

Part three

Policies and methods

Part three presents the policies and methods that, when implemented, will achieve the objectives of this Statement and address the regionally significant resource management issues (including the issues of significance to iwi authorities). The resource management issues and objectives are presented in the previous part two under topic headings.

Part three is divided into two sections. The first contains the policies and the second sets out the methods.

Within the first section, policies are grouped according to the topic under which the policy was originally drafted and are identified as follows:

AQ = Air Quality
 CE = Coastal Environment
 EI = Energy and Infrastructure
 GR = Geothermal Resources
 IR = Integrated Resource Management
 IW = Iwi Resource Management
 MN = Matters of National Importance
 NH = Natural Hazards
 RR = Rangitāiki River
 UG = Urban and Rural Growth Management
 WL = Water Quality and Land Use
 WQ = Water Quantity

Within these topic groups the letter following the policy number further divides policies into four types as outlined below.

(a) Policies giving direction to regional and district plans

Broad policies that must be given effect by regional or district plans (in accordance with sections 67(3) and 75(3)(c) of the Act) as set out in methods of implementation 1 and 2. These policies are identified by the letter A after the main policy number e.g. CE 3A. NB: while these policies are primarily expressed through plans, in some cases 'A' type policies may also be relevant to the assessment of resource consent applications and notices of requirement. The A policies that must be considered in the assessment of resource consent applications and notices of requirement are listed in Method 3.

(b) Specific directive policies for resource consents, regional and district plans, and notices of requirement.

These policies are identified by the letter B after the main policy number e.g. CE 7B. These are specific policies that:

- must be given effect by regional or district plans (in accordance with sections 67(3)(c) and 75(3)(c) of the Act) as set out in methods of implementation 1 and 2;
- consent authorities must have regard to, where relevant, when considering applications for resource consent and any submissions received (in accordance with section 104(1)(b)(iv) of the Act); and
- territorial authorities must have particular regard to, where relevant, when considering requirements for designations or heritage orders and any submissions received (in accordance with sections 171(1)(a)(iii) and 191(1)(d) of the Act).

NB: in some cases these policies may also be linked to Methods 1 and/or 2 to ensure they are given effect to as soon as practicable by regional and/or district plans.

(c) Policies that allocate responsibilities

These policies allocate the responsibilities for land-use controls for hazardous substances and indigenous biodiversity between the Bay of Plenty Regional Council and the region's city and district councils. These policies are identified by the letter C after the main policy number e.g. IR 7C.

(d) Guiding policies

These are guiding policies that outline actions to help achieve the objectives. These policies are identified by the letter D after the main policy number e.g. IW 8D.

The second section sets out the methods for implementing the policies. There are two main groups of methods:

- Directive methods to implement policies identified above as either #A, #B, or #C.
- Methods that implement the guiding policies (identified above as #D) or that support the delivery of the other policies.

Directive methods used to implement most policies are Methods 1, 2 and 3. Method 3 requires that policies shall be given effect to when preparing, changing, varying, reviewing or replacing a regional or district plan, and had regard to when considering a resource consent or notice of requirement. While Method 3 is most commonly used to implement 'B' type policies, in some cases (where listed in Method 3) it may be linked to 'A' type policies which are applicable to the assessment of resource consent applications and notices of requirement. Similarly Methods 1 and/or 2 are primarily used to implement 'A' type policies in regional and district plans but in some cases (where listed in Methods 1 and 2) these policies may also be linked to 'B' type policies to ensure they are given effect to as soon as practicable by the relevant plans. The policies linked to and intended to be implemented by Methods 1, 2 and 3 are identified in the beginning of Section 3.2.1 'Directive methods'.

A summary table is provided at the beginning of part three in which the policy titles are provided. The titles serve only as a guide, as the policies are not reproduced in full within the summary table.

In a box following each of the policies, is a cross reference to pertinent objectives and methods. These must be read in association with each policy, to appreciate the relationships between these policies and methods.



3.1 Policies

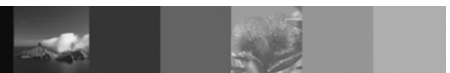
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Air Quality Policies

Policy AQ 1A: Discouraging reverse sensitivity associated with odours, chemicals and particulates

Actively discourage:

- (a) Locating new sensitive activities near activities that discharge offensive and objectionable odours, chemical emissions or particulates; and
- (b) Locating new activities that discharge offensive and objectionable odours, chemical emissions or particulates near sensitive activities.

Explanation

After contaminants are discharged to air their effects are often difficult to remedy or mitigate. Therefore it is important to avoid adverse effects of contaminant discharges to air through careful consideration over the location of land use activities. New sensitive activities, such as residential activity, should not be established near land uses or activities that discharge offensive and objectionable odour, particulates or chemicals because the discharge can adversely affect the health of people and lower the amenity values of the surrounding areas. New land use activities that discharge offensive and objectionable odour, chemicals, and particulates also need to be discouraged in sensitive areas. Land uses or activities that may potentially affect sensitive activities include:

- Gases from combustion processes.
- Wastewater treatment plants and agricultural activities that emit odours.
- Horticultural activities and agricultural activities that discharge sprays and odours.
- Open burning that emits smoke.
- Earthworks, poor yard management and quarrying that emit dust.
- Geothermal use and development

In achieving Policy AQ 1A it may be necessary to zone or restrict certain activities, or impose other district plan mechanisms such as building setbacks and planted buffer areas to avoid or mitigate incompatible land uses associated with offensive and objectionable odours, chemical emissions and particulates.

Some activities which generate emissions are locationally constrained (such as ports, geothermal energy developments and quarries) and will have a functional need to locate where sensitive activities may already exist. In such circumstances, consideration may need to be given to mitigation measures rather than avoidance.

Table reference: Objective 1, Methods 3, 6 and 24

Policy AQ 2A: Managing adverse effects from the discharge of odours, chemicals, and particulates

Protect people's health and the amenity values of neighbouring areas from discharges of offensive and objectionable odours, chemical emissions and particulates.

Explanation

Offensive and objectionable odours, chemicals and particulates can adversely affect people's health, that of their animals, and the amenity values of the area in which they live. The amenity value of air reflects how clean and fresh it is. This will depend on the nature of the environment and the activities that exist within it. Amenity value can be reduced by contaminants in the air – such as when dust or smoke reduces visibility or soils surfaces, or when odour is objectionable. Some contaminants may also trigger skin sensitivity and respiratory reactions.



Protecting people's health from discharges to air includes considering the effects of fine particulate matter discharged from human activities. Domestic heating fires are the main source of fine particulate matter (PM₁₀) in some areas.

This policy requires that the Regional Air Plan manage the discharge of offensive and objectionable odour, chemicals and particulates on amenity values and protect people's health.

Table reference: Objective 1, Methods 2, 6, 24, 53 and 54

Policy AQ 3A: Managing adverse effects of fine particulate contamination

Manage activities that generate fine particulate contamination within airsheds.

Explanation

Protecting people's health from discharges to air includes considering the effects of fine particulate matter released from human activities. A gazetted airshed is an airshed that exceeds the fine particulate matter (PM₁₀) standards set by the National Environmental Standard for Air Quality. Fine particulate matter means particulate matter that is less than 10 microns in aerodynamic diameter.

The gazetted Rotorua Urban Airshed is known to be at risk of exceeding the National Environmental Standards for fine particulate matter. Domestic heating fires are the main source of these fine particulates. The Regional Air Plan can set stricter standards for the Bay of Plenty if considered necessary. However, it may not set rules less restrictive than the National Environmental Standard for Air Quality.

Table reference: Objective 1, Methods 2, 5, 24 and 38

Coastal Environment Policies

Policy CE 1B: Extent of the coastal environment

The extent of the coastal environment shall be determined by giving effect to the maps in Appendix I.

Explanation

Policy CE 1B refers to the maps of the coastal environment contained in Appendix I based on the direction given in the NZCPS 2010. District and regional plans must manage activities in the coastal environment as delineated in Appendix I.

Table reference: Objectives 2 and 4, Methods 1, 2 and 3

Policy CE 2B: Managing adverse effects on natural character within the coastal environment

Preserve the natural character of the coastal environment and protect it from inappropriate subdivision, use and development by including provisions in regional and district plans, and when making decisions on resource consents to:

- (a) Avoid adverse effects of activities on the attributes that comprise natural character in areas of the coastal environment with outstanding natural character as identified in the maps and tables in Appendix I and J;
- (b) Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on the attributes comprising the natural character in all other areas of the coastal environment, recognising that areas identified in maps in Appendix I as having high or very high natural character can be especially sensitive to the adverse effects of inappropriate subdivision, use and development; and



- (c) Recognise that open coastal water in the region is of at least high natural character.

Explanation

Policy CE 2B comprises three parts. Part (a) requires the complete avoidance of adverse effects of inappropriate activities on the attributes of areas of the coastal environment with “outstanding” natural character. These areas are mapped in Appendix I. Part (b) requires avoidance of significant adverse effects on attributes comprising natural character in all other areas and that activities avoid, remedy or mitigate adverse effects on the natural character attributes of all areas of the coastal environment. Part (c) clarifies the natural character status of open coastal water and Policy 13 of the NZCPS 2010 will apply, recognising the blanket ranking of the open coast may require site specific assessment.

This policy confirms that the effects of some activities may not be adverse in light of an areas’ natural character attributes and a consideration of whether the activity itself is appropriate in this location.

For example, the attributes for Tauranga Harbour include channel markers (scattered throughout the harbour and visible during the night time) and commercial areas. These features diminish natural character but comprise the harbour at the time it was assessed.

Suitable provisions in regional and district plans may include policies, rules and zones to direct inappropriate activities away from areas susceptible to the loss of natural character. Measures should provide for the existing lawfully established activities, subdivisions, designations and zonings and their continuance and development in a way that maintains or enhances the natural character values of the area.

Table reference: Objective 2, 18 and 19, Methods 1, 2, 3, 8, 26, 55, 56, 60, 62 and 71

Policy CE 3A: Identifying the key constraints to use and development of the coastal marine area

Identify the major constraints to the future use and development of the coastal marine area taking into account:

- (a) The scale, location and requirement of existing uses and activities;
- (b) The natural physical characteristics and values of the coastal environment;
- (c) The particular requirements of identifiable future uses;
- (d) The required links to the landward portion of the coastal environment, integral to the operation of uses and activities located in the coastal marine area; and
- (e) The role of the coastal environment in accommodating regionally significant infrastructure.

Explanation

There is a range of competing uses of space, both in the coastal marine area, and on the adjacent shore. These activities require pro-active management to avoid conflict between incompatible uses, preferably in advance of them occurring. One method of providing direction on the appropriate location and scale of activities within the coastal marine area is to provide appropriate zones. Constraints mapping as directed by this policy is a necessary precursor to zoning. As a precursor to developing appropriate zones, this policy directs constraints mapping of the coastal marine area (below Mean High Water Springs) and provides for the links on land (above Mean High Water Springs), which are integral in enabling marine-based activities, to occur.

Table reference: Objectives 2, 3 and 4, Methods 2, 8, 34, 61 and 71



Policy CE 4A: Protecting and restoring natural coastal margins

Protect the natural functioning of coastal margins and identify opportunities to restore and enhance natural functioning to allow for:

- (a) The continued natural functioning of physical processes, including changes arising as a result of climate change; and
- (b) The capacity of natural features (such as beaches, estuaries, sand dunes, wetlands, coastal vegetation and barrier islands) to provide subdivision, use or development with a protective buffer from natural hazards.

Explanation

Policy CE 4A requires areas of coastal margin to be restored, enhanced and/or protected to be identified throughout the Bay of Plenty region and provisions included to manage activities to ensure the buffering ability of these natural features is not compromised.

The ability of the natural coastal margin to provide a natural defence against coastal hazards and assist in protecting the coastal environment is critical, given the predicted changes to sea level and the potential for increased storm surge and frequency, tidal margins and other coastal hazard drivers arising from climate change.

This policy is aimed at protecting and restoring the natural protective capacities of the coastal margin to provide natural defences against coastal hazards. In some cases where consideration of factors under Policy CE 6B has been undertaken, it may be appropriate to remove vegetation, exotic or indigenous, that has established in the region as the result of poor or inappropriate land use, and/or at a rate that is disproportionate to other natural features.

Table reference: Objective 2 , Methods 1, 2, 3, 26, 34, 35, 37, 49, 55, 56, 59, 60, 63, 65 and 71
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Policy CE 5A: Provide for sustainable use and development of the coastal marine area

Provide by zoning or other spatial mechanisms for activities that have a functional and positional need to locate in the coastal marine area by zoning or other spatial mechanisms to:

- (a) Enable efficient use of these areas to meet the social and economic needs of the region;
- (b) Prioritise functionally or positionally dependent, activities over other uses which do not have a functional need for a location in the coastal marine area;
- (c) Enable the efficient use and development of renewable energy resources within the coastal environment;
- (d) Provide for other activities where they are compatible with functionally–dependent activities.

Explanation

Competition for space within the coastal environment has the potential to displace or limit the operation of marine related activities that have a functional need to be located in the coastal marine area and are important to the social and economic wellbeing of the region including regionally significant infrastructure such as ports, maritime passenger and freight transport, aquaculture, renewable marine energy, as well as infrastructure which supports marine related activities such as boat ramps, jetties, moorings and other marine facilities.

Policy CE 5A gives effect to Policies 6(2), 8 and 9 of the New Zealand Coastal Policy Statement by recognising there are activities that have a functional need to be located in the coastal marine area and providing for these activities in appropriate places.



Table reference: **Objectives 3 and 4, Methods 2 and 33**

Policy CE 6B: Protecting indigenous biodiversity

Use the criteria in Policy 11 of the New Zealand Coastal Policy Statement 2010 to identify and protect areas of indigenous biological diversity in the coastal environment requiring protection under that policy.

Explanation

Policy CE 6B protects indigenous biological diversity of the coastal environment, on land and in the water in accordance with NZCPS 2010 Policy 11 parts (a) and (b). Policy CE 6B links to Method 61 which requires the identification of outlined areas.

Table reference: **Objective 2, Methods 3, 61 and 71**

Policy CE 7B: Providing for the management of mangroves

In appropriate places, manage mangroves to avoid any identified adverse effects of mangrove proliferation, having regard to the positive and/or negative environmental effects of mangrove removal. The following shall be taken into account when considering mangrove management;

- (a) Habitat values including whether the mangroves provide a significant habitat for indigenous fish or bird species or provide a vegetation sequence connecting other habitats, and whether mangroves are adversely affecting habitat values of open inter-tidal areas or other significant native estuarine vegetation communities (e.g. saltmarsh and seagrass habitats);
- (b) Whether the mangroves provide a buffer against coastal erosion;
- (c) Relative age, maturity and historic space distribution of mangroves;
- (d) Whether the spread of mangroves is causing significant restrictions on access to beaches, harbour and recreation areas, or having adverse effects on navigational access and safety;
- (e) Whether mangroves or mangrove removal would adversely affect the natural character, amenity, cultural, landscape or seascape values;
- (f) The ability for, and the effects of, sediment remobilisation at the site following mangrove removal;
- (g) The existence and implementation of a catchment management plan for the area;
- (h) The likely effects of the proposed method of mangrove removal; and providing for seedling removal where appropriate in order to prevent mangrove re-establishment in cleared areas or to constrain mangrove expansion into new areas.

Explanation

Mangroves are indigenous plants and play an important role in coastal ecosystems by contributing to natural character, enhancing water quality, protecting coastal margins from erosion, and providing habitat for coastal flora and fauna within the intertidal zone. Rapid expansion of mangrove communities into areas previously free of mangroves can have adverse effects on the balance of the marine ecosystem and on human uses of the coastal marine area including through sediment entrapment, and effects on amenity, recreation values and public access.

A range of drivers have been identified as contributing to the expansion of mangroves seaward of the intertidal zone in Tauranga and Ōhiwa harbours including climate change, accelerated sedimentation and increased nutrient supply. Policy CE 7B provides for decisions regarding mangrove management to be made on a case-by-case basis taking into account the adverse effects of mangrove expansion, the ecological values of mangrove communities, and the effects of mangrove removal on the environment.

It is important to emphasise the importance of having catchment management plans in place where mangrove removal is contemplated, in order to achieve an integrated 'whole of catchment' approach.



Research into the distribution of mangroves in Tauranga Harbour demonstrates that extensive increases in the area of mangrove coverage has occurred since the late 1970s. While it is not necessarily desirable or practical to return Tauranga Harbour or other harbours and estuaries to pre-1970's state, understanding changes in the environment since this time is important to help assess the extent of mangrove proliferation and its effects on harbour and estuary environments. Also allowing the removal of mangrove seedlings where appropriate will assist in preventing the expansion of mangroves into areas where they would detract from harbour values and maintaining previously cleared areas. Removal must avoid unnecessary disturbance of estuarine sediments. For the purposes of this policy, mangrove seedlings are defined as single stemmed and unbranched mangrove plants less than 60 cm in height.

In areas of significant vegetation protected by the Regional Coastal Environment Plan, Policy CE 7B provides for mangrove removal to be considered where it can be established that mangroves are adversely affecting the indigenous vegetation originally intended to be protected by the plan.

Table reference: Objective 2, Methods 3, 26, 34 and 35

Policy CE 8B: Ensuring subdivision, use and development is appropriate to the natural character of the coastal environment

When assessing the effect of subdivision, use and development on the natural character of the coastal environment, particular regard shall be given to:

- (a) The level of natural character as shown in Maps in Appendix I, as described in Appendix J, and the level of protection to be afforded by Policy CE 2B;
- (b) The criteria contained in Set 1 of Appendix F to further refine natural character for resource consents or site-specific mapping;
- (c) Maintaining coastal margins in a natural state and protecting the natural values of beaches and dune systems, including their ability to reduce the impacts of coastal hazards such as tsunami and storm surge;
- (d) The appropriateness of the introduction or accumulation of man-made modifications recognising activities that are:
 - (i) planned (consented, zoned or designated);
 - (ii) provided for in reserve management plans; or
 - (iii) identified in Appendix C, D and E; or
 - (iv) lawfully established;
- (e) The provisions of Customary Marine Title Management Plans;
- (f) Subject to Policy CE 2B avoiding significant adverse effects and avoiding, remedying or mitigating (including, where appropriate, through provision of buffers) other adverse effects on:
 - (i) Visually, ecologically or culturally sensitive landforms, including ridgelines, coastal cliffs, beaches, headlands, and peninsulas and visually prominent public open space;
 - (ii) Estuaries, lagoons, wetlands and their margins (saline and freshwater), dune lands, rocky reef systems and areas of eelgrass and salt marsh;
 - (iii) Terrestrial and marine ecosystems;
 - (iv) Natural patterns of indigenous and exotic vegetation and processes that contribute to the landscape and seascape value of the area; and
 - (v) Regionally significant surf breaks and their swell corridors, including those at Matakana Island and the Whakatāne Heads;
- (g) Encouraging efficient use of occupied space through intensification and clustering of developments, rather than sprawling, sporadic or unplanned patterns of settlement and urban growth;

- (h) Setting buildings and structures back from the coastal marine area and other waterbodies where necessary, practicable and appropriate to protect natural character, open space, public access and amenity values of the coastal environment, while recognising some structures may have a functional need to be located in the coastal environment, for which a setback would be inappropriate.

Explanation

Policy CE 8B recognises that in some areas natural character has been mapped and directs decision-makers to consider the appropriateness of development having regard to Policy CE 2B and local-scale considerations. Part (a) applies only to the mapped areas.

The policy identifies particular elements, features and patterns which, if present, in the coastal environment require a higher level of protection from development in terms of avoidance, remediation or mitigation of adverse effects. This policy will ensure that subdivision, use and development are appropriate for the characteristics of the area and will not result in significant adverse effects on the natural character of the coastal environment.

Objective 6 and Policy 7 of the NZCPS 2010 recognise that there are competing needs in managing activities in the coastal environment. The protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits. Sub-paragraph (d) recognises that in managing adverse effects there is also a need to take into account planned development and the needs of existing uses, such as rural activities.

The extent to which particular activities are appropriate within the coastal environment is a matter for the Regional Coastal Environment Plan to define. That plan will recognise the rights conferred to owners of consents, provided for in existing operative plans or proposed by way of details in Appendices C and D (growth area timing and sequencing and business land provisions) of this Policy Statement. Special “classes” of development, including proposal by Tangata whenua and minor works consistent with Reserve Management Plans will be considered in the Regional Coastal Environment Plan.

Surfing is an economically and socially important activity in parts of the Bay of Plenty. Breaks such as Matakana (i.e. Puni’s Farm) have featured in the international media and together with Whakatāne Heads are considered to be of regional significance. It is therefore appropriate that particular regard is had to avoiding, remedying or mitigating potential adverse effects on regionally significant surf breaks and their swell corridors.

Table reference: Objectives 2 and 4, Methods 3, 69 and 71

Policy CE 9B: Safeguarding the life-supporting capacity of coastal ecosystems

Safeguard the life-supporting capacity of coastal and marine ecosystems by maintaining or enhancing:

- (a) Any area within the inter-tidal or sub-tidal zone that contains unique, rare, distinctive or representative marine and avian species or habitats;
- (b) Areas used by marine mammals as breeding, feeding or haul-out sites;
- (c) Habitats in the coastal environment that are important during the vulnerable life stages of indigenous species or any life stage of species listed as threatened or at risk by the Department of Conservation;
- (d) Any areas that contain indigenous coastal ecosystems and habitats that are particularly vulnerable to modification – such as estuaries, lagoons, coastal wetlands, dunelands, rocky reef systems and salt marshes;
- (e) The integrity, functioning and resilience of physical and ecological processes; and
- (f) Promoting water quality in the coastal marine area that sustains healthy aquatic ecosystems.



Explanation

Many threats to the life-supporting capacity of coastal ecosystems result from the cumulative impacts of land use activities which cause increased, sedimentation and nutrient loading into receiving coastal water bodies including harbours and estuaries. Adverse effects include degrading water and habitat quality for aquatic life, altering species composition, detrimental effects on the life supporting capacity of marine ecosystems and the ability of the ecosystem to adapt to pressures (including the likely pressures from climate change).

This policy describes habitats that are particularly sensitive to development pressures. Because some of these areas straddle the land and water interface, they will need to be controlled through both regional and district plans.

Monitoring of the harbour provides information on what normal ecosystem processes would look like, thus allowing for action to address any adverse effects.

Table reference: Objective 2, Methods 3, 34, 37, 49, 53, 55, 59, 60, 62, 65, 71 and 72

Policy CE 10B: Managing adverse effects of land-based activities in the coastal environment on marine water quality

Manage adverse effects, including cumulative effects, from land based activities in the coastal environment on marine water quality by:

- (a) Requiring that subdivision, use and development does not result in a significant contribution to sedimentation in the coastal marine area or other water bodies within the coastal environment;
- (b) Minimising the creation of impervious surface areas;
- (c) Minimising contaminants in stormwater that discharges into water or on to land that may enter water, including discharges to existing and new stormwater infrastructure;
- (d) Minimising the risk of releasing contaminants and avoiding releasing discharges from contaminated land;
- (e) Adopting water-sensitive design and management principles;
- (f) Adopting on-site management techniques that will improve the quality of stormwater and/or wastewater prior to discharge;
- (g) Establishing, replacing, retaining and/or enhancing riparian and catchment vegetation for the purpose of promoting setbacks and ecological buffer areas around wetland areas; and
- (h) Assessing treatment alternatives for discharges and adopting the best practicable option for treatment.

