributions.
- i. Filing applications with the Māori Land Court and attending associated hearings.
- j. Property management, including leases and asset maintenance.
- k. Reviewing land use and considering, where appropriate, alternative land use options.

²¹ The Māori Trustee Annual Report 2022.

Māori Trustee Submission

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- l. Developing and enhancing land and assets; including the production and maintenance of Asset Management Plans and Farm Environment Plans.
- m. Responding to requests for information.
- n. Managing and investing cash assets in the Common Fund.
- o. Managing and providing support services for the General Purposes Fund.
- p. Acquiring and paying for goods and services.

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