Explanation

A high standard of water quality is essential to maintain the health of ecosystems in the coastal marine area. This policy means that discharges, after reasonable mixing, cannot cause water quality to be unsuitable for sustaining healthy, functioning ecosystems and relates to point and non-point source discharges originating both within and outside of the coastal environment. Most contaminants and sediments that arrive in the coastal marine area are carried by rivers, streams and stormwater drains.

Contaminants in this policy are substances that are capable of causing ill health, injury or death to any living organism – such as heavy metals, hydrocarbons, pesticides and other chemicals including anti-fouling compounds. Carried in stormwater, contaminants can bind with sediment and accumulate where the sediment settles, on the seabed or the bed of a freshwater body, particularly in low energy aquatic receiving environments.

Table reference: Objective 2, Methods 3, 34, 35, 37, 53, 61, 63, 68 and 72



Policy CE 11B: Allocating public space within the coastal marine area

For allocation of space within the coastal marine area activities shall demonstrate:

- (a) A functional or positional need to be located in, or adjacent to, the coastal marine area;
- (b) Efficient use of the natural resources within the coastal marine area; and

In addition to policies MN 2B, MN 3B, MN 5B, MN 6B and MN 8B consideration shall also be given to the effect of the activity in relation to:

- (c) Whether any benefit to the public of the proposed activity compensates for the loss of public open space; Multiple use of space and/or rationalisation of infrastructure;
- (d) Recreational use of the coastal marine area;
- (e) Ecological functioning and natural processes of the coastal marine area;
- (f) Compatibility with the natural features and landscapes, natural character and amenity values of the coastal environment;
- (g) Respect for Māori customary practices; and
- (h) Existing uses and constraints in the coastal marine area.

Explanation

The coastal marine area (and large parts of land adjacent to the high tide mark) is recognised as generally being public space managed by the Crown. The interest of the public must be properly considered when any activity located in or adjacent to the coastal marine area is being considered. Policy CE 11B recognises that opportunities for use and development on Crown-managed coastal land and water space are limited and that there is potential for conflict between different activities in and adjacent to the coastal marine area. Coastal space needs to be managed so that conflicts are avoided, amenity values are maintained and enhanced, and safety and navigation requirements are met. Policy CE 11B sets a basis for the equitable allocation and efficient use of coastal marine space.

This policy also addresses efficient use of the coastal marine area by discouraging unnecessary occupation and encouraging multiple use and rationalisation of space, to minimise the total amount of public space occupied in the coastal marine area.

Full consideration of the public interest when allocating space within the coastal marine area would include setting charges for the use of public space as the absence of a fair market rental provides incentive to locate built development in the coastal marine area and on reclamations of public foreshore and seabed.

Table reference: Objective 2, 3 and 4, Methods 3, 69 and 71
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Policy CE 12B: Avoiding inappropriate hazard mitigation in the coastal environment

Avoid inappropriate hazard mitigation in the coastal environment with particular regard given to:

- (a) The environmental and social costs and benefits of a range of long term sustainable coastal hazard risk reduction options over a 100 year time frame, including natural defences and relocation or removal of development or structures at risk. This analysis shall include an assessment of residual risk remaining after the options are implemented;
- (b) Whether hard protection structures are the only practical means to protect infrastructure of national or regional importance;
- (c) Whether other long term risk reduction methods, including non-structural or soft engineering solutions, are more appropriate options;
- (d) The cumulative effects of isolated hard protection structures; and



- (e) Whether the hard protection structures would adversely affect or facilitate public access to and along the coastal marine area.

Explanation

For parts of the region's developed coastlines, there may be public demand for coastal protection measures to 'hold the line' and protect regionally or nationally significant infrastructure or utilities. A range of coastal protection measures are currently in place. Hard protection measures are often sought but are not always the most effective or sustainable option in the long term and can lead to a false sense of future security and encourage further development behind the structures.

Policy CE 12B recognises that it may be necessary in some circumstances to undertake structural hazard mitigation works, however hard protection structures have the potential to exacerbate the natural hazard risk and can have adverse effects including effects on natural character, amenity and public access to and along the coastal marine area. The policy requires that long-term costs and benefits are taken into account in decision making. Policy CE 12B must be read in conjunction with other RPS provisions and the New Zealand Coastal Policy Statement 2010 – in particular NZCPS Objective 5 and Policies 25, 26 and 27.

Table reference: Objective 2, Method 3

Policy CE 13B: Enabling sustainable aquaculture

Enable aquaculture activities in appropriate locations in the coastal environment taking into account:

- (a) Existing uses and values within the coastal marine area;
- (b) Compatibility with zones identified within the relevant regional plan;
- (c) Potential for significant social, cultural and/or economic benefits to communities within the region;
- (d) Land based facilities and infrastructure associated with the aquaculture activity;
- (e) Adverse effects on marine mammals and areas of significant landscape, heritage, cultural or ecological value identified within any relevant regional or district plan;
- (f) The quality of water required for the aquaculture activity and the effect of the activity on water quality; and
- (g) That harbours and estuaries are not generally considered to be appropriate locations.

Explanation

Policy CE 13B recognises the potential of the aquaculture industry to contribute to the regional economy, while also limiting the potential for conflicting uses of space and adverse effects on the values of the coastal environment.

Policy CE 13B identifies the region's harbours and estuaries as being generally inappropriate for commercial aquaculture. It is recognised that oyster farming has historically been located within Ōhiwa Harbour and this small scale activity holds resource consents to operate.

Table reference: Objective 4, Method 3

Policy CE 14B: Providing for ports

Recognise the national and regional significance of the Port of Tauranga and the need for it to be located within the coastal environment by:

- (a) Safeguarding the capacity and efficiency of:
 - (i) Current port operations
 - (ii) Activities that have a functional need to be located in and around the port;

- (iii) The strategic road, rail and sea routes to the port; and
- (b) Providing, as appropriate, in the regional coastal plan, for future port operations and capacity; and
- (c) Having regard to potential adverse effects on the environment, providing for the need to maintain shipping channels and to renew/replace structures as part of ongoing maintenance; and
- (d) Avoiding activities in areas that may compromise port operations.

Explanation

The region's ports, in particular the Port of Tauranga, are an existing and essential component of the region's transportation network. Policy CE 14B gives effect to Policy 9 of the New Zealand Coastal Policy Statement 2010.

Table reference: Objective 4, Method 3

Policy CE 15B: Recognising secondary ports

Recognise the local and regional significance of ports at Whakatāne and Ōpōtiki and take into account their social and economic benefits, including the need to maintain navigation channels.

Explanation

The region's secondary ports contribute to the wellbeing of their communities. Policy CE 15B requires recognition of their existing and potential benefits in decision-making.

Ōpōtiki and Whakatāne Ports are located in river estuaries and require ongoing dredging in order to maintain safe vessel access.

Table reference: Objective 4, Method 3

Energy and Infrastructure Policies

Policy EI 1B: Promoting the use and development of renewable energy sources

Actively promote and provide for the use and development of renewable energy sources by enabling:

- (a) The use of alternatives to fossil fuels;
- (b) The use of small scale and distributed electricity generation;
- (c) The use and development of renewable energy sources for electricity generation purposes; and
- (d) The transmission of electricity generated from renewable energy sources from its point of generation to the point of demand.

Explanation

The New Zealand Energy Strategy 2011 has set a target that 90 percent of electricity generation will be from renewable sources by 2025. Using more renewable resources to meet energy demand will reduce dependence on fossil fuels which are a finite resource and reduce carbon dioxide emissions, which contribute to global warming and climate change effects. These approaches are also consistent with the National Policy Statement on Renewable Electricity Generation, 2011.

Renewable energy research and new technologies are advancing quickly and the Statement needs to actively encourage a move to these renewable sources, including methods such as the use of bio-energy from forestry, energy crops, animal and food processing residues and municipal organic waste, small scale renewable energy, such as solar generation for water and space heating, and wind turbines for in-site and domestic use. Micro-hydro power generation may also be feasible in some parts of the region in the future.



This could further support the concept of distributed generation which involves generating electricity from small-scale power generation systems which is used on-site or nearby. There is also a need to consider and enable larger scale renewable electricity generation facilities where they can be developed in accordance with the purpose of the Act.

Table reference: Objective 5, Method 3

Policy EI 2B: Promoting energy efficiency and conservation

Actively promote in planning and design:

- (a) Energy efficiency and conservation measures when carrying out additions and alterations to existing buildings; and
- (b) The conservation and efficient use of energy when considering urban land development, building design, site layout and in domestic, residential, commercial, transport and industrial development.

Explanation

Design, orientation and layout can have a significant impact on the energy efficiency and energy conservation of buildings and development. Improved energy efficiency can be achieved by:

- (a) Implementing high quality urban design principles (Appendix B) that will enable everyday services (shops, work and community activities) to be accessed by walking and cycling;
- (b) Enabling easy access to a range of public transport services;
- (c) Promoting and enabling the use of the sun as a source of electricity and heating;
- (d) Incorporating renewable energy generation facilities (solar panels and domestic scale wind turbines, geothermal heat exchangers); and
- (e) Promoting the use of modern and efficient heating systems and renewable cleaner fuels across all sectors.

Small scale renewable energy generation includes solar generation for water heating and wind turbines for on-site or domestic use.

Energy efficient alteration includes alterations of buildings for solar water heating systems or domestic scale wind turbines or micro-hydro power generation (for use on a localised scale).

District and city councils may look at making processes easier and reduce the cost of installing solar panels and other small scale renewable energy generation for homeowners and small businesses.

Table reference: Objective 5, Methods 3 and 4

Policy EI 3B: Protecting nationally and regionally significant infrastructure

Protect the ability to develop, maintain, operate and upgrade existing, consented and designated nationally and regionally significant infrastructure from incompatible subdivision, use or development. Ensure that where potentially incompatible subdivision, use or development is proposed near regionally significant infrastructure, it should be designed and located to avoid potential reverse sensitivity effects.

Explanation

Policy EI 3B addresses incompatible subdivision, use or development that is under, over or adjacent to nationally and regionally significant infrastructure. Incompatible land uses or activities are those that adversely affect the efficient operation of infrastructure or restrict its ability to be maintained or upgraded. It may also include new land uses that are sensitive to activities associated with infrastructure.

Protecting regionally significant infrastructure does not mean that all land uses or activities under, over, or adjacent are prevented.

Outstanding landscapes and significant environments are still required to be sufficiently recognised and protected. Activities provided for in a district or regional plan need to ensure they are compatible with the efficient operation and maintenance of regionally significant infrastructure and any effects that may be associated with that infrastructure.

The National Policy Statement on Electricity Transmission requires that the operation, maintenance, upgrading and development of the National Grid is not compromised. Some activities will need to be managed to achieve this. Further, city and district councils shall consult with the national grid operator to identify appropriate buffer corridors where sensitive activities will generally be avoided. Sensitive activities (as indicated by the National Policy Statement on Electricity Transmission) are educational facilities, residential buildings (including rest homes) and hospitals.

Table reference: Objective 6, Methods 3, 4, 10, 17, 18 and 51

Policy EI 4B: Recognising the benefits from nationally and regionally significant infrastructure and the use and development of renewable energy

Recognise and provide for the social, economic, cultural and environmental benefits of:

- (a) Nationally and regionally significant infrastructure, including:
 - (i) The ability for people and goods to travel to, from and around the region efficiently;
 - (ii) Maintaining public health and safety through the provision of essential services, supply of potable water and the collection and transfer of sewage;
 - (iii) Maintaining access to energy so people can meet their energy needs;
 - (iv) Maintaining access to telecommunication services so people can meet their communication needs; and
 - (v) Maintaining reliable and resilient infrastructure for major industrial users and rural production activities to meet their needs to function effectively and efficiently.
- (b) Energy generated from renewable energy resources including:
 - (i) Maintaining security of supply and diversifying energy sources;
 - (ii) Reducing dependency on external energy sources;
 - (iii) Reducing greenhouse gas emissions; and
 - (iv) Reducing dependency on non-renewable energy sources.

Explanation

Regionally significant infrastructure is an important physical resource that enables people and communities to provide for their social, economic and cultural well-being, and their health and safety.

Section 7(j) requires persons exercising functions and powers under the Act to have particular regard to the benefits to be derived from the use and development of renewable energy. Policy EI 4B provides support for national and regional plans and strategies that recognise and provide for the social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy, including national policy statements, national and regional energy and economic strategies.

Table reference: Objective 6, Methods 3, 10, 17, 18 and 51



Policy EI 5B: Managing adverse effects of regionally significant infrastructure on matters of national importance

- (a) Give priority to ensuring development and/or upgrades to regionally significant infrastructure avoid adverse effects on natural and physical resources identified in Policy MN 1B as matters of national importance.
- (b) Where adverse effects on natural and physical resources identified in Policy MN 1B cannot practicably be avoided then these effects are to be appropriately remedied or mitigated, including through the use of environmental offsets.

Explanation

The development, maintenance and upgrades to regionally significant infrastructure can produce adverse effects and create management challenges for utility providers and infrastructure managers. This policy seeks to ensure priority is placed on protecting the values of those natural and physical resources identified as warranting recognition and provision for as matters of national importance from adverse effects generated by new or upgrading of regionally significant infrastructure.

However, in some circumstances avoidance of adverse effects may not be practicable and it may be appropriate for the new or upgraded regionally significant infrastructure to occur in areas where these values could be compromised. Where adverse effects on matters of national importance identified in Policy MN 1B cannot be avoided due to locational, functional, operational or technical constraints, then those effects should be remedied or mitigated. This may include the use of environmental offset measures. These decisions need to be made on a case-by-case basis and will depend on the scale and significance of a particular proposal.

Table reference: Objective 6, Method 3

Policy EI 6B: On-going generation of electricity from existing power generation schemes

Provide for the on-going generation of electricity from existing power generation schemes using renewable energy sources by having particular regard to:

- (a) Maintaining the output from existing electricity generation schemes using renewable energy sources; and
- (b) Enabling the maintenance and upgrading of existing electricity generation schemes using renewable energy sources.

Explanation

Maintaining the output from existing electricity generation schemes is essential for ensuring that people, communities and industry are able to provide for their social, economic and cultural well-being and health and safety. Providing for the on-going generation of electricity is essential, as even minor reductions in the output of existing renewable electricity generation can cumulatively have significant adverse effects on national, regional and local output. This policy achieves the purpose of the Act and gives effect to the National Policy Statement for Renewable Electricity Generation 2011.

Table reference: Objective 6, Method 3

Policy EI 7B: Managing the effects of infrastructure development and use

Manage the development and use of infrastructure and associated resources so as to address actual or potential effects on existing lawfully established activities in the vicinity.



Explanation

The planning, development and operation of infrastructure and any associated resources need to be carefully managed to ensure that potential adverse effects (including reverse sensitivity effects) are appropriately avoided, remedied or mitigated.

Table reference: Objective 7, Methods 3 and 17

Geothermal Resources Policies

Policy GR 1A: Requiring classification of geothermal systems

Provide for the sustainable management of the regional geothermal resource by requiring classification of geothermal systems into differing management groups, as follows:

- (a) Classify geothermal systems into management groups according to the following characteristics:
 - (i) system temperature, which determines whether a system is classified as high temperature (Groups 1 – 4) or low temperature (Group 5), then;
 - (ii) existing use, which determines whether a system is classified as Group 2 (Rotorua) due to large scale existing land development on the system, or Group 4 (development) due to significant existing extractive use of the system, then;
 - (iii) the presence of SGFs, which is determined by applying Method 22 and then;
 - (iv) the vulnerability of SGFs, if present, to extractive use; which determines whether a system is classified as:
 - 1 Group 1 (Protected) or Group 2 (Rotorua) due to the presence of numerous SGFs, or SGFs with high to moderate vulnerability to extractive use; or
 - 2 Group 3 (Conditional Development) due to the presence of some SGFs with moderate vulnerability to extractive use; or
 - 3 Group 4 (Development) due to the presence of no SGFs or few SGFs with moderate to low vulnerability to extractive use.
 - (v) Group 6 refer to Policy GR 12B.
- (b) Regional plans shall classify geothermal systems as follows:
 - (i) Groups 1, 2, 4 and 5 classification is as specified in Table 12;
 - (ii) Groups 3 and 6 classification is via the Regional Plan. Where information that supports a change is provided, classification may be changed through a regional plan change process, and would result in Table 12 being updated.

Explanation

This policy sets out the process for assigning geothermal systems into different management groups, depending on their biophysical characteristics and taking into account significant existing use. This provides for sustainable management of the Regional Geothermal Resource through the use of multiple management purposes. These range from protection of some geothermal systems, through to large-scale use of the geothermal resource.

A summary as to how Policy GR 1A has been applied to each management system is set out in Table 12. Groups for which no change from their present purpose is anticipated (those in Management Groups 1, 2, 4 and 5) are formally identified in the regional policy statement. Those for which a change in classification may occur are noted for information in the policy statement. The mechanism to change their status is through the regional plan.

Table reference: Objective 8, Method 2

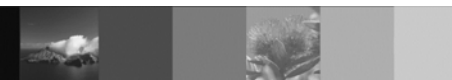


Table 12 Geothermal management group descriptions and management groups 1-6.

Table 12: Geothermal management group descriptions and management groups 1-6							
Geothermal management group	Temp	Existing use	Presence of significant geothermal features (SGFs)	Significant geothermal feature vulnerability to extractive use	Management purpose	Potential for extractive use	Geothermal systems
Protected systems group 1	> 70 °C	No existing extractive use	Numerous SGFs, some with outstanding characteristics	High to moderate	Surface feature values override extractive values. Protection of the SGFs, which have outstanding natural, intrinsic, scenic, cultural, heritage and ecological values.	No potential for extractive use.	Waimangu – Rotomāhana Tarawera Whakaari (White Island) Moutohora Island (Whale Island)
Rotorua system group 2	> 70 °C	High levels of existing use. Extractive and non-extractive	Numerous SGFs, some with outstanding characteristics	High to moderate	Surface feature values that rely on pressure and temperature maintenance override extractive values. System management that limits extractive uses to avoid, remedy or mitigate adverse effects on the outstanding natural, intrinsic, scenic, cultural, heritage and ecological values.	Limited potential for further extractive use.	Rotorua
Conditional development systems group 3	> 70 °C	Varying levels of existing use. Mainly non-extractive	Some SGFs	Moderate	The values of SGFs have priority over extractive values. System management will provide for use and development, contingent upon the ability to avoid, remedy or mitigate significant adverse effects of development on the SGFs present in those systems.	Potential for development of extractive use (heat or fluid).	Tikitere-Ruahine Rotokawa-Mokoia Island Rotoma-Tikorangi Taheke
Development systems group 4	> 70 °C	Varying levels of existing extractive use	Few or no SGFs	Moderate to low	System management that provides for extractive use, provided significant adverse effects on SGFs are remedied or mitigated.	Potential for development of extractive use (heat or fluid)	Kawerau Lake Rotoiti (outflow is in the bed of the lake) Rotoma-Puhi Puhi

Table 12: Geothermal management group descriptions and management groups 1-6

Low-temperature systems group 5	>30 °C < 70 °C	Varying levels of existing extractive use	Few or no SGFs.	N/A	System management that provides for extractive use, where the adverse effects of the activity can be avoided remedied or mitigated. Discharge of geothermal fluid must be managed to avoid significant adverse effects on surface water and stormwater.	Potential for development of extractive use (heat or fluid)	Mayor Island (Tuhua) Tauranga/Mount Maunganui (Mauao) Pāpāmoa/Maketū Awakeri Pukehīnau (Rangitaiki) Manaōhau (Galatea)
Research systems group 6	Unknown	No present use	Surface features not characterised	Vulnerability not characterised	Enable research into the characteristics of the system necessary to support their reclassification. Allow takes and discharges for investigation purposes only (including those having temporary effect on geothermal features, if it can be demonstrated that they will not permanently threaten SGFs or the natural characteristics of the system).	More information required before the system can be classified into groups 1-5.	



Policy GR 2A: Requiring integrated management of geothermal systems

Integrated management of geothermal systems by requiring that:

- (a) Development and use of land within geothermal systems is compatible with the management purpose for each system as specified in Table 12;
- (b) System management plans are used for any geothermal system classified for development; and
- (c) Geothermal water injection and reinjection is actively encouraged and provided for.

Explanation

This policy supports matching the degree of extractive use to the nature of the system; where those systems with many SGFs vulnerable to extractive use receive greater protection and less use than those that do not. It also requires that geothermal resource use is managed on a whole system basis, to ensure integrated management of the system which responds to changes caused by its use. Finally, the policy focus on returning water to its source reservoir is to minimise effects on freshwater and to limit other adverse effects of pressure drawdown including subsidence.

Table reference: Objective 8, Methods 2, 25 and 26

Policy GR 3A: Providing for the sustainable use of geothermal resources

Provide for the sustainable use of geothermal systems, by requiring that development and use within a geothermal system:

- (a) may occur only if:
 - (i) Such use is consistent with the management purposes for each system defined in the Bay of Plenty Regional Council geothermal system classification described in Table 12;
 - (ii) The system is operated under a system management plan covering the entire geothermal system where the cumulative abstractive development uses 1000 tonnes or more geothermal water per day; and
- (b) has regard to:
 - (i) System characteristics;
 - (ii) Adaptive management of the system, including appropriate staging of development;
 - (iii) Cultural, historical, and economic values associated with SGFs;
 - (iv) The allocation reasonably required for the intended use;
 - (v) Demonstrating efficiency of use of the geothermal energy and water resource;
 - (vi) Avoiding, remedying or mitigating significant adverse effects on the overlying existing built structures; and
 - (vii) Managing the take, use and discharge of energy and/or geothermal water to:
 - 1 avoid significant adverse effects on SGFs in group 1, 2 and 6 systems.
 - 2 avoid, remedy or mitigate significant adverse effects on SGFs in group 3 systems.
 - 3 remedy or mitigate significant adverse effects on SGFs in group 4 systems.

Explanation

Geothermal development in the form of extractive use of heat or water should be carried out only at a rate or level of extractive use that takes account of the other values of each geothermal system. These are defined in a broad sense through the classification of each geothermal system, and the management purposes of each group (which range from full protection of some systems to considerable extractive use in others). Policy GR 3A gives guidance on the considerations that must be made.

Where there are a large number of small users, the Regional Council will generally prepare the system management plan. Where there are a small number of large users, the Regional Council will generally require the users to prepare the system management plan.

If the system users develop the system management plan then it must be subject to regional council approval.

Table reference: Objective 8, Method 2

Policy GR 4A: Protecting and managing significant geothermal features

For significant geothermal features:

- (a) Ensure any new land uses and land use practices are compatible with the management purpose of the geothermal system classification;
- (b) Protect the natural and biodiversity values of SGFs in geothermal management groups 1 and 2 (see Table 12) from incompatible land uses; and
- (c) Recognise and provide for cultural, historical, and economic values associated with geothermal activity in Whakarewarewa and Ohinemutu areas where hazardous areas are subject to some land use.

Explanation

Policy GR 4A requires consideration of the impact of subdivision, use and development on SGFs and their ecosystems, particularly in the Rotorua geothermal system where urban development and geothermal features coexist in close proximity.

Table reference: Objective 9, Method 1

Policy GR 5B: Requiring information for use of the geothermal resource

Require, for the use of the geothermal resource:

- (a) Information commensurate with the scale of the activity. Information provided on small scale applications to be relative to the threats to features and other users from consumptive or non-consumptive use;
- (b) Key aspects of large scale applications to be independently peer reviewed for the regional council;
- (c) Resource users to identify which information lodged with council is commercially or culturally sensitive, such that its publication or communication should be prohibited or restricted; and
- (d) Comprehensive monitoring to detect significant adverse effects on SGFs.

Explanation

This policy is to clarify that to successfully manage sustainable multi-user allocation of the geothermal resource, significant information is required.

Table reference: Objective 8, Method 3

Policy GR 6B: Managing geothermal use, takes and discharges

For geothermal use, takes and discharges have particular regard to:

- (a) Allowing takes for scientific investigation or to remedy or mitigate existing adverse effects;



- (b) Providing for small takes, discharges, and non-extractive uses;
- (c) Allowing the continuation of existing consents, provided the exercise of such consents is not inconsistent with the relevant system management plan;
- (d) Ensuring provision is made on the expiry and non-renewal of consents for site remediation, abandonment of wells, removal of buildings and structures, including pipe work, associated with the development activity;
- (e) Applying conditions and, where appropriate, bonds that recognise the potential for the take, use, and discharge of geothermal energy and water to cause significant adverse effects on other natural and physical resources, including overlying structures (the built environment) for geothermal groups 2, 3, 4 and 6 (see Table 12);
- (f) Requiring the use of geothermal resources to be efficient in conserving geothermal energy and water and preferring the use of energy efficient and water efficient technologies over ad-hoc extraction for individual use, including for geothermal groups 2 and 5 (see Table 12);
- (g) The benefits to be derived from the productive use of geothermal energy or water; and
- (h) The benefits to be derived from the development of multiple owned Māori land, consistent with the management purpose of the geothermal system.

Explanation

Geothermal development in the form of extractive use of heat or water should be carried out only at a rate or level that takes account of the management purposes for that geothermal system. This policy provides more guidance on the considerations that need to be made when such use is proposed.

Table reference: Objective 8, Method 3

Policy GR 7B: Requiring integrated geothermal system management

Require integrated system management for significant geothermal system use through a single system management plan for the entire geothermal system, which must contain:

- (a) System management objective;
- (b) Operational flexibility and adaptive management parameters;
- (c) Modelled reservoir and subsidence predictions for geothermal systems where the cumulative take exceeds 6000T/day;
- (d) A discharge strategy;
- (e) Mechanisms to ensure co-operation between all consent holders for large takes within the same geothermal system and which enable utilisation of, and access to, the geothermal system by consent holders, while not precluding (without sound resource management justification) the utilisation of the system by a trade competitor or other potential user;
- (f) Buffer distances between the production and injection or reinjection wells of adjacent operators in the same geothermal system;
- (g) Mechanisms to remedy or mitigate significant adverse effects on SGFs, including remediation or mitigation of existing effects or protection from potential adverse effects, in any geothermal system;
- (h) Measures to ensure that where the system may be linked to another system, development does not cause effects that are inconsistent with the management purposes for that other system;
- (i) Research, monitoring and reporting of the system, its potentials, attributes and qualities and effects of exercising consents;
- (j) Non-statutory review for minor amendments;
- (k) Provisions for the use of peer review panels to assist the consent authority; and
- (l) Provisions for a system liaison group to facilitate discussion with, and feedback from, stakeholders.

Explanation

Allocation decisions must be made on the basis of using the resource at a sustainable rate by several users within the same system, and take account of potential effects on SGFs of the system. Assessing the likely capacity of a geothermal system is a very expensive process requiring both monitoring of the system and modelling its likely response. To allocate the resource to maximise its use requires a holistic understanding of the allocation parameters and impacts of all users, thus a system management plan that is common to the entire system is necessary.

Table reference: Objective 8, Method 3

Policy GR 8B: Requiring geothermal discharge to be in accordance with a discharge strategy

Require geothermal discharge, from takes that are subject to a resource consent, to be in accordance with a geothermal discharge strategy that addresses:

- (a) Disposal of geothermal water;
- (b) Return of geothermal water to the system;
- (c) Facilitation of further extraction of energy from the system;
- (d) Avoidance, remediation or mitigation of subsidence, particularly in the built environment;
- (e) Minimising the risk of hydrothermal eruptions especially in the built environment;
- (f) Remediation or mitigation of significant adverse effects on SGFs;
- (g) Avoidance, remediation or mitigation of contamination of surface or ground water; and
- (h) Investigation, research, monitoring and reporting on implementation of the discharge strategy.

Such discharge strategy shall also have regard to:

- (i) Likely benefits to, or significant adverse effects on, the system or its productive capacity;
- (j) The need for adaptive management and flexibility over time; and
- (k) Benefits, costs and significant adverse effects of the discharge strategy.

Explanation

Discharge of geothermal water can be hazardous if done without consideration for the effects of the discharge. Adding geothermal water to fresh water, cooling the system and creating hydrothermal eruptions are some of the issues. This policy requires that discharge is done in a way that minimises adverse impacts and to make the most use of the energy extracted from the resource.

Table reference: Objective 8, Method 3

Policy GR 9B: Assessing and managing effects on significant geothermal features

- (a) Assess geothermal features to determine which are significant, using Appendix F Set 7 “Geothermal features”.

Note: “Geothermal features” includes vegetation, habitats and fauna.

- (b) Manage effects on SGFs in accordance with the management purpose of the geothermal group in which they are classified, shown in Table 12, as follows:



- (i) Protect SGFs, by protecting natural flows of geothermal water to the surface from deep within the system, and by requiring maintenance of the conditions that maintain system pressure and temperature within group 1 and 2 systems (see Table 12) as required to support those features.
 - (ii) Avoid, remedy or mitigate significant adverse effects on SGFs in group 3 systems.
 - (iii) Remedy or mitigate significant adverse effects on SGFs in group 4 systems.
 - (iv) Provide for new takes and discharges in group 1 or group 6 systems, only for scientific investigation or to remedy or mitigate existing adverse effects.
- (c) In circumstances where mitigation is required under Policy GR 9B(b), it should be proportionate to the nature and scale of adverse effects.
- (d) Mitigation of adverse effects on SGFs or geothermal resources can occur within the wider Taupō Volcanic Zone rather than being restricted to the Bay of Plenty region.

Explanation

Identification and assessment of the significance of geothermal features is required to ensure that the more significant features are protected through regional and district plan provisions.

Although a large number of geothermal features (1840) have been identified within the region, they have not been classified in a way that takes account of their status as taonga, customary activity, outstanding natural feature or their significance as indigenous vegetation or habitat.

The Rotorua geothermal system was over-extracted in the 1970s-90s to the detriment of the geysers and springs. This policy intends that the system temperature and pressure will be maintained or restored to avoid this happening again.

Table reference: Objective 8, Methods 2, 3 and 22

Policy GR 10B: Using geothermal resources and non-geothermal water

Require conditions that address the potential adverse effects of adjacent activities that could affect SGFs or landscapes, for activities using geothermal resources and non-geothermal water.

Explanation

Geothermal features are rare, fragile and have rare ecosystems that are especially adapted for hot ground. Residential, commercial or even public park development can regard these features as messy and unattractive. People “tidy” them or replace the vegetation with more appealing plants. This policy is to alert developers to the special values of these features. Non geothermal (groundwater) extraction can also change the water balance that contributes to the presence of geothermal features.

Table reference: Objective 9, Method 3

Policy GR 11B: Requiring information for activities over or adjacent to geothermal resources

Require information on geothermal hazard risk and conditions that assess and address that risk for activities over or adjacent to geothermal resources.

Explanation

Geothermal systems pose risks to land use development due to the possibilities for subsidence, poisonous gas, superheated steam, hot ground and hot water. Activities close to geothermal features need to assess and address these risks.



Table reference: Objectives 9 and 8, Method 3

Policy GR 12B: Protecting research systems

Protect the geothermal characteristics of research systems from long term adverse effects by maintaining the natural stocks and flows of geothermal energy and water, including the flow of deep geothermal water to the surface, until they are reclassified.

Explanation

Classification as a research system is intended to be temporary, pending reclassification. Until enough is known to reclassify these systems, it is appropriate to adopt a precautionary approach and protect the geothermal characteristics. Reclassification will only occur when sufficient information about the system is obtained so that it can be reallocated to an appropriate management group.

Table reference: Objectives 9 and 8, Method 3

Integrated Resource Management Policies

Policy IR 1B: Applying a precautionary approach to managing natural and physical resources

Apply a precautionary approach to the management of natural and physical resources, where there is scientific uncertainty and a threat of serious or irreversible adverse effects on the resource and the built environment.

Explanation

There is a lack of complete information and understanding about some natural and physical resources, and their use and development. A precautionary approach requires that any adverse effects can be identified and understood and any activity is carried out at a level or rate that adequately considers the risk of operating with imperfect information. Where appropriate, the precautionary approach may include an adaptive management approach.

Councils are expected to apply the precautionary approach as appropriate when considering resource consents and developing district and regional plans. Where a precautionary approach is needed, such activities will be considered as part of the planning and resource consent process.

Table reference: Objectives 11 and 10, Methods 3 and 10

Policy IR 2B: Having regard to the likely effects of climate change

Recognise and provide for the predicted effects of climate change having particular regard to:

- (a) Predicted increase in rainfall intensity, taking account of the most recent national guidance and assuming a minimum increase in the annual mean temperature of 2°C by 2090 (relative to 1990 levels); and
- (b) Predicted increase in sea level, taking into account the most recent national guidance and the minimum sea-level rise projections in Policy NH 11B.

Explanation

Known risks associated with climate change are to be considered in association with the planning of subdivision, use and development. Climate change effects should be considered in association with resource consents and plan change processes. Adaptation and forward planning is necessary to mitigate or avoid risks associated with climate change.



National guidance figures in Policy IR 2B are from the Ministry for the Environment guidance manual on climate change, 'Preparing for Climate Change - a guide for local government in New Zealand (2008)', from available data at the time. The 2°C increase in annual mean temperature is a mid-level projection of future temperature changes and may be refined in future.

Table reference: Objective 11, Method 3

Policy IR 3B: Adopting an integrated approach

Adopt an integrated approach to resource management that:

- (a) Recognises the interconnected nature of natural and physical resources, including as they adjust to changes;
- (b) Recognises the multiple values of natural and physical resources;
- (c) Responds to the nature and values of the resource and the diversity of effects (including cumulative and reverse sensitivity effects) that can occur;
- (d) Seeks to maximise benefits by considering opportunities to align interventions (including regulatory and non-regulatory) and/or to achieve multiple objectives;
- (e) Encourages developments, activities or land-use changes to:
 - 1 Provide for the relationship between land use and water quality and quantity
 - 2 Recognise the advantages and constraints of land use capability;
 - 3 Provide for infrastructure and;
 - 4 Benefit the economic wellbeing of communities.
- (f) Takes a long term strategic approach which recognises the changing environment and changing resource use pressures and trends;
- (g) Applies consistent and best practice standards and processes to decision making; and
- (h) Recognises different community values and social needs;

and regards these as positive effects.

Explanation

Integrated resource management requires a holistic view that looks beyond organisational, spatial or administrative boundaries. For integrated management to be effective and efficient it requires a coherent and consistent approach and that agencies or organisations involved in resource management work together in a collaborative manner. This is because there is overlap in the functions of local authorities and also resources and issues that cross jurisdictional boundaries.

Sustainable land management requires integrating the development and use of the land with the attributes of its wider environment: the availability of water and its capacity to receive contaminants without adverse effects, the ability of the land to retain its physical qualities while supporting the use, and recognition of and provision for the wider environment within which the activity occurs.

*Table reference: Objectives 10, 11 and 14, Methods 3, 9, 11, 41, 47 and 70**

Policy IR 4B: Using consultation in the identification and resolution of resource management issues

Encourage the timely exchange, consideration of, and response to, relevant information by all parties with an interest in the resolution of a resource management issue by:

- (a) Consulting as widely as practicable in the preparation, implementation and review of policy statements and plans;



- (b) Consulting all potentially affected parties and interest groups in the planning, implementation and review of councils' own operational activities in relation to the use, development and protection of natural and physical resources; and
- (c) Encouraging all parties undertaking resource use, development and protection activities to consult with others who may be affected.

Explanation

Consultation is the process by which those contemplating undertaking an activity, or implementing a management regime, exchange information about the proposal and its effects with those who may be affected. An outcome of consultation is that decision-makers are able to consider all relevant factors in coming to a resource management decision. While those participating in consultation must allow other parties sufficient time to respond, they are also obliged to avoid unreasonable delay. Timely and effective consultation leads to better decisions and can result in overall efficiencies for participants.

Consultation involves a genuine invitation to give advice and a genuine consideration of that advice. Sufficient information and time should be provided for the consulted party to be adequately informed, to appraise the information and make useful responses. The party obliged to consult should keep its mind open, being ready to change.

Table reference: Objectives 12, 13 and 14, Methods 3, 40, 41, 42 and 44

Policy IR 5B: Assessing cumulative effects

Give regard to the cumulative effects of a proposed activity in contributing to:

- (a) Incremental degradation of values of sites identified as having high natural character (in accordance with Policies CE 2B and CE 8B);
- (b) Incremental degradation of matters of significance to Māori including cultural effects (in accordance with Policy IW 5B);
- (c) Incremental degradation of water quality from point source and non-point source discharges including urban stormwater;
- (d) Inefficient use of space associated with sprawling or sporadic new subdivision, use or development;
- (e) Incremental degradation of scenic values, amenity, open space, recreation and the general use and enjoyment by the public;
- (f) Adverse impacts on coastal processes, resource or values, biodiversity and ecological functioning;
- (g) The availability of freshwater resources;
- (h) Increased risk from natural hazards;
- (i) The loss of versatile land for rural production activities;
- (j) Effects on the function, efficiency and safety of infrastructure; and
- (k) Social and economic wellbeing.

Explanation

Policy IR 5B recognises that it is often the cumulative effects of a variety of processes and activities (both natural and human induced) that have significant impacts on a range of regionally significant resource management issues. For example, impacts on the natural character of the coastal environment, wetlands, lakes and rivers and their margins. Also, the effects of urbanisation outside urban limits or zones can adversely impact on the ability to undertake rural production activities which should be a predominant land use in rural areas. In the case of natural character, cumulative effects should be considered when making decisions on any activity in the coastal environment, wetlands, lakes and rivers and their margins to ensure that natural character, open space and amenity values are not incrementally degraded. This will allow opportunities for restoration to be considered in places which, although compromised, are not considered to be degraded beyond repair.



Table reference: Objectives 10 and 11, Methods 3 and 10

Policy IR 6B: Promoting consistent and integrated management across jurisdictional boundaries

Provide for the integrated management of the region's natural and physical resources, particularly geothermal systems, infrastructure, catchments at risk and the coastal environment, across agencies and jurisdictional boundaries by:

- (a) Recognising the extent of the coastal environment and managing it on an integrated basis by using consistent provisions across the mean high water springs boundary;
- (b) Liaising with agencies and organisations with resource management responsibilities in the coastal environment;
- (c) Recognising the extent of catchments at risk and geothermal systems and integrating their management using consistent approaches across regional boundaries;
- (d) Encouraging a consistent approach to managing physical resources and infrastructure across territorial authority boundaries; and
- (e) Co-ordinating consultation, research, restoration, management and monitoring activities.

Explanation

The regional council has the roles and functions of both a territorial local authority and a regional local authority in the marine part of the coastal environment. Above mean high water springs, district and regional councils have separate functions, however many activities such as coastal access, subdivision, and reclamation have effects on both sides of this zone. Regional and local authorities should take a common approach to the management of the coastal environment. Integrating management between the "wet" part of the coastal marine area and the "dry" part within the various plans and policies of the regional and district councils will reduce the unintended consequences of different provisions applying to the same places. Collaboration and information sharing between agencies with different responsibilities in the coastal environment such as fisheries and conservation should be encouraged to promote integrated and efficient resource management.

A similar approach is required for geothermal systems and catchments at risk. The region's boundary with the Waikato region does not align with catchment boundaries. For example approximately 1,400 ha of land within the surface catchment of Lake Rotorua lie within the Waikato region.

If an integrated "whole of catchment" approach to the management of Lake Rotorua is to be adopted, those parts of the lake's catchment which lie within the Waikato region need to be subject to the same regional planning provisions as those within the Bay of Plenty region.

Table reference: Objectives 10 and 14, Methods 3, 9, 11, 41, 42, 51 and 70

Policy IR 7C: Allocating responsibilities for land-use controls for hazardous substances

Local Authorities shall specify objectives, policies and methods (including rules) for the control of the use of land for the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances as follows:

- (a) In the Bay of Plenty region except land in the coastal marine area: city and district councils; and
- (b) In the coastal marine area: Bay of Plenty Regional Council.

Explanation

In accordance with section 62 of the Act, Policy IR 7C sets out the local authorities responsible for specifying the objectives, policies, methods (including rules) and conditions of resource consent, for the control of the use of land for the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances.

Under this allocation of responsibilities, rules to restrict the use of land in relation to hazardous substance use, storage or disposal can only be adopted in district plans. Rules to restrict hazardous substance use, storage, disposal or transportation in the coastal marine area can only be adopted in regional plans.

This policy applies only to land-use controls. Controls on the actual storage and use of hazardous substances are imposed by the Environmental Risk Management Agency. Controls on discharges of hazardous substances to the environment – as with controls on discharges of any contaminant to the environment – are imposed in the Act in regional plans and in resource consents.

Table reference: Objectives 10, 11 and 14, Method 3

Policy IR 8C: Allocating responsibilities for land-use controls for indigenous biodiversity

Local authorities shall specify objectives, policies and methods (including rules), for the control of the use of land to maintain indigenous biodiversity as follows:

- (a) The Bay of Plenty Regional Council shall be responsible for specifying objectives, policies, and methods in the Regional Policy Statement;
- (b) City and district councils shall be responsible for specifying in their district plans objectives, policies, and methods (including rules) for the control of the use of land, excluding land within the coastal marine area, to maintain indigenous biodiversity; and
- (c) The Bay of Plenty Regional Council shall be responsible for specifying in regional plans objectives, policies and methods (including rules) for the control of the use of land within the coastal marine area and freshwater bodies to maintain indigenous biodiversity.

Explanation

In accordance with section 62 of the Act, Policy IR 8C sets out the local authorities in the Bay of Plenty region responsible for specifying the objectives, policies and rules, including conditions of resource consent, for the control of the use of land to maintain indigenous biological diversity.

City and district councils have primary responsibility for the control of the use of land to maintain indigenous biological diversity (other than in the coastal marine area).

The Bay of Plenty Regional Council has the primary responsibility for the control of the use of land to maintain indigenous biological diversity in the coastal marine area and freshwater bodies.

Table reference: Objectives 11 and 20, Methods 1, 2 and 3

Policy IR 9B: Taking an integrated approach towards biosecurity

Adopt an integrated approach towards the management of biosecurity issues and implementation of plans to control biodiversity and biosecurity risks.

Explanation

The risk of biosecurity incursions presents a threat to the rural production sector, the regional economy and the region's biodiversity. This policy enables the prevention of new pest incursions and responses to such pest incursions, should they arise.



Table reference: **Objectives 11, 20, and 26, Method 3**

Iwi Resource Management Policies

Policy IW 1B: Enabling development of multiple-owned Māori land

Provide for the development of multiple-owned Māori land³ in a manner which:

- (a) Enables sustainable development⁴ consistent with Part 2 of the Act;
- (b) Enables Māori to develop papakāinga, marae and associated community facilities or housing and, where necessary, shall actively protect these and associated customary activities from the adverse effects of subdivision, use and development, in the vicinity of a marae;
- (c) Enables Maori to develop multiply owned Maori land and resources to provide social and economic benefits;
- (d) Enables Māori to develop geothermal resources for economic and social benefits in a manner consistent with the classification and management purpose of the geothermal resource; and
- (e) In the western Bay of Plenty sub-region only, protects, to the extent practicable, views from:
 - (i) Marae to landscape features of significance to the hapū and iwi associated with that marae; and
 - (ii) Culturally significant features where part of the significance is the view.

Explanation

Multiple-owned Māori land is more difficult to develop than land in general title. Local authorities are well placed to help hapū, trusts, Māori organisations and iwi to plan for the development of their land. Māori housing and associated activities around rural marae have been in existence for many decades. The continuation and expansion of papakāinga and other marae based activities, subject to structure planning and relevant statutory process, is appropriate for giving effect to Part 2 requirements of the Act and recognising the statutory provisions in Te Ture Whenua Māori Act 1993.

Māori also seek opportunities to develop geothermal resources including for electricity generation. This potential for electricity generation provides an opportunity for Māori land holding entities to develop multiple owned Māori land and generate social and economic benefits, as well as providing for the relationship of the Maori with their ancestral lands and resources.

Table reference: **Objectives 16, 13 and 21, Methods 3 and 57**

Policy IW 2B: Recognising matters of significance to Māori

Proposals which may affect the relationship of Māori and their culture and traditions must:

- (a) Recognise and provide for:
 - (i) Traditional Māori uses and practices relating to natural and physical resources such as mahinga mātaītai, waahi tapu, papakāinga and taonga raranga;
 - (ii) The role of tangata whenua as kaitiaki of the mauri of their resources;
 - (iii) The mana whenua relationship of tangata whenua with, and their role as kaitiaki of, the mauri of natural resources;
 - (iv) Sites of cultural significance identified in iwi and hapū resource management plans; and

³ I.e., land in multiple ownership under Te Ture Whenua Māori Land Act 1993.

⁴ In this context, "sustainable development" means development that achieves the purpose and principles of the Act.

- (b) Recognise that only tangata whenua can identify and evidentially substantiate their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

Explanation

All persons exercising functions and powers under the Act are required to recognise and provide for the relationship of Māori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu, and other taonga as a matter of national importance. Pūkenga, experts recognised by iwi and hapū in accordance with tikanga Māori, have the knowledge and mana to assess the importance of values and places to Māori.

In addition, the Act requires all persons exercising functions and powers under the Act, in relation to managing the use, development and protection of natural and physical resources, to have particular regard to kaitiakitanga. An important role for kaitiaki is to safeguard the mauri of their natural resources for the benefit of future generations, by ensuring that those resources are sustainably managed.

Only tangata whenua can identify their relationship with their special places. Those relationships must be substantiated for evidential purposes by pūkenga, kuia and/or kaumātua. Tangata whenua who have lived in an area for a long time can express their association with places that are special to them. When consistent assessment criteria (e.g. those in Appendix F sets 4 and 5) are applied by tangata whenua through their pūkenga, kuia and/or kaumātua who have the specialist or technical knowledge necessary to apply those criteria, they should reach a similar conclusion. In the event that the conclusions are different, decision makers must weigh the evidence.

Once pūkenga or persons who have the specialist or technical knowledge necessary to apply the criteria have assessed an historic heritage resource or Māori cultural relationships and values, decisions about their management are not predetermined; decision makers must still exercise judgement.

Table reference: Objectives 16, 17, 18, 21, 22 and 37, Methods 3, 8, 11, 12, 26, 27, 39, 41, 42, 43, 44, 46, 48, 49, 55, 57, 64 and 65

Policy IW 3B: Recognising the Treaty in the exercise of functions and powers under the Act

Exercise the functions and powers of local authorities in a manner that:

- (a) Takes into account the principles of the Treaty of Waitangi;
- (b) Recognises that the principles of the Treaty will continue to evolve and be defined;
- (c) Promotes awareness and understanding of councils' obligations under the Act regarding the principles of the Treaty, tikanga Māori and kaupapa Māori, among council decision makers, staff and the community;
- (d) Recognises that tangata whenua, as indigenous peoples, have rights protected by the Treaty and that consequently the Act accords iwi a status distinct from that of interest groups and members of the public; and
- (e) Recognises the right of each iwi to define their own preferences for the sustainable management of natural and physical resources, where this is not inconsistent with the Act.

Explanation

The Act requires all persons exercising functions and powers under it in relation to managing the use, development, and protection of natural and physical resources, to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). The Treaty is a living instrument and its principles continue to be defined – by the Courts, including the Environment Court, and the Waitangi Tribunal. Policy statements and plans should arise out of and be sensitive to the partnership principle of the Treaty. The objectives to be achieved should be such that both partners identify with them. Policy statements and plans can be a way of expressing what we hold in common.



The Treaty of Waitangi (Te Tiriti o Waitangi) established the special relationship between the Māori people and the Crown. The Treaty provided for the exchange of kāwanatanga (governance or government) for the protection of rangatiratanga.

Councils have the capacity, pursuant to section 33 of the Act, to provide for tino rangatiratanga by transferring functions, power, or duties to an iwi authority. However, any local authority that transfers any function, power, or duty under this section continues to be responsible for the exercise of it. The establishment and maintenance of this relationship is an ongoing issue for the region.

The division of resource management functions between regional and district councils requires close co-ordination to ensure an efficient allocation of resource management functions and duties.

Table reference: Objectives 12, 13, 14 and 15, Methods 3, 11, 46 and 48

Policy IW 4B: Taking into account iwi and hapū resource management plans

Ensure iwi and hapū resource management plans are taken into account in resource management decision making processes.

Explanation

Some iwi and hapū resource management plans identify sites of cultural significance, procedures for consultation and possible actions to address issues of concern to iwi and hapū. However, many do not, and where this is the case, consultation with affected tangata whenua may assist in identifying what measures are practicable to remedy, mitigate or avoid adverse cultural impacts. Most iwi and hapū prefer consultation as a more appropriate means of identifying the extent of cultural impacts and means of resolving them.

Table reference: Objectives 15, 16 and 21, Methods 3, 12, 41 and 46

Policy IW 5B: Adverse effects on matters of significance to Māori

When considering proposals that may adversely affect any matter of significance to Māori recognise and provide for avoiding, remedying or mitigating adverse effects on:

- (a) The exercise of kaitiakitanga;
- (b) Mauri, particularly in relation to fresh, geothermal and coastal waters, land and air;
- (c) Mahinga kai and areas of natural resources used for customary purposes;
- (d) Places sites and areas with significant spiritual or cultural historic heritage value to tangata whenua; and
- (e) Existing and zoned marae or papakāinga land.

Explanation

Growth and development pressures have led to widespread destruction and degradation of places, sites and areas with cultural, spiritual or historic heritage value of significance to tangata whenua. These include incompatible land uses or activities being granted consent to locate beside papakāinga or marae. While many culturally significant sites are widely recognised by tangata whenua and in some cases documented in iwi and hapū resource management plans, they continue to be overlooked or disregarded in resource management decision making processes. Tangata whenua are increasingly seeking greater regard to kaitiakitanga by persons exercising functions and powers under the Act. Iwi and hapū seek greater involvement in the management of natural and physical resources within their respective rohe to fulfil their role as kaitiaki, and proactively address potential adverse effects on Māori culture and traditions.

Where a proposed subdivision, use or development may have adverse cultural effects measures to avoid adverse effects need to be identified. Where avoidance is not practicable measures to remedy or mitigate potential adverse cultural impacts will need to be identified.



Table reference: Objectives 16, 17, 18, 21, 28 and 37, Methods 3, 8, 11, 12, 23N, 23O, 23P, 23Q, 41, 42, 43, 44, 46, 48 and 78

Policy IW 6B: Encouraging tangata whenua to identify measures to avoid, remedy or mitigate adverse cultural effects

Encourage tangata whenua to recommend appropriate measures to avoid, remedy or mitigate adverse environmental effects on cultural values, resources or sites, from the use and development activities as part of consultation for resource consent applications and in their own resource management plans.

Explanation

Where a proposed subdivision, use or development may have adverse cultural effects measures to avoid adverse effects need to be identified. Where avoidance is not practicable measure to remedy or mitigate potential adverse cultural impacts will need to be identified. Some iwi and hapū resource management plans identify sites of cultural significance, procedures for consultation and possible actions to address issues of concern. However, many do not, and where this is the case, consultation with affected tangata whenua may assist in identifying what measures are practicable to remedy, mitigate or avoid adverse cultural impacts. Most iwi and hapū prefer consultation as a more appropriate means of identifying the extent of cultural impacts and means of resolving them.

Table reference: Objectives 12, 15, 16, 17 and 37, Methods 3, 8, 11, 12, 41, 42, 43, 44, 46, 48, 64 and 78

Policy IW 7D: Cultivating partnerships between iwi and statutory management agencies

Foster partnerships between iwi and statutory management agencies through:

- (a) Protocols with tangata whenua that have particular regard to the role of kaitiaki and pūkenga in the management of water, land, coastal and geothermal resources; and
- (b) Relationships among councils, iwi and hapū, and in the coastal marine area, between the Minister of Conservation, Bay of Plenty Regional Council and relevant iwi and hapū.

Explanation

Partnership protocols and relationships among councils, iwi and hapū and, in the coastal marine area, the Minister of Conservation, are essential if the sustainable management of the region's resources is to be achieved. Iwi authorities also seek partnership opportunities through the administration of specified resource management powers and functions as provided for under section 33 of the Act.

Table reference: Objectives 14 and 13, Methods 9, 11, 47 and 48

Policy IW 8D: Encouraging the development of iwi and hapū resource management plans

Encourage iwi and hapū to develop resource management planning documents that contain:

- (a) Specific requirements to address cultural issues pertaining to the management of water, land, air and geothermal resources, including mauri, and in relation to section 6(e), 7(a) and 8 of the Act;
- (b) Protocols to give effect to their role of kaitiaki of water, land and geothermal resources;
- (c) Instructions or protocols describing how the document is to be used, monitored and reviewed, including by Bay of Plenty Regional council, city and district councils and the community; and
- (d) Sites of cultural significance identified using criteria consistent with those in Appendix F sets 4 (Māori culture and traditions) and 5 (Historic heritage).



Explanation

Iwi and hapū resource management plans are useful policy documents for identifying issues of significance to iwi and hapū and policies and methods proposed by iwi and hapū to address specific resource management issues within their rohe. These plans can assist local authorities with undertaking their obligations under Part II of the Act. They can assist local authorities where they contain information on how the authors intend them to be interpreted and implemented. Sensitive cultural information needs to be treated with care to avoid offence to tikanga Māori. A precautionary approach shall be taken to activities with unknown but potentially significant adverse effects on ancestral taonga. Where iwi management plans use the Statement Appendix F criteria to identify sites of cultural significance, their assessments must be recognised in resources consents and plan change processes.

Table reference: **Objective 15, Method 66**

Matters of National Importance Policies

Policy MN 1B: Recognise and provide for matters of national importance

- (a) Identify which natural and physical resources warrant recognition and provision for as matters of national importance under section 6 of the Act using criteria consistent with those contained in Appendix F of this Statement;
- (b) Recognise and provide for the protection from inappropriate subdivision, use and development of those areas, places, features or values identified in accordance with (a) in terms of natural character, outstanding natural features and landscapes, and historic heritage;
- (c) Recognise and provide for the protection of areas of significant indigenous vegetation and habitats of indigenous fauna identified in accordance with (a);
- (d) Recognise and provide for enhancing and maintaining public access to and along those areas identified in accordance with (a);
- (e) Recognise and provide for the relationship of Māori and their culture and traditions identified in accordance with (a) and Policy IW 2B; and
- (f) Recognise and provide for protection to recognised customary activities.

Explanation

All persons exercising functions and powers under the Act are required to recognise and provide for, as matters of national importance:

- 1 The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development (section 6(a));
- 2 The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development (section 6(b));
- 3 The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (section 6(c));
- 4 The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers (section 6(d));
- 5 The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga (refer section 6(e));
- 6 The protection of historic heritage from inappropriate subdivision, use and development (section 6(f)); and
- 7 The protection of recognised customary activities (section 6(g)).

For the region's matters of national importance to be sustainably managed, they need to be more reliably assessed. Criteria assist in their identification and evaluation. The criteria contained in Appendix F of this document support consistency at regional, city and district levels, and can avoid duplication.

Evaluation of matters of national importance may need to be undertaken by people who have specialist or technical knowledge, for example, archaeologists. When consistent criteria are applied specialists should reach a similar conclusion. In the event that the conclusions are different, decision makers must weigh the evidence. The involvement of a specialist does not predetermine a decision; decision makers must still exercise judgement.

The Appendix F criteria can be used to assist in identifying elements of the environment that may be so affected. An assessment is to be in such detail as corresponds with the scale and significance of the effects.

The criteria are to be used as a framework for assessment. They are not tests or standards that, by themselves, determine what protection is required. The criteria are to be applied in regional, city and district plans, and in case-by-case consents assessments.

Table reference: Objectives 18, 19, 20, 21 and 22, Methods 1, 2, 3, 8, 11, 12, 41, 42, 46, 48, 64, 65 and 70

Policy MN 2B: Giving particular consideration to protecting significant indigenous habitats and ecosystems

Based on the identification of significant indigenous habitats and ecosystems in accordance with Policy MN 1B:

- (a) Recognise and promote awareness of the life-supporting capacity and the intrinsic values of ecosystems and the importance of protecting significant indigenous biodiversity;
- (b) Ensure that intrinsic values of ecosystems are given particular regards to in resource management decisions and operations;
- (c) Protect the diversity of the region's significant indigenous ecosystems, habitats and species including both representative and unique elements;
- (d) Manage resources in a manner that will ensure recognition of, and provision for, significant indigenous habitats and ecosystems; and
- (e) Recognise indigenous marine, lowland forest, freshwater, wetland and geothermal habitats and ecosystems, in particular, as being underrepresented in the reserves network of the Bay of Plenty.

Explanation

Sustainable management includes safeguarding the life-supporting capacity of ecosystems. The purpose of doing this is to maintain the well-being of the biosphere (i.e. the life-supporting capacity of air, water and soil). In order to achieve this it is necessary to maintain ecosystems, providing for their restoration and rehabilitation where appropriate. Such restoration will increase the survival probabilities of species, habitats and ecosystems.

It is the totality of ecosystems presently existing within the Bay of Plenty region that gives it its recognisable character and unique identity. This totality is not only comprised of all significant features and sites but includes remnants of indigenous vegetation and habitat. In order to preserve the regional identity it is important to protect as many of these remnants as possible. Such protection is also in accord with maintaining the well-being and health of the region's ecosystems. In order to achieve this protection it is necessary to exercise control over the activities that may adversely affect them. Efficient means of doing this are through the consent process and through councils ensuring that they integrate their resource management functions with ecological principles and considerations.

Production forestry can provide habitats for significant indigenous fauna. In these areas normal forestry operations should benefit from existing use rights and be able to continue. In such cases management efforts, including codes of practice, to provide for rare and endangered species are encouraged.



Pest plants and animals can adversely affect indigenous vegetation and habitat. The Regional Pest Management Plan addresses the management of pest species in the region and places requirements on landowners.

In order that the region's natural character and indigenous vegetation and habitats of indigenous fauna are sustainably managed for present and future generations, they need to be more reliably assessed. Policy MN 2B relies on the assessment and identification of natural character and significant indigenous habitats and ecosystems using the Appendix F criteria required by Policy MN 1B. The Appendix F criteria are tools that assist in the identification and evaluation of natural character and indigenous vegetation and habitats of indigenous fauna for the purpose of promoting their preservation and protection. Having criteria in the regional policy statement supports consistency in the assessment of section 6(a) and 6(c) matters, at regional, city and district levels, and can avoid duplication. Criteria can help agencies identify the range of values that make up our natural character and indigenous vegetation and habitats of indigenous fauna, the threats to them, and options for management.

Criteria can focus attention on the qualities of an area's natural character and the factors that make particular areas of indigenous vegetation and habitats of indigenous fauna significant, raise people's awareness of their importance to the community, and help people understand more about themselves, their origins and their environment.

Table reference: Objectives 20, 32 and 33, Methods 3, 26, 27, 39, 49, 55, 64 and 65

Policy MN 3B: Using criteria to assess values and relationships in regard to section 6 of the Act

Include in any assessment required under Policy MN 1B, an assessment of:

- (a) Natural character, in relation to section 6(a) of the Act, on the extent to which criteria consistent with those in Appendix F set 1: Natural character are met;
- (b) Whether natural features and landscapes are outstanding, in relation to section 6(b) of the Act, on the extent to which criteria consistent with those in Appendix F set 2: Natural features and landscapes are met;
- (c) Whether areas of indigenous vegetation and habitats of indigenous fauna are significant, in relation to section 6(c) of the Act, on the extent to which criteria consistent with those in Appendix F set 3: Indigenous vegetation and habitats of indigenous fauna are met;
- (d) Public access to and along the coastal marine area, lakes and rivers in relation to section 6(d) of the Act, on the extent to which the criteria consistent with those in Appendix F set 6: Public access are met;
- (e) The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga, in relation to section 6(e) of the Act, on the extent to which criteria consistent with those in Appendix F set 4: Māori culture and traditions are met; and
- (f) Historic heritage, in relation to section 6(f) of the Act, on the extent to which criteria consistent with those in Appendix F set 5: Historic heritage are met.

Explanation

In order that the region's matters of national importance are sustainably managed for present and future generations, they need to be more reliably assessed. Criteria are tools that assist in the identification and evaluation of matters of national importance for the purpose of promoting their protection. Having criteria in the Statement supports consistency in the assessment of section 6 matters, at regional, city and district levels, and can avoid duplication.

Criteria can help agencies identify the range of values that make up our region's matters of national importance, the threats to them, and options for their management. Criteria can focus attention on the qualities and factors that raise people's awareness of their importance to the community, and help people understand more about themselves, their origins and their environment.



The criteria are to be used as a framework for assessment. They are not tests or standards that, by themselves, determine what protection is required. The criteria can be applied in regional and district plans, and in case-by-case consents assessments.

It is acknowledged that some districts come under the jurisdiction of more than one regional council. In such situations other regional criteria not inconsistent with those in Appendix F will be appropriate.

The majority of archaeological heritage in the region is of Māori origin. Accordingly, there are very close links between Māori culture and traditions under section 6(e) and historic heritage under section 6(f). Therefore with the exception of geothermal features (which are assessed using the Appendix F Set 7 Geothermal features criteria) assessments involving the Appendix F Set 4 Māori culture and traditions criteria should also consider the Appendix F Set 5 Historic heritage criteria.

Table reference: Objectives 18, 19, 20, 21 and 22, Methods 3, 11, 12, 48 and 70

Policy MN 4B: Encouraging ecological restoration

Encourage ecological restoration and rehabilitation through:

- (a) Retention or establishment of vegetation corridors linking otherwise isolated habitats and greater use of buffer zones;
- (b) A co-ordinated and co-operative approach;
- (c) The protection of remaining habitats from further fragmentation, degradation and invasion by pests;
- (d) Non-regulatory initiatives for the restoration or rehabilitation of degraded habitats; and
- (e) The protection of ecosystems and habitats identified by the National Priorities for Biodiversity Protection on Private Land (Ministry for the Environment 2006).

Explanation

A range of complementary tools is needed to ensure that the intrinsic values and processes of ecosystems are safeguarded and might include education, provisions within regional and district plans, the purchase of land for reserves, buffers to adjacent land use, and the acquisition of land through reserves contributions. In addition, the use of heritage protection orders and water conservation orders, covenants and other voluntary agreements are also valid tools. Rates relief, resource consents conditions, and operational works such as fencing could also be used.

There are a number of agencies with various responsibilities for ecosystems management and greater interaction and greater integration of their work would avoid duplication of effort and maximise efficiency.

Table reference: Objectives 20, 27, 32 and 33, Methods 3, 26, 27, 39, 49, 55, 63, 64 and 65

Policy MN 5B: Encouraging public access to and along the coast, lakes and rivers

Retain or establish public access to and along the coast, lakes and rivers, giving priority to public access rights where:

- (a) Connections between existing public areas can be provided;
- (b) Improving access would promote outdoor recreation;
- (c) Physical access for people with disabilities is desirable;
- (d) The long-term availability of public access is threatened by erosion or sea level rise;
- (e) Walking access to the coastal marine area, lakes and rivers can be provided;
- (f) Access to areas or sites of cultural significance is important to tangata whenua; and



- (g) Subdivision, use, or development of land adjacent to the coastal marine area, lakes and rivers has reduced public access, or has the potential to do so.

Explanation

New Zealand has a long history of public use of the coastal marine area, lakes, rivers and their margins and is distinguished by the right of the public to access much of the region's coast, lakes and some rivers. It is considered highly desirable to maintain and enhance this situation. All persons exercising functions, duties and powers under the Act are required to recognise and provide for, as matters of national importance, the maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers. The principal means by which this may be achieved are through district and regional plans in association with subdivision, use and development through resource consent conditions and, in some cases, through the acquisition of land.

Regional and district plans should promote the creation of esplanade reserves and esplanade strips, where they do not already exist, to provide public access to and along the coastal marine area, lakes and rivers.

Table reference: Objectives 22 and 39, Methods 3, 11, 23H, 23S, 23T, 64, 65 and 66

Policy MN 6B: Restricting public access to and along the coast, lakes and rivers

Restrict public access to and along the coast, lakes and rivers only where necessary to:

- (a) Protect public health or safety, including a consideration of existing or reasonably foreseeable conflict between uses; or
- (b) Protect dunes, estuaries, areas of sensitive indigenous vegetation and/or habitats of indigenous fauna; or
- (c) Protect threatened indigenous species in the coastal environment; or
- (d) Protect historic heritage and Māori cultural values and activities; or
- (e) Provide for temporary activities, activities for defence purposes or special events within the coastal environment; or
- (f) Provide a level of security consistent with the purpose of a resource consent; or
- (g) Achieve one or more of the objectives of this Policy Statement; or
- (h) Recognise other exceptional circumstances that are sufficient to justify a restriction.

Before imposing a restriction on public access consider:

- (i) The potential adverse effects of uncontrolled access; and
- (ii) Where practicable, the provision of alternative access to the public free of charge at all times.

Explanation

In limited situations there are sensitive areas of the coast which would be compromised by unrestricted or uncontrolled public access e.g. trampling of vegetation or disturbance of breeding sites. In some circumstances, controlled access solutions through sensitive areas may promote better outcomes than outright restrictions (for example, given the risk that people will walk through sensitive areas despite access restrictions) and the use of boardwalks, rope fences and signage to control and direct access may be more effective. These need to be recognised and provided for, as do other areas where public access is inappropriate for safety or security reasons. A requirement for an esplanade reserve or strip that would provide public access to or along these areas shall not be waived unless there are exceptional circumstances that mean provision of an esplanade reserve or strip would not be in the public interest. It is recognised that in some parts of the region access to the coast, lakes and rivers requires passage over land that is in private ownership. Public access over such land requires the permission of the landowner.

Table reference: Objectives 22 and 39, Methods 3, 11, 23H, 23S, 23T, 64, 65, 66 and 71

Policy MN 7B: Using criteria to assist in assessing inappropriate development

Assess, whether subdivision, use and development is inappropriate using criteria consistent with those in Appendix G, for areas considered to warrant protection under section 6 of the Act due to:

- (a) Natural character;
- (b) Outstanding natural features and landscapes;
- (c) Significant indigenous vegetation and habitats of indigenous fauna;
- (d) Public access;
- (e) Māori culture and traditions; and
- (f) Historic heritage.

Explanation

If a value of place warrants protection under section 6 of the Act, it is a matter of national importance to recognise and provide for such. The criteria in Appendix G assist in assessing whether a subdivision, use or development proposal is inappropriate. The criteria shall be applied in regional and district plans, and resource consents in case-by-case assessments which will be considered by the decision maker when making an overall broad judgement.

Table reference: Objective 18, 19, 20, 21 and 22, Methods 1, 2, 3 and 11

Policy MN 8B: Managing effects of subdivision, use and development

Avoid and, where avoidance is not practicable, remedy or mitigate any adverse effects of subdivision, use and development on matters of national importance assessed in accordance with Policy MN 1B as warranting protection under section 6 of the Act.

Explanation

Values and places assessed as warranting recognition and provision for as matters of national importance, apart from natural character which is addressed in Policy CE 2B, using criteria consistent with those in the Appendix F shall be prioritised. If avoidance of potential adverse effects isn't achievable as the highest priority than effects should be remedied or mitigated. Nevertheless, any adverse effect of an activity on such values and places needs to be addressed. Schedule 4 to the Act requires an applicant for resource consent to include with their application an assessment of environmental effects that the activity may have. The criteria in Appendix F assist in identifying elements of the environment that may be so affected. An assessment is to be in such detail as corresponds with the scale and significance of the effects. Not all activities will affect matters of national importance, and applicants and decision makers will accordingly have to exercise judgement about what is necessary to include in the assessment of environmental effects. Ultimately decision makers must make a determination weighing up all relevant matters in relation to Section 5 of the Act.

Table reference: Objectives 18, 19, 20, 21 and 22, Methods 1, 2, 3 and 11

Urban and Rural Growth Management Policies

Policy UG 1A: Protecting the national and regional strategic transport network

Identify all existing and proposed nationally or regionally significant transport corridors in the Regional Land Transport Plan and district plans and protect those corridors for regional transport purposes.



Explanation

The protection of the region's strategic transport corridors and networks is essential for achieving integration between land use and transport. The strategic transport network supports the growth and development of both the national and regional economies, particularly in supporting and developing the ports and in terms of providing access to markets for horticulture, agriculture, forestry, quarrying, tourism and future manufacturing and production industries.

Table reference: Objective 24, Methods 1 and 4

Policy UG 2A: Identifying a consistent road hierarchy

Identify a consistent road hierarchy including type of road, road function and road definition.

Explanation

The identification of a consistent road hierarchy across the region is essential to the strategic integration of land use and transport planning. This promotes network efficiency by ensuring each road performs the function for which it is designed. Use of a consistent road hierarchy across the region also contributes to road safety, and future integrated land use and transport planning, particularly the planning of safe and efficient bus, cycling and walking routes. It will assist with developing a well-connected and sustainable urban form and reduce any cross boundary issues arising from districts having different road types, definitions and functions. As a minimum, the road hierarchy will include strategic, primary and secondary arterials, collector and local roads.

Table reference: Objective 24, Methods 1, 4 and 13

Policy UG 3A: Promoting travel demand management across the region

Actively promote travel demand management across the region to:

- (a) Create effective integrated land and travel networks;
- (b) Increase public transport use;
- (c) Address congested transport corridors;
- (d) Reduce use of the private motor vehicle where practicable;
- (e) Encourage the use of alternative renewable transport fuels;
- (f) Reduce emissions from transport; and
- (g) Ensure adequate provision for and increased use of future public transport, walking, cycling networks and corridors, while providing for connectivity.

Explanation

Appropriate policies are required to be included in district plans and the Bay of Plenty Regional Land Transport Plan to actively promote travel demand management.

Land use planning is essential in managing the demand for travel. This could include having higher density/mixed use developments close to good public transport links and community facilities and employment close to where people live (Appendix B – High quality urban design principles). Additionally, future integration of land use and transport planning will need to take into account the need to design and build transport networks that facilitate walking, cycling and public transport (bus, light rail, etc.). Regard should also be given to the policies and targets of any relevant walking and cycling strategies in the region.

Table reference: Objective 24, Methods 1, 4, 18, 17 and 19



Policy UG 4A: Providing for residential development yields in district plans - western Bay of Plenty sub-region

Provide for dwelling yields per hectare of developable land within identified urban areas to be delivered as follows:

(a) Greenfield urban growth areas

An average net yield of 12 dwellings or more per hectare from 1 July 2012, rising progressively to 15 dwellings or more per hectare by 1 July 2037.

(b) Urban intensification areas

An average net yield of 20 dwellings or more per hectare of developable land within each urban intensification area.

Explanation

The western Bay of Plenty sub region has a growth management strategy (SmartGrowth) which forms the basis of a number of Urban and Rural Growth Management policies.

Greenfield development should ultimately deliver 15 dwellings per hectare across the developable land in the entire growth area shown in Appendix C. Development in urban intensification areas should deliver a yield of at least 20 dwellings per hectare within each identified area.

The policy provides for the yield target for Greenfield urban growth areas to be achieved progressively over time, acknowledging that there may be situations where the ultimate target yield of 15 dwellings per hectare cannot always be achieved.

For the avoidance of doubt, yields below the stated target achieved prior to 1 July 2037 are not required to be off-set by the achievement of yields greater than the stated target after 1 July 2037.

The mechanism of how to achieve the target yields through subdivision and land use development is to be provided in the relevant district plan.

The requirement for new residential development to achieve higher densities than in the past is to promote a more compact urban form and so create vibrant areas for people to live, work and play. Density is important in terms of determining land requirements and influencing urban form.

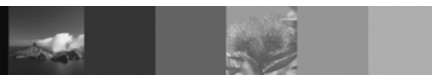
Increasing the development densities for greenfield development within the urban limits is a means of restraining urban sprawl and the impact that may have on versatile land. Achievement of a more compact urban form requires a comprehensive planning approach and the provisions of a mix of housing types to appeal to future residents. This applies particularly to the urban intensification areas where significant redevelopment of existing housing stock is expected to achieve the yield target.

Increasing dwelling density is recognised internationally as having a number of benefits, including:

- 1 Increased transport choice and viability of public transport;
- 2 Reduced environmental impacts from slower urban expansion;
- 3 Reduced infrastructure costs;
- 4 More walkable neighbourhoods;
- 5 Greater housing choice and affordability.

Before rezoning land for urban purposes (large scale land use change of 5 hectares or more) councils are required to ensure that structure plans are put in place (see Policy UG 9B and Method 18).

Table reference: **Objective 25, Method 1**



Policy UG 5A: Establishing urban limits - western Bay of Plenty sub-region

Establish urban limits as provided in Appendix E within which urban activities shall occur up to at least 2051.

Explanation

In association with the nature of long term urban boundaries provided in Appendix C, Diagram 1 (Appendix D) and Maps 5 to 15 (Appendix E), urban development is enabled with a high degree of long term certainty as to location, yield, sequencing and timing. This assists long term strategic planning and also provides considerable certainty as to the future of land outside the urban limits, providing a strong basis for assuming that such land will have a non-urban future until at least 2051.

Method 14 (Monitor and review growth) provides a strict but comprehensive methodology on how and when amendments to the urban limits may be made, with an assumption that changes will not be made lightly, and will need to be well justified in terms of the outcomes sought across all the western Bay of Plenty sub region growth management policies.

Table reference: Objective 25, Methods 1, 14 and 16

Policy UG 6A: Sequencing of urban growth development - western Bay of Plenty sub-region

Manage urban development within each identified management area in a way that provides for:

- (a) The efficient use of land and infrastructure within the immediately preceding growth area stage before the development of the subsequent growth area stage as shown in Appendix C and Appendix D; and
- (b) Network infrastructure is able to be provided to serve the proposed new growth area or new infill/intensification areas shown in Appendix C and Appendix D.

Urban growth area development may proceed in a manner other than sequential growth as per (a) where it can be demonstrated that concurrent development of a subsequent growth area stage will provide more efficient use of land and network infrastructure overall and the conditions in (b) are met.

For the purpose of this policy, efficient use of land and infrastructure shall include consideration of the matters referred to in Policy UG 10B.

Appendices C and D are indicative guides for the expected timing and sequencing of growth areas.

Explanation

The sequencing and timing of urban development within the urban limits for the western Bay of Plenty is critical to achieving integrated and sustainable growth management. Each growth area in Appendix C and Appendix D and shown on Maps 5 to 15 (Appendix E) must be subject to detailed structure planning to address, among other matters, urban design, provisions of network infrastructure and funding of that infrastructure.

Note that the indicative sequencing and time frames are at a level of detail appropriate for this Statement. They are intentionally indicative given the uncertainties inherent in population forecasts.

Table reference: Objective 25, Methods 1, 18, 50 and 51

Policy UG 7A: Providing for the expansion of existing business land - western Bay of Plenty sub-region

Provide for the expansion of existing business activities or existing zoned business land outside the urban limits shown in Appendix E, only if the proposal will:

- (a) For the expansion of existing zoned business land, not be able to be accommodated within existing business zoned land in the western Bay of Plenty sub-region;
- (b) Be contiguous with the site of an existing business activity or existing zoned business land;
- (c) Not require new connections to urban water supply distribution, stormwater or wastewater infrastructure located within the urban limits;
- (d) Avoid, remedy or mitigate effects on rural production activities;
- (e) Not compromise access to identified regionally significant aggregate and other mineral resources; and
- (f) Not adversely affect existing, consented, designated or programmed regionally significant network utilities and infrastructure.

Explanation

Restrictions on the expansion of existing business activities and existing zoned business land outside the urban limits are necessary in order to minimise urban expansion and provide for the efficient use of existing infrastructure. The policy presumes that the expansion of existing business activities and existing business zoned areas outside the urban limits will not be allowed unless all of the listed matters are satisfied.

Table reference: Objective 25, Methods 1 and 67

Policy UG 8B: Implementing high quality urban design and live-work-play principles

Demonstrate adherence to the New Zealand Urban Design Protocol (March 2005) key urban design qualities. In achieving this, territorial authorities shall implement the region's "high quality urban design" and "live-work-play" principles as outlined in Appendix B, and additionally appropriate social infrastructure necessary to cater for an aging population, and include appropriate policies, methods and other techniques in their district plans and strategies.

This policy shall not apply to land use change (such as rural-residential or lifestyle development) within the rural catchments of the Rotorua lakes where such change will result in a significant reduction in nutrient losses from existing rural land uses.

Explanation

Growth and the development of new and existing urban areas across the region (particularly in the western Bay of Plenty) should apply urban design principles for the development of connected communities, an effective transport system and creating desirable places for people to live, work and play.

The high quality urban design and live-work-play principles are key drivers of sustainable growth management. These principles are considered to be critical tools for ensuring that more intensively developed urban environments are achieved, along with high quality urban design.

Table reference: Objective 23, Methods 3, 4, 17, 18 and 58

Policy UG 9B: Co-ordinating new urban development with infrastructure

Ensure there is co-ordination between:

- (a) The urban form and layout, location, timing and sequencing of new urban development; and
- (b) The development, funding, implementation and operation of transport and other infrastructure serving the area in question;

so that all infrastructure required to serve new development is available, or is consented, designated or programmed to be available prior to development occurring.



For Tauranga City and Western Bay of Plenty District only, in satisfying this policy, regard must be had to the indicative growth area timing shown in Appendix C.

Explanation

Region-wide:

The policy gives effect to the statutory requirement of regional councils under section 30(1)(gb) of the Act to provide for the strategic integration of land use and infrastructure.

Territorial authorities and most network utility operators plan and budget the provision of services many years in advance of their delivery. When constructed, these works (roads, sewers, water supply, stormwater systems, reserves and other community facilities) need to be used in order to recoup the costs of their provision. Therefore it is important that before new urban development within or outside of existing or future urban areas is proposed, there is certainty that the infrastructure necessary to service such development will actually be available when required. The efficient and effective operation of regionally significant network utility services that traverse areas of urban growth, but that do not necessarily serve them directly must also be considered. Where appropriate, local authorities should also encourage the co-ordination and co-location of works between network utility operators to minimise environmental and amenity impacts and community concern and disruption.

Western Bay of Plenty sub-region:

Any development within a growth area including an intensification area must recognise the impact of growth on existing infrastructure and provide an equitable funding mechanism for the costs of that infrastructure. Other contributions (e.g., recognising the costs and benefits of public transport) towards achieving environmental sustainability in new developments can be estimated and funding sources determined at the national, regional, city and district levels as part of 10-yearly, three yearly and annual budgeting cycles.

Table reference: Objective 23, Methods 3, 4, 18, 19, 50 and 51

Policy UG 10B: Rezoning and development of urban land – investment and infrastructure considerations

Require the rezoning or other provisions for the urban development of land to take into account:

- (a) Sustainable rates of land uptake;
- (b) Existing or committed public and private sector investments in urban land development and infrastructure;
- (c) Sustainable provision and funding of existing and future infrastructure; and
- (d) Efficient use of local authority and central government financial resources, including prudent local authority debt management.

Explanation

Because commitments to and investments in urban land use and servicing are often made 20 or more years in advance of delivery, there is potential for both local authority policy changes and ad hoc private market development decisions to result in significant adverse social and economic effects. Policies to address timing and sequencing of development should therefore be designed to ensure, within broad limits, that development proceeds in a way that gives infrastructure service providers time to match demand, and the ability to fund that service delivery. The overall purpose is to provide a broad framework that signals to the market the importance of integrating public and private development decisions.

The focus of Policy UG 10B is on broad investment and infrastructure considerations. More detailed matters are the subject of other RPS policies, for example Policies WQ 6B, WQ 7B and WQ 8B which specifically address water efficiency.

Table reference: Objective 23, Methods 3 and 18



Policy UG 11B: Managing the effects of subdivision, use and development on infrastructure

Manage the design and location of subdivision, use, and development to address potential adverse effects on the operation and upgrading of existing, consented, designated or programmed infrastructure.

Explanation

The planning and co-ordination of urban development and infrastructure needs to be carefully managed to ensure that potential adverse effects, including reverse sensitivity effects, and effects generated by demand as well as by physical development, are appropriately avoided, remedied or mitigated.

Table reference: Objective 23, Methods 3, 18 and 19

Policy UG 12B: Providing quality open spaces

Provide for open space across the region as a primary consideration in growth management, including urban form and design, to ensure people and communities have access to a variety of quality open space experiences to the extent practicable, having regard to the following factors:

- (a) Open spaces are managed in an integrated and co-ordinated manner to enable improvements to existing open space networks;
- (b) People in urban areas, particularly those with disabilities and reduced mobility, have equitable access to safe open spaces for amenity, sport and recreation close to where they live and work;
- (c) Areas of growth and intensification provide for usable open space for a range of purposes;
- (d) Alternative walking and cycling routes are provided that enable avoidance of safety hazards on high speed congested road corridors;
- (e) Open spaces are linked, including to extend the open space network and to improve proximity and access to natural habitats;
- (f) Over time access to and along the coastal edge and the margins of lakes and rivers is enhanced through connecting and acquiring public reserves and open spaces; and
- (g) Open space areas are accessible to a range of transport modes.

Explanation

It is important that open spaces are planned and provided for people of all ages with different physical and recreational needs. Open spaces can include larger conservation areas and coastal reserves, as well as neighbourhood and regional parks. Accessibility should be a key consideration in growth management, including high quality urban design. To ensure all members of the community can enjoy equal use of open spaces, access should not be reliant on cars and be able to be used by people with disabilities and limited mobility.

Table reference: Objective 23, Methods 3 and 67

Policy UG 13B: Promoting the integration of land use and transportation

In promoting the integration of land-use and transport activities, regard should be given to:

- (a) Land use and transport planning being closely linked;
- (b) The land transport system providing opportunities and integrated links for both public and private transportation modes;
- (c) Demand management is considered in planning, design and transport investment decisions;



- (d) Existing and future transport corridors defined and protected; and
- (e) Integrated transport packages for funding are developed.

Explanation

Land use and transport systems need to be planned in an integrated manner. Growth management and land use patterns need to support reduced reliance on private motor vehicles and increased accessibility and use of passenger transport, walking and cycling. This can be achieved by planning and providing compact and sustainable urban forms and improving the public transport system.

Table reference: Objective 24, Methods 3 and 18

Policy UG 14B: Restricting urban activities outside the urban limits – western Bay of Plenty sub-region

Except as provided for in Policy UG 7A, urban activities shall not be developed outside the urban limits shown on Maps 5 to 15 (Appendix E).

Explanation

The location and extent of existing and future urban growth to 2051 is provided for by defined urban limits which cover both the Tauranga City and Western Bay of Plenty District. Within the urban limits shown on Maps 5 to 15, are defined greenfield growth areas for residential development and business use. The urban limits also provide for residential infill and intensification of existing urban areas. The term urban activities is defined to allow for rural and lifestyle activities to occur outside of the urban limits. Methods 14 and 16 provide for a review of the urban limits and amendment where necessary as circumstances change.

An appropriate mechanism to manage growth is to provide direction through this Statement on where development may occur. This will enable regional and district plans to give effect to that direction. By confining development within identified areas, development can proceed with certainty while achieving the strategic integration of infrastructure services.

Table reference: Objective 25, Method 3

Policy UG 15B: Accommodating population growth through greenfield and residential intensification development – western Bay of Plenty sub-region

Population growth within the western Bay of Plenty sub-region out to 2051 shall generally be accommodated as follows:

- (a) By providing for 75% of projected growth within new greenfield development growth areas (e.g., Pāpāmoa East, Ōmokoroa, North-west Bethlehem, Pyes Pa West, Te Puke, Katikati and Waihi Beach); and
- (b) By providing for 25% of projected growth through intensification of residential development within existing urban areas through such techniques as infill development, mixed use zones and specifically identified intensification areas;

at densities which aim to achieve the target yields set out in Policy UG 4A.



Explanation

It is important to make the most efficient use of the available land within the western Bay of Plenty to accommodate expected population growth to 2051, recognising geographical, geotechnical and cultural constraints that prevent urban development in many areas. Research undertaken by the University of Waikato and subsequently Tauranga City Council and Western Bay of Plenty District Council in the development and implementation of the Western Bay of Plenty Sub-region Growth Management Strategy has identified the most appropriate locations for urban development. This has entailed providing for new suburban or greenfield development, while also making efficient use of desirable locations within the existing urban environment of Tauranga City, such as Mount Maunganui and the Tauranga central business district to provide for high density living environments.

Monitoring of development trends will enable the split between greenfield and residential intensification to be revised should circumstances change.

Table reference: Objective 25, Methods 3, 14 and 16

Policy UG 16B: Providing for new business land – western Bay of Plenty sub-region

New large-scale business land shall be provided for generally in accordance with Appendix C and only within the urban limits shown on Maps 5 to 15 (Appendix E).

Explanation

District Plans provide the key zoning tool for different types of activity. Within the urban limits Western Bay of Plenty District Council and Tauranga City Council need to provide for business land in appropriate locations to meet the economic and social growth needs of the sub-region.

Table reference: Objective 25, Methods 3 and 18

Policy UG 17B: Urban growth management outside of the western Bay of Plenty sub-region

Manage the growth of urban areas located outside of the western Bay of Plenty sub-region in a manner consistent with sound resource management principles, including:

- (a) The efficient development and use of the finite land resource;
- (b) Setting defined limits of urban development; and
- (c) Providing for the efficient, planned and co-ordinated use and development of infrastructure.

Explanation

While areas outside of the western Bay of Plenty sub-region have not been and are unlikely to be faced with the same growth pressures as those recently and currently being experienced in that sub-region, the same overarching growth management principles should apply in other areas. There may however be factors in other areas (such as topographical constraints and natural hazards) which create different challenges and may necessitate variations in the approaches taken.

Table reference: Objectives 23 and 26, Methods 1, 3 and 18



Policy UG 18B: Managing rural development and protecting versatile land

The productive rural land resource shall be protected for rural production activities by ensuring that to the extent practicable subdivision, use and development in rural areas does not result in versatile land being used for non-productive purposes outside existing and planned urban-zoned areas, or outside the urban limits for the western Bay of Plenty shown in Appendix E, unless it is for regionally significant infrastructure which has a functional, technical or locational need to be located there.

Particular regard shall be given to whether the proposal will result in a loss of productivity of the rural area, including loss of versatile land, and cumulative impacts that would reduce the potential for food or other primary production.

In the catchments of the Rotorua Te Arawa Lakes, land-use change to achieve reduced nutrient losses may justify over-riding this policy. Any such changes in land use must however be integrated and co-ordinated with the provision of appropriate infrastructure.

Explanation

It is important to protect the natural productivity of the region's land. Soil and its life-supporting capacity are a finite resource, which need to be managed and sustained for future generations. Rural production is one of the region's economic drivers and this production is reliant on retaining and protecting rural land and soils.

In areas where rural production activities occur, the protection of finite versatile land primarily for pastoral farming and horticulture is a priority for sustainable management. However, with respect to planned urban development as well as to the legitimate establishment of rural servicing activities in rural areas, it is inevitable that some versatile land will be lost to productive use. The issue then becomes one of ensuring that the extent of such loss is minimised through the efficient use and development of the finite land resource.

In the Rotorua Te Arawa Lakes area, protecting water quality from increased nutrient losses may also be given priority over protection of versatile land. Water quality in Rotorua Te Arawa Lakes' catchments has been degraded mainly by human activities and nutrient losses from pastoral farming and sewage leachate from residential areas. Reducing nutrient losses into these lakes is a priority. Rotorua District Council, regional councils, central government and Te Arawa Lakes Trust are working together on a range of initiatives designed to mitigate the effects of nutrients into these lakes.

The need to avoid nutrient losses into the receiving waters of some regional catchments at risk may result in rural lifestyle subdivision being a preferred option. However, forward planning and care is needed to prevent the loss of rural character and inefficient land, infrastructure and energy use.

Table reference: Objective 26, Methods 1, 3, 18, 52 and 67

Policy UG 19B: Providing for rural lifestyle activities – western Bay of Plenty sub-region

Require that the productive potential of versatile land is not compromised when providing for rural lifestyle activities outside the urban limits for the western Bay of Plenty shown on Maps 5 to 15 (Appendix E).

Explanation

Many people across the region (particularly in the western Bay of Plenty sub-region) have chosen to live in rural areas for lifestyle reasons, rather than farming, and this has resulted in fragmentation of productive land through subdivision. In other parts of the region, this pressure may not have been realised as yet and therefore forward planning will prevent these cumulative effects on rural land and versatile land.

It is important to protect the natural productivity of land. Soils and their life-supporting capacity are finite resources, which need to be managed and sustained for future generations. Rural production is one of the region's economic drivers and this production is reliant on retaining and protecting its rural land and soils.



Table reference: Objective 26, Methods 3, 52 and 67

Policy UG 20B: Managing reverse sensitivity effects on rural production activities and infrastructure in rural areas

Require that subdivision, use and development of rural areas does not compromise or result in reverse sensitivity effects on:

- (a) rural production activities; and
- (b) the operation of infrastructure

located beyond the urban limits or existing and planned urban zone areas.

Explanation

Rural production activities are defined in Appendix A.

Geothermal systems are a type of resource that also needs to be protected from incompatible land uses and land use practices.

Unplanned rural lifestyle living and fragmentation of rural land through subdivision has occurred in some areas with reverse sensitivity concerns from these new dwellers resulting in associated adverse effects on the productive capacity of the land and its versatility, as well as on the efficient operation and growth of rural production activities. Many of these rural lifestyle lots are in areas that have poor infrastructure.

Rural farming and horticultural practices can have effects which may affect the wellbeing of people, including spray drift, noise from frost fans, shading from shelterbelts etc. Similarly, quarrying and mining activities have the potential to create adverse landscape, visual, noise, dust and traffic effects. The potential for some of these activities and their associated practices to be constrained has increased due to the growing number of people choosing to live in rural areas but not work in rural occupations. The cumulative effect of unplanned rural subdivision has in some areas led to inefficient use of physical resources and a gradual loss of rural production activities.

Table reference: Objective 26, Methods 3 and 67

Policy UG 21B: Provision for utilisation of mineral resources

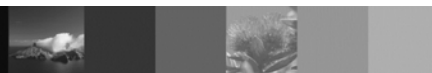
Protect:

- (a) Existing mineral extraction sites and access routes to these sites from reverse sensitivity effects arising from incompatible activities; and
- (b) Access to undeveloped areas of known high value mineral resources, including aggregate, and the present and future availability of mineral extraction from them that may arise from incompatible activities.

Explanation

The Bay of Plenty region contains mineral resources essential for the region's continued economic growth and development. Incompatible activities establishing over or in close proximity to areas of known high value mineral resources and the access routes to them can adversely impact on their future accessibility and use. Examples of such activities include urban expansion and sporadic residential development in rural areas.

Table reference: Objectives 25 and 26, Methods 1, 3, 52 and 67



Policy UG 22B: Providing for papakāinga

Outside existing urban areas and the urban limits shown on Maps 5 to 15 (Appendix E), papakāinga including marae-based housing shall be provided for.

Explanation

Māori housing and associated activities around rural marae have been in existence for many decades. Provision is made for accommodating growth through papakāinga development on ancestral land. In the western Bay of Plenty sub-region papakāinga development is not bound by urban activities being restricted outside the urban limits.

The continuation and expansion of papakāinga and other marae based activities, subject to relevant statutory processes, gives effect to the requirements of sections 6(e), 7(a) and 8 of the Act and also recognises the statutory provisions in the Te Ture Whenua Māori Act 1993. This policy provides tangata whenua with the potential to meet their housing and economic development requirements.

Table reference: Objectives 16, 21 and 25, Method 3

Policy UG 23B: Providing for the operation and growth of rural production activities

In providing for the operation and growth of rural production activities, regard should be had to:

- (a) Appropriate plan provisions, including zoning of land;
- (b) Access to and use of resources;
- (c) Transportation and infrastructure requirements; and
- (d) Protection from reverse sensitivity effects.

Explanation

The operation and growth of rural production activities in the Bay of Plenty is important to the region's economy. The use of and access to natural resources (such as land, minerals, soil and water), or physical resources (such as transportation infrastructure) are important factors in providing for the operation and growth of these activities.

Rural production activities often have particular locational and functional requirements in terms of access to resources, relationship to support facilities and the management of environmental effects. It is therefore important that resource use is managed in a manner which recognises and provides for those locational and functional requirements.

Table reference: Objective 26, Methods 3 and 20

Policy UG 24B: Managing reverse sensitivity effects on existing rural production activities in urban areas

Manage reverse sensitivity effects on existing rural production activities located within the urban limits or existing and planned urban zoned areas.

Explanation

Some existing rural production activities are located within urban areas or urban limits (as identified in Appendix E). These activities may be impacted by urban expansion and change that may result in reverse sensitivity effects on them.



Table reference: **Objective 26, Methods 3 and 20**

Policy UG 25B: Target for housing development capacity – western Bay of Plenty sub-region

Provide housing development capacity within the western Bay of Plenty sub-region for the period 2018-2048 as set out in the table below:

Geographical Area	Number of dwellings development capacity to be enabled		
	Medium-term 2018-2028	Long-term 2028-2048*	30 Year Total 2018-2048
Tauranga City	16,500	25,500	42,000
Western Bay of Plenty District	5,000	5,000	10,000
Total for sub-region	21,500	30,500	52,000

*The medium-term target includes an additional margin of 20% capacity and 15% for the long-term target.

Explanation

The National Policy Statement for Urban Development Capacity (NPS-UDC) requires minimum targets for sufficient, feasible development capacity for housing the western Bay of Plenty sub-region. The minimum targets represent development capacity for housing required to be enabled, rather than the amount of housing built in each term. The targets will be reviewed every three years following the completion of scheduled capacity assessments.

The targets are for the medium and long-term and reflect the projected number of dwellings required based on projected demand. They include an additional margin for development capacity of at least 20% in the medium-term and 15% in the long-term, as required by the NPS-UDC.

These targets represent the development capacity that Tauranga City Council and Western Bay of Plenty District Council shall enable through their district plans, structure plans, growth and infrastructure strategies.

The NPS-UDC requires that medium-term development capacity must be feasible, zoned and either serviced with development infrastructure, or the funding for the development infrastructure required to service that development capacity must be identified in the relevant long-term plan required under the Local Government Act 2002.

Long-term development capacity must be feasible, identified in relevant plans and strategies, and the development infrastructure required to service it must be identified in the relevant Infrastructure Strategy required under the Local Government Act 2002.

Table reference: **Objective 25, Methods 1, 14 and 16**

Water Quality Policies

Policy WL 1B: Enabling land use change

Regard as a positive effect any significant reduction in contaminant discharge (including nitrogen and phosphorus) likely to result from land use change proposals.

Explanation

In some locations, certain land uses are giving rise to undesirable environmental effects not anticipated when the land use began. For example, more nutrients are entering the Rotorua Te Arawa Lakes than can be absorbed. Per hectare, dairy farms discharge more nitrogen than sheep and deer, which in turn discharge more than bush and forestry. Other uses too are likely to be able to demonstrate discharges substantially less than intensive pastoral farming.

A district plan may require a resource consent to be obtained to authorise a change from an existing land use. This policy applies when a plan change or consent application proposes a change in use likely to reduce the discharge of contaminants. As matters relevant to a change or an application are considered, the anticipated reduction is to be counted as a positive effect to be taken into account.

Table reference: Objective 27, Method 3

Policy WL 2B: Defining catchments at risk

Control contaminant discharges in the following catchments at risk:

- (a) The catchments of Lakes Rotoiti, Rotorua, Rotoehu, Ōkaro, Ōkāreka, Rotomā, Ōkātina, Tarawera, Tikitapu, Rotokāhahi, Rerewhakaaitu and Rotomāhana; and
- (b) The catchments of other water bodies when they are defined and included in the Regional Water and Land Plan or Regional Coastal Environment Plan. Consideration of whether a catchment is at risk will have regard to whether it has significant values (e.g. cultural, ecological, economic, recreational) that may be adversely affected by land use or land use change or have limited capacity to assimilate discharges of contaminants without affecting those values.

Explanation

Monitoring has shown that at-risk catchments are trending away from achieving or bettering established water quality targets. The Rotorua Te Arawa Lakes comprise the at-risk catchments defined in this policy. The policy allows for other qualifying catchments to be defined in the Regional Water and Land Plan. These catchments are to be identified through the formal plan change process, including notification and public submissions. Method 21 requires the water quality of surface water bodies to be regularly monitored to determine whether they require identification as a catchment at risk. In addition, Method 62 requires the identification of coastal waters that are having a significant adverse effect on ecosystems, natural habitats or water based recreational activities or are restricting uses such as aquaculture, shellfish gathering and cultural activities. The catchments of waterbodies identified by this method will be incorporated into the Regional Water and Land Plan or Regional Coastal Environment Plan.

Catchments at risk are the subject of several subsequent policies directing regional plan provisions to require:

- 1 The establishment of contaminant discharge limits;
- 2 That resource consent be obtained where land use change increases contaminant discharges;
- 3 Allocation of allowable nutrient discharges among land use activities; and
- 4 Managed reduction of contaminants in excess of any limits.

Table reference: Objective 28, Methods 2 and 21

Policy WL 3B: Establishing limits for contaminants entering catchments at risk

Establish limits for the total amount of specified contaminants that enter the receiving waters within a catchment at risk including:

- (a) Contaminants to be managed to avoid compromising public health and each catchment's ecology, mauri, fishability, swimmability and aesthetics;
- (b) For the Rotorua Te Arawa Lakes the amount of nitrogen and phosphorus that can enter each lake in order to achieve its target trophic level index; and
- (c) For Lake Rotorua the total amount of nitrogen that enters the lake shall not exceed 435 tonnes per annum.

Explanation

Within the region, both surface water and groundwater are used for a wide range of purposes. Each use requires water of a corresponding quality. Some uses potentially conflict with others; the assimilation of contaminants may compromise consumptive uses. Water management policy, while enabling people and communities to provide for their social, economic and cultural well-being, must ensure that statutory water quality requirements are met.

Nutrient limits are necessary to meet the regional community's water quality targets for all at-risk catchments within the Rotorua Te Arawa lakes area.

The operative Bay of Plenty Regional Water and Land Plan sets trophic level indices (TLIs) for lakes of the Rotorua District as a means of measuring long-term trends in water quality to see whether each lake is improving or declining. Target TLIs for each lake have been determined through a public process, and are contained in the Regional Water and Land Plan. The TLI system is used as a means of measuring water quality based on the amount of total nitrogen, total phosphorus and chlorophyll A (algae) present in a lake, and the clarity of the water.

The 435 tonne annual sustainable nitrogen load for Lake Rotorua includes stream and groundwater flows, rainfall, and treated sewage effluent and excludes internal loads from the lake bed. The 435 tonnes is required to achieve the 4.2 trophic level index target currently set in the Regional Water and Land Plan.

When the target TLIs are reached, they may need to be reviewed to ensure that statutory (sections 70 and 107 of the Act) water quality requirements are met.

Table reference: Objective 28, Method 2

Policy WL 4B: Requiring consent for increased discharges in catchments at risk

Require that, in catchments at risk, a change in land use likely to result in the discharge of increased amounts of nominated contaminants⁵ be allowed only if resource consent is obtained.

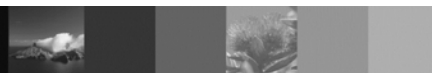
Explanation

Land use change, subdivision and development activities likely to result in increased discharges of contaminants should be subject to a rule requiring a consent to be obtained; this would allow close scrutiny of a proposal and the setting of conditions to keep any contaminant discharge within established limits or for consent to be refused. However, it is accepted that some farming practices, such as crop rotations, result in year to year fluctuations in nutrient leaching and this needs to be provided for.

The effect on water quality from discharges is in relation to the whole of the water body as the receiving environment for that discharge, including downstream effects.

Table reference: Objective 28, Method 2

⁵ For example, nitrogen and phosphorus.



Policy WL 5B: Allocating the capacity to assimilate contaminants

Allocate among land use activities the capacity of Rotorua Te Arawa lakes and other water bodies in catchments at risk to assimilate contaminants within the limits established in accordance with Policy WL 3B having regard to the following principles and considerations:

- (a) Equity/Fairness, including intergenerational equity;
- (b) Extent of the immediate impact;
- (c) Public and private benefits and costs;
- (d) Iwi land ownership and its status including any Crown obligation;
- (e) Cultural values;
- (f) Resource use efficiency;
- (g) Existing land use;
- (h) Existing on farm capital investment; and
- (i) Ease of transfer of the allocation.

Explanation

Each water body is able to assimilate a certain amount of nutrients or other contaminants before the values of the water body are unacceptably compromised.

Essentially, what is being allocated is the capacity of Lake Rotorua and other at-risk catchments to assimilate a discharge of a contaminant. A 2005 amendment to the Act introduced as a new function of regional councils the establishment of regional rules to allow the allocation of this resource on other than a first-come/first-served basis. Thus, allocation mechanisms are implemented through rules in regional plans. This policy seeks to direct this by requiring, and providing principles and considerations for, allocation.

The management of activities and land uses within the context of the catchment of a receiving water body allows the particular characteristics of each water body to be taken into account. In the context of Lake Rotorua, for example, the amount of nitrogen that the lake can assimilate without adverse effect comes from the whole of the catchment. How that amount is to be distributed within the catchment presents management issues requiring policy guidance. Consequently, allocation decisions will be undertaken in consultation with the affected community, particularly landowners directly affected by the allocation.

Table reference: Objective 28, Methods 2 and 28

Policy WL 6B: Managing the reduction of nutrient losses

Require, including by way of rules, the managed reduction of any nutrient losses that are in excess of the limits established under Policy WL 3B by ensuring that:

- (a) Rural production land use activities minimise their loss of nutrients as far as is reasonably practicable by implementing on-farm best management practices;
- (b) Any land use change that is required within the Rotorua Te Arawa lakes catchments to achieve the limits takes into account an equitable balancing of public and private costs and benefits; and
- (c) No discharges shall be authorised beyond 2032 that result in the limit for Lake Rotorua being exceeded. A catchment intermediate target for the managed reduction of nitrogen loss is to be set to achieve 70% of the required reduction from 746 t/yr to 435 t/yr by 2022.

Explanation

Managed reduction in the amount of nutrients derived from land use activities is necessary to halt the decline in water quality in at-risk catchments.

On-farm best management practices should be implemented to ensure that all rural production land use activities minimise their nutrient losses as far as is reasonable, practicable and affordable. The aim is to ensure that all rural production land users are operating in accordance with industry best practice.

For Lake Rotorua, current on-farm best practice alone will not achieve the nitrogen load reduction required to reach the sustainable nitrogen load of 435 tN/yr and land use change will be necessary. Beyond 2032 only discharges which enable the 435 tN/yr to be met will be authorised. The development of further resource management policy will have regard to the Oturoa Agreement.

The cost of achieving any further reduction in nutrient losses over and above on-farm best practice in a particular catchment will have a mix of public and private benefits and should be funded accordingly. Consequently, the implementation of Policy WL 6B will require the development of further policy under the Regional Council's Resource Management Act 1991 and Local Government Act 2002 responsibilities.

Nutrient reduction targets have been established to enable lakes such as Rotorua, Rotoiti, Ōkaro, Rotomā, Rotoehu and Ōkāreka to meet their target trophic level indices (TLIs).

Table reference: Objective 28, Methods 2, 3 and 28

Policy WL 7B: Minimising the effects of land and soil disturbance

Achieve regional consistency by controlling land and soil disturbance activities to:

- (a) Avoid accelerated erosion and soil loss; and
- (b) Minimise silt and sediment runoff into water, or onto or into land that may enter water, so that healthy aquatic ecosystems are sustained.

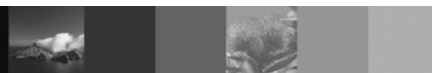
Explanation

An area of overlapping jurisdiction between the Bay of Plenty Regional Council and district and city councils is the ability to control land and soil disturbance activities. Many small scale earthworks – such as driveways and retaining walls – can cumulatively contribute large amounts of silt to stormwater and water bodies, as do large scale earthworks on erosion prone land. Some activities – such as major road construction – are likely to require resource consents from both the Bay of Plenty Regional Council and district or city councils. Local authorities should work in collaboration to manage the effects of land and soil disturbance activities.

This policy will require that the Bay of Plenty Regional Council and district and city councils integrate the control of land and soil disturbance activities in their regional and district plans. Method 36 requires the Bay of Plenty Regional Council and district and city councils to develop a protocol for land and soil disturbance. The protocol will assist with implementing this policy. Protocol decisions will be undertaken in consultation with affected stakeholders.

For the purpose of this policy, land and soil disturbance is intended to encompass matters included in the following definitions of the Regional Water and Land Plan; Land and Soil Disturbance, Earthworks, Vegetation Clearance and Cultivation.

Table reference: Objective 29, Methods 3 and 36



Policy WL 8B: Providing for regular reviews of regional council consent conditions

Require that land use, allocation and discharge consents granted by the Regional Council include provision for regular reviews of conditions to take into account advances in science and technology.

Explanation

The Regional Council resource consenting framework should have provision for regular reviews of conditions, in accordance with section 128 of the Act. As new data, models, scientific understanding or technological advances become available to better understand complex land and water systems, the ability to relax or tighten conditions of existing consents is necessary to take account of that new information while allowing the certainty of a longer term.

Table reference: Objective 29, Method 3

Water Quantity Policies

Policy WQ 1A: Promoting efficient water use, water harvesting and water transfers

Promote the efficient use of water, enable water harvesting where adverse effects on the environment can be avoided, remedied or mitigated, and enable the transfer of water permits in whole or in part.

Explanation

Efficient use of water can minimise water waste. Efficient use can enable better utilisation and desired environmental results. Using water more efficiently will also make water available when water supply is short, particularly in pressure catchments.

Water harvesting means taking and storing water when the availability is high and using it at a later time. Water harvesting should be consistent with sustainable management. Recognising the seasonal demand for water enables efficient use and complementary management.

Providing the ability to transfer water take and use entitlements between users will maximise the value from water. Transfer of permits should be consistent with sustainable management.

Table reference: Objective 30, Methods 2, 30, 31 and 32

Policy WQ 2A: Setting and applying instream flows and allocation limits for taking freshwater

- (a) Set and apply limits for instream flows for surface water bodies to safeguard their life-supporting capacity, and take into account Māori cultural values and other values where relevant;
- (b) Set and apply allocation limits for the total amount of water that can be taken from surface water bodies to ensure a reliable and accessible amount of water is available for users; and
- (c) Set and apply allocation limits for groundwater (excluding geothermal water) which take into account, among other things:
 - (i) The interaction between groundwater and surface water;
 - (ii) Sustaining groundwater-fed streams and wetlands;
 - (iii) Preventing the contamination of aquifers by geothermal bore water and saltwater intrusion; and
 - (iv) Water levels in aquifers.

Explanation

Policy WQ 2A directs the establishment and application of *instream flows* and total allocation limits.

Part (a) provides for instream flow requirements in surface water bodies to sustain the life-supporting capacity and other non-consumptive values of the waterbodies.

Part (b) refers to the maximum rate that water can be taken from a surface water body.

Part (c) concerns the total volume that can be taken from groundwater. Establishing total allocation capacity for groundwater aquifers safeguards dependent ecosystems in groundwater-fed streams and wetlands. It also ensures that the aquifer is not depleted, enabling supply of the groundwater resource for consent holders and permitted provisions. Establishing total allocation capacity for groundwater aquifers also helps prevent contamination of aquifers by geothermal bore water and saltwater intrusion.

Setting and applying instream flows and allocation limits for taking water should be carried out in collaboration with tangata whenua, the community and industry stakeholders.

It may be appropriate to set different allocation limits for groundwater aquifers and surface waterbodies for different periods of the year.

Table reference: **Objectives 17, 20, 21, 30 and 35, Methods 2, 3, 23I, 23M, 30, 45 and 76**

Policy WQ 3B: Allocating water

Have regard to the following matters when allocating and reallocating freshwater:

- (a) The demands and availability of water within catchments or areas;
- (b) Ensuring water in a water body is not over allocated;
- (c) Making water available to meet existing and reasonably foreseeable domestic, marae or municipal water supply needs with priority for essential drinking and sanitation requirements;
- (d) The relative economic benefits of the proposed end use of the water, when allocation limits are exceeded, or are close to being exceeded;
- (e) The benefits of maintaining instream flows to protect and enhance the cultural values of a waterbody, including its mauri;
- (f) Requiring the volume of water allocated and taken to be reasonable and justifiable with regard to its intended use;
- (g) The value of investments that existing consent holders have made which depend on the water abstracted;
- (h) The availability of the water for other uses, including cultural uses;
- (i) The benefits to be derived from the use of water for, or directly associated with electricity generation from renewable sources; and
- (j) The benefits to be derived from the use of water for rural production activities.

Explanation

Policy WQ 3B should be considered in conjunction with Policy WQ 2A which sets instream flows and allocation limits. Water allocation is also to be considered in conjunction with other relevant policies in this Statement.

Section 30 of the Act provides regional councils with the ability to allocate natural resources such as water other than on a first-come/first-served basis. Policy WQ 3B sets out those matters that the regional council will have regard to when directing allocation and reallocation of water. The matters listed are not in order of priority.



Section 14 of the Act allows for the taking of water for firefighting purposes, and for an individual's reasonable domestic needs or the needs of an individual's animals for drinking water, provided there are no adverse effects on the environment.

This policy recognises that ensuring water is not over allocated leads to a reliable water supply. Access to water for reasonable drinking and sanitation needs is a basic human right. Domestic or municipal water supply is a principal user of water in the region and drinking water and sanitation requirements are to be given priority over other water takes as it is essential for the health and welfare of people and communities. However, the scope of this priority is not unlimited and must be considered in relation to other matters listed in Policy WQ 3B, especially efficient use and the availability of water for other uses.

Demands on domestic or municipal water supply must not be seen as unlimited and should be constrained to avoid waste, uncontrolled consumption and associated costs. This should be accomplished by the development of a water management plan to achieve effective domestic or municipal water supply and demand efficiencies.

Consideration may be given to the community, regional or national benefits of the allocation of freshwater.

Protecting the cultural values of a water body sustains those values.

Requiring efficient use may include good industry practice, ensuring minimum waste and any other relevant aspects of efficiency.

Section 124A-C of the Act also allows for priority to be given to renewal of existing consents over new applications subject to matters of efficient use, good practice and enforcement history.

Section 7 of the RMA requires particular regard to be given to the benefits derived from the use and development of renewable energy. The National Policy Statement for Renewable Electricity Generation promotes the use and development of renewable energy sources such as water to generate electricity.

With regard to Policy WQ 3B(a) the nature of water demand and availability for a range of values may vary across the region, and may necessitate an area-based approach to water allocation.

Table reference: Objectives 10, 17, 21, 30 and 35, Methods 2, 3, 23I, 23M, 30, 31, 41, 43, 44 and 76

Policy WQ 4B: Establishing common review dates for the taking of water

Establish and implement common review dates for the taking and use of surface and groundwater within specified catchments.

Explanation

Establishing common review dates for resource consents for a particular catchment allows for consideration of all water takes at the same time. Any allocation for existing and proposed uses need to ensure that the taking and use of water continues to be efficient and sustainable, having regard to the matters in Policy WQ 3B. This also ensures that the taking of water is appropriate within a changing environment.

Different catchments may have different common review dates depending on the catchment's pressures and environmental characteristics.

This policy does not apply to the taking of geothermal fluid by requiring authorities.

Table reference: Objectives 30, 10 and 21, Methods 3 and 30

Policy WQ 5B: Reviewing resource consents for the taking of water

Review existing resource consents for the taking and use of surface and ground water on a catchment by catchment basis to implement allocation limits and instream flows.



Explanation

A review of resource consent conditions will address any adverse environmental effects which have arisen since consent was issued, or will enable allocation limits and instream flows to be set (as provided for by Policy WQ 2A). A review also ensures that the taking and use of water continues to be efficient and sustainable as environmental circumstances change.

Table reference: Objectives 30, 10 and 21, Methods 3 and 30

Policy WQ 6B: Ensuring water availability

When applying for designations, plan changes, land use and/or subdivision consent the applicant should ensure that there is sufficient water available at the location to support the activity.

Explanation

Before seeking consent for a new development or particular activity the applicant should check that there is sufficient water available to sustain it. The Regional Council can advise a potential applicant regarding the availability of water at the location of their proposed development so they can make an informed decision about whether or not to proceed with their proposal.

Table reference: Objectives 30, 10, 20 and 26, Methods 3, 30 and 32

Policy WQ 7B: Reducing water demand

When applying for land use and/or subdivision consent the applicant shall consider alternative sources of water, and where reasonable, implement water conservation measures and the benefits of water collection and reuse and/or recycling.

Explanation

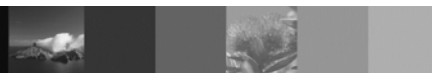
New subdivisions and developments increase the demand on water bodies. Initiatives such as rainwater collection from roofs, use of rain gardens, water recycling and greywater reuse can reduce this demand. A reduction in demand can result in positive environment effects such as recharge of the groundwater resource.

Table reference: Objectives 30 and 20, Methods 3, 30, 31 and 32

Policy WQ 8B: Managing consented water takes to ensure efficient use

When considering an application for resource consent to take water, regard shall be given to:

- (a) The extent to which water users have demonstrated a reasonable need for the rates and volumes sought;
- (b) The extent to which water users have demonstrated that the water will be used efficiently;
- (c) The extent of potential adverse effects on other authorised users;
- (d) Specifying the maximum allowable water use as well as maximum abstraction rates;
- (e) Requiring the consent holder to measure and report the actual amount of water taken;
- (f) Whether water is able to be taken within pressure catchments and aquifers that are nearing full allocation;
- (g) Preventing saltwater intrusion;
- (h) The reasonably foreseeable impacts of climate change;



- (i) Establishing and applying a consent term of no more than 15 years, unless:
 - (i) The take and use of water is necessary to enable the use or development of regionally significant infrastructure;
 - (ii) The take and use of water is for a non-typical activity such as dewatering and the access to, and use and development of mineral resources; or
 - (iii) A longer term is demonstrated by the applicant to be appropriate in the circumstances;
- (j) The benefits to be derived from the use of water for, or directly associated with electricity, generation from renewable sources.

Explanation

The policy outlines those matters that the Regional Council will have regard to when determining water permit applications. Efficient water use relies on taking only the amount of water that is needed and having systems in place to avoid waste. Specifying the maximum allowable amount and rate discourages over-abstraction.

The amount of water should be measured and reported on to allow assessment as to whether the allocation limits and instream flows have been set at appropriate levels. Regard should also be given to whether the water resource is nearing over allocation.

Saltwater intrusion should be prevented. Climate change may reduce the amount of water available. Restricting the terms of consent granted ensures the taking and use of water is sustainable and efficient. Giving regard to a maximum consent term of 15 years may still allow for longer consent terms in appropriate circumstances, determined on a case by case basis.

Table reference: Objectives 30, 17 and 20, Methods 3, 30 and 31

Natural Hazard Policies

The Natural Hazards Risk Management Policy Framework is shown in Appendix K.

Policy NH 1B: Taking a risk management approach

Take a risk management approach to control the use, development and protection of land to avoid or mitigate natural hazards by assessing the level of risk according to the likelihood of natural hazards occurring and their potential consequences.

Explanation

A risk management approach involves assessing the risk (i.e. the likelihoods and potential consequences) of hazards and managing that risk according to accepted thresholds.

A risk management approach is important to ensure that land use is managed so that the level of control corresponds to the level of risk. Evaluation of risk indicates when and how much risk reduction is required, and when land use controls may and may not be needed.

The approach ensures rational and consistent land use planning by applying the same framework irrespective of the type of natural hazard that may exist. It allows for the full range of risk mitigation measures (regulatory and non-regulatory) to be taken into account in determining the level of risk that exists at a particular locality. For example, where emergency management responses such as evacuation are proposed, their modelled effectiveness would be included in the risk assessment.

Risk management differs from the approaches that have tended to be taken in the past. The approach focuses on the presence and level of the risk rather than the presence and likelihood of the hazard. It means, for example, that a low level of response may be taken even where a hazard is likely if the consequence would be low. Conversely, it means that land use control may be required in respect of a hazard with a relatively low level of likelihood if the potential consequences of that hazard event, left unmanaged, are high.



Table reference: **Objective 31, Method 3**

Policy NH 2B: Classifying risk

Classify risk according to the following three-category risk management framework as detailed in Appendix L:

- 1 *High natural hazard risk* being a level of risk beyond what should be tolerated.
- 2 *Medium natural hazard risk* being a level of risk that exceeds the Low level but does not meet the criteria for High risk.
- 3 *Low natural hazard risk* being the level of risk generally acceptable.

The policy direction associated with these levels of risk is set out in Policy NH 3B Natural hazard risk outcomes.

Explanation

The risk-management approach to natural hazards management requires a framework of risk levels that provides a basis for consistent land use management decisions.

The concept of a three-tier risk framework is well-established in risk management practice and consistent with national risk standards and associated guidance.

Policy NH 2B establishes a framework for screening risk (and hence land and land use subject to risk) into three broad categories that allows for a differentiated natural hazard management policy position to be applied (as provided for in Policy NH 3B).

The levels of risk are established in two ways:

- 1 by applying likelihood and consequence assessments to the Appendix L Risk Screening Matrix which combines these factors and presents a risk level; and, if necessary,
- 2 by assessing the annual individual fatality risk and applying the criteria in Appendix L Step 5.

High risk generally occurs where both likelihood and consequence are relatively high. In the Risk Screening Matrix, the red cells indicate High natural hazard risk.

Medium risk can be generated by various combinations of a natural hazard's likelihood and consequence. In the Risk Screening Matrix, amber cells indicate Medium natural hazard risk.

Low risk generally occurs where both likelihood and consequence are relatively low. In the Risk Screening Matrix, green cells indicate Low natural hazard risk.

High, Medium and Low natural hazard risks are also defined by applying the annual individual fatality risk criteria set out in Step 5 of Appendix L.

Appendix L's Risk Screening Matrix colour array was established by the Regional Council following technical advice and community input. The annual individual fatality risk criteria in Step 5 align with national practice and the Council has adopted them accordingly.

Policies NH 1B and NH 2B provide the framework for the management of natural hazards in the Bay of Plenty Region. They apply to the development of plans and to the consideration of resource consent applications. However, unless Policy NH 9B applies, a resource consent application is not subject to the risk management approach of Policies NH 1B and NH 2B until Policy NH 8A has been implemented.

Table reference: **Objective 31, Method 3**



Policy NH 3B: Natural hazard risk outcomes

By the application of Policies NH 4B and NH 12A, achieve the following natural hazard risk outcomes at the natural hazard zone scale*:

- (a) In natural hazard zones subject to High natural hazard risk reduce the level of risk from natural hazards to Medium levels (and lower if reasonably practicable); and
- (b) In natural hazard zones subject to Medium natural hazard risk reduce the level of risk from natural hazards to be as low as reasonably practicable; and
- (c) In natural hazard zones subject to Low natural hazard risk maintain the level of risk within the Low natural hazard risk range.

*The risk outcome specific to new development on specific development sites is set out in Policy NH 4B.

Explanation

Policy NH 3B sets out the long-term strategic direction for the way natural hazard risk is managed throughout the Bay of Plenty region. The policy applies broadly to new development and to existing developed areas subject to natural hazard risk. Implementation of the strategy is reliant on the more specific direction in Policies NH 4B and NH 12A.

The policy uses the term “natural hazards zone”. That term is defined in Appendix A – Definitions. It requires risk to be considered over a broad spatial context that extends beyond the site of a single development or land use. The concept of a natural hazard zone is important as a means of managing cumulative risk over time. It is also important for understanding existing natural hazard risk that may already be faced by a community or group of activities.

Consistent with Policy NH 2B, high natural hazard risk within a natural hazard zone should not be tolerated and requires a response to reduce risk. There may be occasions when the need to reduce natural hazard risk is immediate but in most cases reducing risk from high levels will need to occur over time. These timeframes may span years or even decades in order to manage disruption and cost. This is particularly true when risk reduction relies on land development and redevelopment processes that relate to design life of buildings and infrastructure.

There may be extraordinary circumstances where a high natural hazard risk is allowed to remain indefinitely or result from a land use decision. Those situations are addressed by Policy NH 6B.

Medium risk, while tolerable, is not desirable and opportunities to reduce risk from medium levels where it exists should be taken where practicable. Land use management decisions should not result in risk levels increasing from low to medium. Nor should they result in the level of risk increasing in areas already subject to medium risk. Again, there may be circumstances where strict application of that principle does not promote sustainable management. Those situations are also addressed by Policy NH 6B.

Managing risk to achieve the outcomes of Policy NH 3B does not relate solely to preventing development occurring. Ensuring future development adopts risk reduction measures may be sufficient to achieve the required level of risk.

For the avoidance of doubt, the policy does allow for an increase in the level of risk in low risk areas provided that the level of risk remains within the low risk range.

By requiring action to reduce or maintain risk levels Policy NH 3B, together with Policies NH 4B and NH 12A, represent the risk reduction (treatment) stage as indicated in Figure 2.

Table reference: Objective 31, Methods 3, 18, 23B, 73 and 74



Policy NH 4B: Managing natural hazard risk on land subject to urban development

Require a Low natural hazard risk to be achieved on development sites after completion of the development (without increasing risk outside of the development site) by controlling the form, density and design of:

- (a) Greenfield development;
- (b) Any urban activity within the existing urban area that involves the construction of new and/or additional buildings or reconstruction of or addition to existing buildings (including any subdivision associated with such activities); and
- (c) Rural lifestyle activities;

except that a Low level of risk is not required to be achieved on the development site after completion of the development where the development site is located within a natural hazard zone of Low natural hazard risk and that natural hazard zone will maintain a Low level of natural hazard risk after completion of the development.

Explanation

In general, the purpose of Policy NH 4B is to ensure that wherever and whenever new urban development (or redevelopment) occurs it is designed and built to achieve Low natural hazard risk. This applies regardless of whether a plan specifically provides for the activity or not.

Importantly, the policy requires consideration of natural hazard risk at the scale of the “development site”. That term is defined and confines the consideration of risk to that area of land where development is proposed.

Consideration at the site scale avoids the risk associated with new development being distorted by an existing level of risk that might exist elsewhere in the natural hazard zone.

An important exception to that general policy approach is that a Low level of risk need not be achieved on a development site as a result of development provided that after completion of the development the risk level within the natural hazard zone remains Low. This can only be achieved within a natural hazard zone that has a pre-existing natural hazard risk that is Low. It means that on some development sites achieving a Low level of risk may not be necessary. This provides an element of flexibility to future land development and is consistent with Policy NH 3B and the explanation of that policy as set out in this Statement.

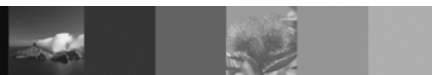
Options for reducing natural hazard risk may take many forms. Some potential risk reduction measures are set out in Appendix M.

Requiring new development or redevelopment to achieve a Low level of risk will, over time, reduce aggregate risk over a natural hazard zone that may be subject to risk that exceeds the Low level.

City and district councils and the Regional Council will need to either require those undertaking development or redevelopment of land to undertake risk management as part of that development process (consistent with Policy NH 4B) or ensure development achieves low natural hazard risk through the provisions of district and regional plans (consistent with Policy NH 12A).

There may be extraordinary circumstances where new development (or specific urban activities within such development) can appropriately be subject to greater than Low natural hazard risk. Those situations are addressed by Policy NH 6B.

Table reference: Objective 31, Methods 3, 18 and 23A



Policy NH 5B: Avoiding increasing and encouraging reducing natural hazard risk in the coastal environment

Despite Policies NH 3B, NH 4B and NH 12A, ensure that on any land within the coastal environment that is potentially affected by coastal erosion or coastal inundation over at least the next 100 years:

- (a) no land use change or redevelopment occurs that would increase the risk from that coastal hazard; and
- (b) land use change or redevelopment that reduces the risk from that coastal hazard is encouraged.

Explanation

Policy 25 of the New Zealand Coastal Policy Statement 2010 (NZCPS) requires that in areas “potentially affected” by coastal hazards over at least the next 100 years land use change that would increase risk is avoided.

This requirement applies irrespective of the level of risk of the coastal hazard. It is also specific that the risk should not be increased as a result of redevelopment or change in land use. Mitigation or management actions can be undertaken to maintain risk at the required level.

The Statement is required to give effect to the NZCPS. For that reason Policy NH 5B is included. It provides a bottom-line obligation on councils to avoid land use change in areas subject to coastal hazards over a 100-year planning period.

All areas are potentially affected by hazards over a 100-year period, although the likelihood of some events over such a period is very low. For that reason, the Statement limits the consideration to coastal erosion and coastal inundation being events of high likelihood over a 100-year planning period.

Moreover, the 100-year planning horizon signals that the projected increase in sea level and storminess is to be taken into account in determining the areas potentially affected by both coastal erosion and coastal inundation.

Other hazards affecting the coastal environment are managed under the general Policies NH 3B, NH 4B and NH 12A.

Table reference: Objective 31, Methods 3, 18, 23B and 23C

Policy NH 6B: Exemptions from the natural hazard risk management approach

Policies NH 3B, NH 4B, NH 5B and NH 12A do not apply to the establishment, operation, maintenance and upgrading of activities that have more than low natural hazard risk or which are located in high and medium risk natural hazard zones if the activity:

- (a) Has a significant social, economic, environmental or cultural benefit to the community it services, or is a lifeline utility; and
- (b) Has a functional need for the location.

In the circumstances described in (a) and (b) above, risk management measures (including industry standards, guidelines or procedures) must be applied to reduce risk to life and property to be as low as reasonably practicable. Infrastructure should be located away from coastal hazard risk where practicable.

Explanation

There are some activities that must locate in susceptible locations in order to access a natural or physical resource and/or provide a necessary community, social, cultural, environmental or economic service. Ports and surf life-saving clubs for example must be located on the coast and geothermal energy development must be located in geothermal fields notwithstanding that these coastal and geothermal locations may be subject to natural hazards.



Similarly, the efficient and effective provision of certain infrastructure (such as hydroelectricity generation and electricity transmission) is also limited to particular locations and corridors. These activities can be said to have a functional need for the location.

Moreover, by their nature some activities (for example, geothermal energy development or water storage for hydroelectricity) may, if not properly managed, increase the likelihood of a hazard event. For the purpose of the Statement, the risk associated with the increased likelihood of an event associated with activities such as geothermal development or large-scale water storage is regarded as being managed by the other means - section 2.4 of this Statement in the case of geothermal development and the Building (Dam Safety) Regulations in the case of water storage.

Policy NH 6B provides an exception for the types of activities described to remain where they already exist, or establish in the future should the need arise, notwithstanding that Policies NH 3B, NH 4B, NH 5B or NH 12A might otherwise require such uses to locate in areas less susceptible to natural hazards.

For the avoidance of doubt, Policy NH 6B does not obviate the need for activities to undertake hazard risk assessment to the extent that Policy NH 9B applies. Nor does it obviate the need for local authorities to assess risk in accordance with Policy NH 8A.

The exception that Policy NH 6B provides relates to the need to comply with the risk management strategy of Policy NH 3B and the requirement for development to achieve low natural hazard risk under Policy NH 4B. Even where risk reduction is not undertaken in accordance with those policies it will be important to be aware of the natural hazard risk that exists.

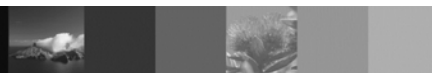
Table reference: Objective 31, Method 3

Policy NH 7A: Identifying areas susceptible to natural hazards

Identify natural hazards and the locations where those natural hazards could affect people, property and lifeline utilities by mapping hazard susceptibility areas for the following natural hazards:

- (a) Volcanic activity
 - (i) pyroclastic and lava flow;
 - (ii) landslip, debris flow and lahar;
 - (iii) ash fall;
 - (iv) geothermal hazard; and
 - (v) caldera unrest.
- (b) Earthquake
 - (i) liquefaction and lateral spreading;
 - (ii) fault rupture;
 - (iii) landslide and rock fall; and
 - (iv) tsunami⁶.
- (c) Coastal/marine processes
 - (i) coastal erosion; and
 - (ii) coastal inundation.
- (d) Extreme rainfall
 - (i) landslip and debris flow/flood; and
 - (ii) flooding.

⁶ For the avoidance of doubt, the potential inundation effect of tsunami from any source (whether seismic or submarine landslide) should be mapped in accordance with Policy NH 7A.



Hazard susceptibility mapping may be undertaken in stages allowing for prioritisation of effort taking into account demand for land use change or intensification.

Explanation

Policy NH 7A defines the natural hazards that need to be identified as the first step of hazard risk assessment. It links to Policy NH 13C where responsibility for susceptibility mapping is specified.

Natural hazards associated with volcanic activity and some hazards associated with earthquakes should be identified at the regional scale. Natural hazards with more spatially predictable, localised effects should be identified at scales relevant to the type of hazard.

The policy allows for hazard susceptibility mapping to be undertaken in a staged way rather than being carried out for the entire district or region all at one time. This will allow for prioritisation of effort as particular areas are subject to, for example, plan changes associated with urban growth. This also recognises the challenge arising from Taupō District being within four regions and subject to four regional policy statements; without this proviso, Taupō District Council could potentially be obliged to apply multiple assessment methodologies for natural hazard identification and mapping.

Importantly, mapping susceptibility involves identifying the spatial extent of a potential hazard event. It does not represent risk as it does not take into account consequences. The purpose of mapping susceptibility is to identify where risk assessment should be undertaken and where it is not required.

The spatial scale of mapping should correspond with the boundaries of the agencies with responsibility for susceptibility mapping under policy NH 13C, or such other scale as may be defined by the responsible agency to represent a planning study area.

Earthquake ground shaking is not covered by this policy. Its spatial distribution is such that it is not amenable to being managed through differentiated land use controls. Ground shaking's main consequence, its effect on structures, and similarly wind, are managed through the Building Act.

Table reference: Objective 31, Methods 1A, 2A and 23A

Policy NH 8A: Assessment of natural hazard risk at the time of plan development

Assess natural hazard risk by:

- (a) Defining natural hazard zones within hazard susceptibility areas; and
- (b) Determining the level of natural hazard risk within each natural hazard zone by undertaking a risk analysis using the methodology set out in Appendix L; and
- (c) Classifying natural hazard risk within each natural hazard zone as either High, Medium or Low natural hazard risk using the methodology set out in Appendix L.

Explanation

Although natural hazards may exist at various locations, the risk they pose may be different at each location. Whether the hazard warrants a land use planning response, or what level of planning response may be warranted, depends on the level of risk that is present.

Policy NH 8A requires that risk analysis be undertaken for each location at which a natural hazard has been identified to determine the level of risk that exists taking account of existing and any proposed land use and development. A hazard susceptibility area may contain more than one natural hazard zone. Risk management responses will vary accordingly.

Appendix L sets out in detail the methodology to be followed in undertaking that analysis. It ensures that the potential adverse effects on people and communities (including loss of life, injury, property loss/damage, and infrastructure loss/damage/disruption) from hazard events are taken into account in a consistent way.



Policy NH 8A requires risk assessment to be undertaken in the context of district or regional plan development. It should consider consequences in terms of potential adverse effects on existing development and on any proposed development (or development provided for in the plan).

The methodology in Appendix L includes the use of two different risk metrics:

1. The maximum possible risk from each hazard (taking into account the full range of impacts outlined above).

This is determined by assessing a range of events of different likelihoods and their potential consequences and applying a matrix to categorise risk levels. The matrix is termed the Risk Screening Matrix. It does not attempt to strictly quantify risk but to broadly screen risk into the three categories previously discussed based on the consequences relative to the likelihood.

2. The annual individual fatality risk (AIFR).

The AIFR is obtained by multiplying the modelled number of deaths from a hazard event by the annual exceedance probability of the event and dividing by the population within the hazard assessment area. Thresholds are set for the AIFR that classify risk using the framework set out in Policy NH 2B. The AIFR is another means of combining the consequence of an individual death with the likelihood of the event without using the Risk Screening Matrix. In the AIFR metric, the significance of the loss of human life is proportional to the size of the population susceptible to the hazard (whereas the Risk Screening Matrix values a human life the same regardless of the size of the population). AIFR allows for a rare event resulting in many deaths to result in high risk.

Appendix L provides for the determination of the likelihoods and consequences to be quantitative or qualitative although a high degree of quantification will be appropriate in some circumstances (as identified in Appendix L).

Policy NH 8A is an “A” policy and must therefore be given effect to in the context of regional and district plan development.

Table reference: Objective 31 , Methods 1A, 2A and 23A

Policy NH 9B: Assessment of natural hazard risk at the time of subdivision, or change or intensification of land use before Policies NH 7A and NH 8A have been given effect to

Before a district or, where applicable, regional plan gives effect to Policies NH 7A and NH 8A, assess natural hazard risk associated with a development proposal to subdivide land or change or intensify land use using the methodology set out in Appendix L where:

- (a) The subdivision of land or the change or intensification of land use is proposed to occur on an urban site of 5 ha or more; or
- (b) The relevant consent authority considers risk assessment appropriate having regard to:
 - (i) the nature, scale and/or intensity of the activity,
 - (ii) the location of the development site relative to known hazards,
 - (iii) the cumulative effect on risk of developments on sites less than 5 ha,
 - (iv) the nature and extent of any risk assessment that may be required under, or incorporated within, the operative district or regional plan,

except that the obligation to assess the risk of the natural hazard under this policy shall not arise where the risk derives from a geothermal hazard which is managed under this Statement’s section 2.4 and the Geothermal Resources Policies and Methods.



Explanation

Although Policy NH 8A requires risk assessment in the context of the development of district plans (and any regional plan controlling land use), there are other circumstances when it is appropriate to assess natural hazard risk. Policy NH 9B defines the circumstances when risk assessment for a development proposal is appropriate in the interim period before district and regional plans give effect to policies NH 7A and NH 8A (“the interim period”).

The scale and the nature of development are important as they determine the potential consequences of a hazard event. For that reason, Policy NH 9B applies a threshold test of developments or redevelopment on sites of 5 ha or more. Moreover, such developments represent a significant change to the urban environment and offer an opportunity to “design-in” measures that can achieve a Low level of natural hazard risk.

While large-scale development proposals ought to involve an assessment of natural hazard risk as a matter of course, there may well be other smaller scale developments that should also be subject to risk assessment in the interim period. Policy NH 9B should not foreclose the opportunity for city and district councils to exercise discretion at the time of any resource consent application, notice of requirement or private plan change to require an assessment to be undertaken under Appendix L. Policy NH 9B (b) sets out the matters that will be relevant for a city or district council to consider when deciding whether to exercise that discretion.

Policy NH 9B also provides that risk assessment does not need to be undertaken when the natural hazard is managed under section 2.4 in this Statement. Note that section 2.4 and its associated Geothermal Resources Policies and Methods do not manage non-geothermal hazard risks to which a geothermal system, by its location, might be susceptible (e.g. tsunami or flooding). Those non-geothermal risks require assessment under this policy.

Table reference: Objective 31, Methods 3, 18 and 23A

Policy NH 10B: Assessment of natural hazard risk at the time of subdivision, or change or intensification of land use after Policies NH 7A and NH 8A have been given effect to

After the relevant district or, where applicable, regional plan gives effect to Policies NH 7A and NH 8A assess natural hazard risk associated with a development proposal to subdivide land or change or intensify land use using the methodology set out in Appendix L where the relevant district or regional plan specifically requires that natural hazard risk assessment be undertaken

except that the obligation to assess the risk of the natural hazard under this policy shall not arise where:

- (a) An assessment of the susceptibility of the land subject to the development proposal has demonstrated that the land is not susceptible to the hazard; or
- (b) The risk derives from a geothermal hazard which is managed under this Statement’s section 2.4 and the Geothermal Resources Policies and Methods.

Explanation

Policy NH 10B applies in the period after district and regional plans have given effect to policies NH 7A and NH 8A.

The 5 ha site size threshold and discretion that apply in the interim period, in accordance with Policy NH 9B, do not apply after the interim period. Instead Policy NH 10B makes clear that whether assessment at the time of development proposals occurs is dependent on the provision being made for such assessment within the relevant regional or district plan.

It is expected that regional and district plans will require assessment of natural hazard risk in respect of development proposals that have not been anticipated by the plan (and hence may significantly alter the natural hazard risk in a particular locality that would otherwise be considered low).

Policy NH 10B also provides that risk assessment does not need to be undertaken when the natural hazard is managed under section 2.4 in this Statement. Note that section 2.4 and its associated Geothermal Resources Policies and Methods do not manage non-geothermal hazard risks to which a geothermal system, by its location, might be susceptible (e.g. tsunami or flooding). Those non-geothermal risks require assessment under this policy.

For the avoidance of doubt, Policy NH 10B also makes clear that no assessment is required if a hazard susceptibility assessment has determined that the land is not susceptible to natural hazards.

Together, Policies NH 7A, NH 8A, NH 9B, and NH 10B represent the risk identification stage as indicated in Figure 2. Appendix L represents the risk analysis and risk evaluation stages.

Table reference: Objective 31, Methods 3, 18 and 23A

Policy NH 11B: Providing for climate change

Incorporate the effects of climate change in natural hazard risk assessment. Authoritative up-to-date projections of changes in sea level, rainfall, temperature, and storm frequency and severity will be used as updated scientific data become available.

Use the following projections as minimum values when undertaking coastal hazard assessments:

- (a) A 100-year time frame;
- (b) A projection of a base sea-level rise of at least 0.6 m (above the 1980–1999 average) for activities/developments which are relocatable;
- (c) A projection of a base sea-level rise of 0.9 m (above 1980–1999 average) for activities where future adaptation options are limited, such as regionally significant infrastructure and developments which cannot be relocated; and
- (d) An additional sea-level rise of 10 mm/annum for activities with life spans beyond 2112.

Explanation

Climate change has implications for many natural hazards including coastal hazards, landslip, sedimentation, wind, drought, fire and flooding.

Policy NH 11B seeks to ensure a consistent approach to identifying and assessing coastal hazards, which aligns with the most recent and internationally accepted scientific knowledge on climate change risk. This policy and Policy IR 2B set out minimum values for climate change projections to be taken into account when assessing natural hazards and identifying the types of natural hazards likely to be exacerbated by climate change. Current sea-level rise projections have been derived from: Coastal Hazards and Climate Change: A Guidance Manual for Local Government in New Zealand, Ministry for the Environment, May 2008.

The first paragraph of the policy is generic. The remainder of the policy applies more particularly to the coastal environment and should be read together with the first paragraph.

Table reference: Objective 31, Method 3

Policy NH 12A: Managing natural hazard risk through regional, city and district plans

Promote the natural hazard risk outcomes set out in Policy NH 3B by:

- (a) Providing for plans to take into account natural hazard risk reduction measures including, where practicable, to existing land use activities, and, where necessary,
- (b) Controlling the location, scale and density of the subdivision, use, development and protection of land and land use change in city, district and regional plans.



- (c) Ensuring that regional, city and district plan provisions provide a high degree of certainty for the establishing and maintaining of essential risk reduction works and other measures.

Explanation

Policy NH 12A applies in the context of the development of city, district and regional plans. It seeks to ensure that in planning for new greenfield or infill development regard is had to existing and future natural hazard risk. It also applies to existing land use and existing risk.

One of the key differences between Policy NH 4B and NH 12A is the scale at which risk is to be managed. While Policy NH 4B addresses risk within the development site, Policy NH 12A considers the broader context at plan development stage. This requirement seeks to address cumulative risk that may result from the incremental adding of people and buildings to a natural hazard zone.

Consideration of cumulative natural hazard risk is best undertaken by the local authority at the time city, district and regional plans are prepared.

Consistent with the comment made in Section 2.8, in identified urban growth areas Policy NH 12A requires city and district plans to manage natural hazard risk through a range of methods including land use controls where necessary except that the suitability of the land for urban development is accepted.

For existing at-risk development, protection works at varying scales will often be necessary to achieve the risk management strategy. Community safety and well-being may be reliant on protection works (such as stopbanks) being developed and maintained on a continuing basis to achieve the necessary risk reduction, and regional, city and district plan must recognise this.

Options for reducing natural hazard risk may take many forms. Some key risk reduction measures are provided in Appendix M.

Table reference: Objective 31, Methods 1A, 2A, 18 and 23B

Policy NH 13C: Allocation of responsibility for natural hazard identification and risk assessment

Require the natural hazard identification and risk assessment approach described in Policies NH 1B, NH 2B and NH 7A to NH 10B above to be given effect to by:

- (a) Regional council undertaking area-based natural hazard susceptibility mapping in accordance with Policy NH 7A for:
- (i) Hazards related to volcanic activity;
 - (ii) Hazards related to earthquakes;
 - (iii) Tsunami;
 - (iv) Coastal erosion and coastal inundation; and
 - (v) Flooding from natural water courses outside urban areas with reticulated stormwater networks.
- (b) Regional council undertaking area-based natural hazard risk analysis and evaluation in accordance with Policy NH 8A for:
- (i) Hazards related to volcanic activity;
 - (ii) Liquefaction; and
 - (iii) Tsunami.
- (c) City and district councils undertaking area-based:
- (i) Natural hazard susceptibility mapping in accordance with Policy NH 7A for those hazards listed in Policy NH 7A that are not listed in (a) above; and
 - (ii) Natural hazard risk analysis and evaluation in accordance with Policy NH 8A for those hazards listed in Policy NH 7A that are not listed in (b) above.

Explanation

Policy NH 13C clarifies the roles and responsibilities of the Bay of Plenty Regional Council and city and district councils for area-based natural hazard identification and risk assessment.

Regional council has responsibility for most of the susceptibility mapping. The exceptions are urban flooding, landslip and debris flow that are the responsibility of city and district councils. This distinction reflects the source of existing natural hazards information and the core technical competencies of regional council.

Regional council has a more restricted role in natural hazard risk analysis and evaluation on the basis that risk analysis and evaluation requires a detailed understanding of land use and development and associated infrastructure. Information and local expertise on those matters resides with city and district councils. Regional council is responsible for risk analysis and evaluation in relation to volcanic hazards, tsunami and liquefaction on the basis of the widespread nature of the potential consequences.

As well as councils having their formal roles, people undertaking subdivision, land use change or intensification also have their roles and responsibilities in accordance with Policies NH 9B and NH 10B.

Table reference: **Objective 31, Method 23A**

Policy NH 14C: Allocation of responsibility for land use control for natural hazards

The Bay of Plenty Regional Council, city and district councils shall be responsible for specifying objectives, policies and methods, including any rules, for the purpose of the control of the use of land for the avoidance or mitigation of natural hazards as set out in the table below.

Table 12a Natural hazards land use control responsibility table.

	Responsibility for developing objectives and policies	Responsibility for developing any rules	Responsibility for developing methods other than rules
Land except land in the coastal marine area	City and district councils and Bay of Plenty Regional Council	City and district councils*	City and district councils and Bay of Plenty Regional Council
Land in the coastal marine area	Bay of Plenty Regional Council	Bay of Plenty Regional Council	Bay of Plenty Regional Council

* Under section 30(1)(c)(iv) of the Act, the Regional Council has the function to control land use for the avoidance or mitigation of natural hazards. The Act allows the Regional Council to exercise that function in such a way as to override any existing use rights available under section 10(1) of the Act. The allocation of responsibilities under this policy does not remove the right of the Regional Council to exercise its functions and powers in that regard. Should it choose to do so, any such provisions will be subject to a plan or plan change process under Schedule 1 to the Act.

Explanation

In accordance with section 62 of the Act, Policy NH 14C sets out local authority responsibilities for specifying the objectives, policies and methods, including any rules, for the control of the use of land to avoid or mitigate natural hazards or any group of hazards in the Bay of Plenty region. Note that “land” includes land covered by water; in the coastal marine area, “land” includes the foreshore and seabed.

The policy provides that the Bay of Plenty Regional Council and city and district councils share responsibility for establishing objectives, policies and any rules, including conditions of resource consent, for the control of the use of land for the avoidance or mitigation of natural hazards, except in the coastal marine area which is the Bay of Plenty Regional Council’s exclusive responsibility.

City and district councils have primary responsibility for controlling land use (other than in the coastal marine area); they may also control subdivision for the avoidance or mitigation of natural hazards. The Bay of Plenty Regional Council has the power to set land use rules, including conditions of resource consent, to address natural hazard risk to existing land uses and to address natural hazard risk on all land in the coastal marine area.

The Bay of Plenty Regional Council and city and district councils also share responsibility for establishing and implementing methods (excluding rules) used, or to be used, to implement the policies. Such methods might include, for example, provision of guidance on urban design, provision of information on hazards, or economic incentives or disincentives.

Table reference: **Objective 31**, **Methods 23A**, **23B** and **24A**

Rangitāiki River Catchment Policies

Applying the Rangitāiki River Catchment provisions

The Rangitāiki River Catchment policies and methods only apply to the Rangitāiki River Catchment area within the Bay of Plenty region identified in Map 4aa. These provisions should be read along with other region wide provisions. For clarification the following Rangitāiki River Catchment specific objectives shall prevail over the equivalent region wide objectives. Objective 39 prevails over Objective 22. Objective 34 prevails over Objective 27.

Policy RR 1B: Restoring and enhancing tuna (eel) habitat and migration pathways within the Rangitāiki River Catchment

Restoring and enhancing the habitat, migration pathways and population of tuna within the Rangitāiki River Catchment by:

- (a) Promoting a better understanding of tuna life cycles and the current state of tuna habitat within the catchment;
- (b) Working with river users to enhance tuna habitat and two-way migration pathways;
- (c) Requiring new structures to allow two-way tuna passage;
- (d) Requiring the modification of existing structures that inhibit tuna passage;
- (e) Where the modification of existing structures under (d) is not reasonably possible require mitigation measures to provide alternative means of two-way tuna passage;
- (f) Encouraging research into new and innovative methods of providing or enhancing tuna passage;
- (g) Investigating and introducing measures to improve the health of the tuna population.
- (h) Advocating for the restoration of wetlands, coastal lagoons and retired oxbows for tuna habitats; and
- (i) Advocating rāhui and restrictions on commercial harvesting of tuna.

Explanation

Tuna have a unique and important customary fishery status in the Rangitāiki River, representing the wealth of the people. Longfin tuna feature in local legends as the guardian of the resource and of its people.

Ensuring suitable tuna habitat exists within the catchment and providing for their natural lifecycle, including migration pathways, is essential for the survival of the species within the catchment.

The quality of tuna habitat within the Rangitāiki River Catchment has been degraded by a reduction in the quality and extent of riparian vegetation together with the impacts of increasing levels of nitrate and sediments on water quality.



Obstructions and structural modifications to waterways (such as dams or culverts) have affected the migratory pathways of tuna from the sea to the Rangitāiki River and back. As a result human intervention is required to enable tuna to complete their natural lifecycle.

Restoring habitat and two-way migration pathways for tuna, and improving the health of tuna populations, requires a range of measures and a collaborative effort involving iwi, industry, councils and the wider community. These measures include undertaking research to improve our understanding of the lifecycle of tuna within the Rangitāiki River Catchment, and the current state of the habitat and threats from activities such as point and non-point discharges, and land-use changes. Statutory and non-statutory processes will then be utilised to introduce measures to improve the health of the tuna population in the catchment.

Restoring and enhancing two-way migratory pathways requires new structures located in the bed of rivers to be designed to allow for tuna migration. Existing structures should be modified or adapted where necessary to restore two-way tuna passage access. The achievement of this outcome for all existing structures needs to be considered on a case by case basis. In considering whether the modification of existing structures is reasonably possible parties will have regard to a range of different factors, including but not limited to:

- Mātauranga Maori relevant to tuna restoration and enhancement;
- Whether the method will be effective in providing safe tuna passage;
- The structural integrity and operational purpose of the structure;
- The cost of implementing and maintaining the method (noting that this factor does not have primacy over any other factors).

There may be a range of potential options to incorporate tuna access in new and existing structures, particularly where these impede access to coastal lagoons and tributaries. Research into the development of new and innovative options that provide for two-way tuna migration is encouraged.

Protecting the habitat and migration pathways of tuna is one of the key strategic actions of the Rangitāiki River Document. The actions set out in Policy RR 1B will assist in achieving this outcome.

Measures such as rāhui and restrictions on commercial harvesting of tuna may also be effective in protecting and restoring the tuna population in the catchment.

<p><i>Table reference: Objective 32, Methods 3, 23D, 23E, 23F, 23G, 23R, 26, 63 and 75.</i></p>
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Policy RR 2B: Promoting the protection of indigenous vegetation and habitats within the Rangitāiki River Catchment

Promote the protection of areas of indigenous vegetation and habitats of indigenous fauna within the Rangitāiki River Catchment by:

- (a) Identifying and assessing existing areas of indigenous vegetation and habitats;
- (b) Prioritising the protection of wetland and riparian areas, in particular whitebait spawning sites;
- (c) Identifying which areas of indigenous vegetation and habitats of indigenous fauna will be prioritised for restoration, protection and enhancement;
- (d) Protecting remaining areas of indigenous vegetation and habitats from further degradation or fragmentation;
- (e) Promoting the use of locally sourced species for replanting;
- (f) Liaising with landowners to encourage protection and enhancement; and
- (g) Supporting non-regulatory initiatives for the restoration or enhancement of degraded habitats.



Explanation

Some of New Zealand's indigenous fauna is highly threatened, with some more sensitive freshwater and reptile species at risk of disappearing. The indigenous ecosystems within the Rangitāiki River Catchment support these threatened species, reduce rainfall runoff and provide carbon sinks.

The Rangitāiki River Catchment has experienced widespread changes in land use with the clearance of indigenous vegetation for forestry and pastoral grazing. The construction of hydro-electricity schemes, reticulated wastewater systems and flood protection works have also contributed to the significant change in the natural features and characteristics of the catchment.

These activities are an important economic driver for the region, however they have had an impact on the health of streams and rivers within the catchment.

There is a need to ensure that the remaining areas of indigenous vegetation within the catchment are retained and protected from further loss or degradation. This requires a systematic approach of identifying areas of remaining indigenous vegetation and ensuring they are protected. Wetland areas and riparian margins are particularly important habitats within the catchment and therefore should be given the highest priority for protection.

Opportunities for enhancing indigenous vegetation also needs to be considered and encouraged, this includes the use of non-regulatory tools.

Table reference: Objective 33, Methods 3, 23H, 26, 27, 39, 49, 55, 63 and 64.

Policy RR 3B: Establishing water quality limits within the Rangitāiki River Catchment

Establish water quality limits for waterways within the Rangitāiki River Catchment through the Freshwater National Policy Statement framework to ensure wherever practicable water:

- (a) is safe for contact recreation;
- (b) is suitable for cultural ceremonies;
- (c) sustains customary food sources; and
- (d) provides safe drinking water sources where the water is used for that purpose.

Explanation

The Rangitāiki River Catchment community have observed a continuous decline in water quality and are fearful of further decline in the future. The Rangitāiki River Forum and communities within the catchment have strong values and expectations that water should be swimmable, abundant, suitable for ceremonies at places, and able to sustain customary food sources.

The ability to access safe drinking water within the catchment is important to the community. Registered water supplies in the catchment are afforded protection under the National Environmental Standard for Sources of Human Drinking Water Regulations 2007. The drinking water standards are high across a range of contaminants and it is unrealistic to expect these to be met in all parts of the Rangitāiki River and its tributaries.

Setting instream load limits for contaminants within the waterways at identified places, wherever practicable, will ensure the quality of water within the Rangitāiki River Catchment meets the community's aspirations.

Reference to the Freshwater National Policy Statement framework originates from Te Ara Whanui o Rangitāiki and means the National Policy Statement for Freshwater Management.

Table reference: Objective 34, Methods 2, 23I, 23J, 23K and 23L.



Policy RR 4B: Enabling the efficient use and development of resources within the Rangitāiki River Catchment

Enable the efficient use and development of resources within the environmental flows and/or levels and water quality limits of the Rangitāiki River Catchment while:

- (a) Having regard to the potential for significant economic, cultural and social benefits to communities within the catchment;
- (b) Avoiding, remedying or mitigating adverse effects that land use, discharges, damming, diversion and abstraction activities can have on water quality and quantity and on the beds and margins of waterbodies; and
- (c) Encouraging the use of new technology and innovation in improving environmental performance.

Explanation

The combination of hydro-electricity generation, rural production activities and manufacturing that supports rural production activities, makes the Rangitāiki River Catchment a significant economic driver for the region. These activities provide for the social and economic wellbeing of the community and should be enabled within sustainable limits.

A healthy catchment is needed to sustain communities and support the cultural, environmental and spiritual wellbeing of the local people.

Advances in technology and innovative land use practices have the potential to provide for more efficient resource use and sustainable growth and development, without resulting in adverse effects on indigenous vegetation and habitats or degrading the water quality. These opportunities should be identified and sustainable development using new technology and innovation should be enabled.

Table reference: Objective 35, Methods 2, 30 and 32.

Policy RR 5D: Encouraging the strengthening of relationships between communities and the Rangitāiki River Catchment

Encourage the strengthening of relationships between communities and the Rangitāiki River Catchment through:

- (a) Environmental education programmes for children; and
- (b) Community based environmental initiatives; and
- (c) Community-based activities that celebrate the values of the Rangitāiki River Catchment.

Explanation

Communities within the Rangitāiki River Catchment have seen the relationship between the people and the Rangitāiki River become increasingly distant. This is despite the fact that the river is one of the greatest taonga in the community. Much of the rich knowledge and history about the river is being gradually lost to its people.

Educating the community about the special values of the Rangitāiki River and the importance of revitalising their relationship with the river, will empower people to protect and enhance the quality of the river environment.

Table reference: Objective 36, Methods 23M and 77.



Policy RR 6C: Promote drainage and flood protection works that minimise adverse effects on amenity values and maintain and enhance the quality of the environment

Promote the use of design options and construction methodologies for drainage and flood protection works which minimise adverse effects on amenity values and maintain and enhance the quality of the environment within the Rangitāiki River Catchment.

Explanation

Existing drainage and flood protection works and related modifications to the Rangitāiki River have adversely affected amenity values and the quality of the environment.

A long-term strategic approach to managing flood protection works and providing land drainage benefits within the catchment is required. This approach needs to promote the importance of minimising adverse effects of any maintenance, upgrade or new proposed works on the amenity values and the maintenance and enhancement of the quality of the Rangitāiki River Catchment environment. Priority should be placed on minimising adverse effects on amenity values and maintaining and enhancing the quality of the environment from the outset of the project initiation phase to influence the selection of design options and construction methodologies.

Table reference: Objective 38, Methods 3, 11 and 23H.



3.2 Methods to implement policies

This section contains the methods for implementing the policies set out in section 3.1. It is divided into two main groups of methods: directive methods and guiding methods to implement the policies.

Under each method the key organisations who will implement the methods are identified. An asterisk * indicates the lead authority responsible for implementation, if this is designated. The delivery and timing of methods is subject to long-term council community planning and annual plan schedules.

Within section 3.2 the methods are presented in numeric order, although in the summary table below, methods are listed under key topics.

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3.2.1 Directive methods

Method 1: District plan implementation

District plans shall give effect to Policies CE 1B, CE 2B, CE 4A, GR 4A, IR 8C, MN 1B, MN 7B, MN 8B, UG 1A, UG 2A, UG 3A, UG 4A, UG 5A, UG 6A, UG 7A, UG 17B, UG 18B, UG 21B and UG 25 GB.

If a district plan does not currently give effect to these policies, then the district council shall notify a variation or change as soon as reasonably practicable, but within two years from the date on which the Bay of Plenty Regional Policy Statement is made operative, to give effect to them as required by the Resource Management Act 1991.

Implementation responsibility: City and district councils.

Method 1A: City and district plan implementation (phased)

City and district plans must give effect to Policies NH 7A, NH 8A and NH 12A.

If a city or district plan does not currently give effect to these policies, then the city or district council must amend the plan to give effect to them as part of the next review of the city or district plan, or as part of any change to the city or district plan that provides opportunity for land use change or intensification.

Implementation responsibility: City and district councils.

Method 2: Regional plan implementation

Regional plans shall give effect to Policies AQ 2A, AQ 3A, CE 1B, CE 2B, CE 3A, CE 4A, CE 5A, GR 1A, GR 2A, GR 3A, GR 9B, IR 8C, MN 1B, MN 7B, MN 8B, RR 3B, RR 4B, WL 2B, WL 3B, WL 4B, WL 5B, WL 6B, WQ 1A and WQ 2A.

If a regional plan does not currently give effect to these policies, then Bay of Plenty Regional Council shall notify a variation or change as soon as reasonably practicable, but within two years from the date on which the Bay of Plenty Regional Policy Statement is made operative, to give effect to them as required by the Resource Management Act 1991.

Implementation responsibility: Regional council.

Method 2A: Regional plan implementation (phased)

Regional plans must give effect to Policies NH 7A, NH 8A and NH 12A.

If a regional plan does not currently give effect to these policies, then the regional council must amend a relevant plan to give effect to them as part of the next review of the relevant regional plan, or as part of any change to the regional plan that provides opportunity for land use change or intensification.

Implementation responsibility: Regional council.

Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans

Policies AQ 1A, CE 1B, CE 2B, CE 4A, CE 6B, CE 7B, CE 8B, CE 9B, CE 10B, CE 11B, CE 12B, CE 13B, CE 14B, CE 15B, EI 1B, EI 2B, EI 3B, EI 4B, EI 5B, EI 6B, EI 7B, GR 5B, GR 6B, GR 7B, GR 8B, GR 9B, GR 10B, GR 11B, GR 12B, IR 1B, IR 2B, IR 3B, IR 4B, IR 5B, IR 6B, IR 7C, IR 8C, IR 9B, IW 1B, IW 2B, IW 3B, IW 4B, IW 5B, IW 6B, MN 1B, MN 2B, MN 3B, MN 4B, MN 5B, MN 6B, MN 7B, MN 8B, NH 1B, NH 2B, NH 3B, NH 4B, NH 5B, NH 6B, NH 9B, NH 10B, NH 11B, RR 1B, RR 2B, RR 6C, UG 8B, UG 9B, UG 10B, UG 11B, UG 12B, UG 13B, UG 14B, UG 15B, UG 16B, UG 17B, UG 18B, UG 19B, UG 20B, UG 21B, UG 22B, UG 23B, UG 24B, WL 1B, WL 6B, WL 7B, WL 8B, WQ 2A, WQ 3B, WQ 4B, WQ 5B, WQ 6B, WQ 7B and WQ 8B shall be given effect to

when preparing, changing, varying or reviewing a regional plan or a district plan, and had regard to when considering a resource consent or notice of requirement.

Implementation responsibility: Regional council, city and district councils.

Method 4: Bay of Plenty Regional Land Transport Plan implementation

The process to amend the Bay of Plenty Regional Land Transport Plan to implement Policies EI 2B, EI 3B, UG 1A, UG 2A, UG 3A, UG 8B and UG 9B will commence on, or before, the date on which the Bay of Plenty Regional Council commences the review pursuant to section 74 of the Land Transport Management Act 2003.

Implementation responsibility: Regional council.

Method 5: Bylaws to manage unacceptable levels of fine particulate contamination

Establish and implement local bylaws (including transfer of by-law making powers to Regional Council) for banning or phasing out practices that generate unacceptable levels of fine particulate contamination.

Implementation responsibility: City and district councils.

Method 6: Agrichemical users to apply best practice

Require best practice training, standards and techniques by users of agrichemicals.

Implementation responsibility: Regional council.

Method 7: Identify areas of high and outstanding natural character in the coastal environment

Assess the natural character of the coastal environment of the region and identify (by mapping) areas of high and outstanding natural character.

Implementation responsibility: Regional council.

Method 8: Identify areas or sites in the coastal environment of significance or special value to Māori

In consultation with tangata whenua, identify areas or sites in the coastal environment of significance or special value to Maori

Implementation responsibility: Regional council and city and district councils.

Method 9: Provide information to address matters of common interest

Promote and facilitate the provision of information between councils, and between councils and iwi authorities to address matters of common interest and cross boundary resource management issues.

Implementation responsibility: Regional council and city and district councils.

Method 10: Liaise on cross boundary issues specific to Waikato Regional Council

Liaise with Waikato Regional Council to ensure:

- (a) Any regional plans for that part of the Rotorua Lake catchment within the Waikato region achieve the objectives set for the lake, particularly in relation to managing land use and nutrient discharge levels.

- (b) Consistent management of the geothermal resource in the Taupō volcanic zone across jurisdictional boundaries, including through such means as memoranda of understanding.
- (c) Consistent management of the Kaimai Mamaku catchment;
- (d) Integrated management and strategic planning of inter-regional transport networks and infrastructure; and
- (e) Consistent management of matters of national importance.

Implementation responsibility: Regional Council.

Method 11: Recognise statutory acknowledgement areas

Ensure statutory acknowledgement areas and the significant cultural relationships iwi have with those natural resources are recognised where subdivision, use and development is proposed.

Implementation responsibility: Regional council and city and district councils.

Method 12: Take into account iwi and hapū resource management plans in assessments of environmental effects

When assessing environmental effects of activities take into account potential effects on cultural values and relationships identified in any relevant planning document recognised by an iwi authority who may be affected.

Implementation responsibility: Regional council, city and district councils.

Method 13: Develop a roading hierarchy

District and city councils, in conjunction with New Zealand Transport Agency, shall identify a consistent road hierarchy including type of road, road function and road definition to implement Policy UG 2A.

Implementation responsibility: City and district councils.

Method 14: Monitor and review growth – western Bay of Plenty sub-region

Growth patterns within the western Bay of Plenty sub-region shall be regularly monitored and this Statement's provisions relating to urban and rural growth management shall be reviewed in the event that monitoring shows that actual sub-regional growth patterns are or are likely to be such as to render the growth strategy (see Section 2.8) inappropriate. Other triggers for review shall include the occurrence of any one of the following:

- (a) The population predictions in Figure 9 of the Western Bay of Plenty sub-region Growth Management Strategy (3 May 2004) vary by more than 10% from actual Census figures for all of the growth for the relevant Census period;
- (b) It can be demonstrated that insufficient land exists within all of the Urban Limits shown on Maps 5 to 15 (Appendix E of this document) to cater for growth anticipated to occur within 10 years of the analysis;
- (c) It can be demonstrated that exceptional circumstances have arisen in one or more of the management areas shown on Maps 5 to 15 (Appendix E) and a review is necessary to achieve the objectives of this part of the Statement;
- (d) Any review of the Western Bay of Plenty Sub-region Growth Management Strategy amends the strategy to the extent that the urban and rural growth management objectives, policies and methods are in conflict; and
- (e) As a result of Method 15 an amendments is required.

Implementation responsibility: Regional council, city and district councils.



Method 15: Matakana Island plan

Investigate a future land use and subdivision pattern for Matakana Island, including papakainga development, through a comprehensive whole of island study which addresses amongst other matters cultural values, land which should be protected from development because of natural or cultural values and constraints, and areas which may be suitable for small scale rural settlement, lifestyle purposes or limited urban activities.

Implementation responsibility: Regional council and Western Bay of Plenty District Council.

Method 16: Consider amendments to the urban limits – western Bay of Plenty sub-region

Amendments to the urban limits shown on Maps 5 to 15 (Appendix E) will be considered only where they:

- (a) Promote and do not compromise an integrated and sustainable use of infrastructure and services and community facilities such as schools, libraries and public open space;
- (b) Do not compromise the implementation of the development strategy described in Policy UG 4A;
- (c) Are consistent with the purpose and principles of the Act;
- (d) Do not adversely affect marae or papakāinga areas nearby;
- (e) Meet the review conditions of Method 14 for the subject area;
- (f) Are triggered by a situation where there is insufficient development capacity in other parts of the sub-region;
- (g) Are prompted by a situation where the development strategy prescribed in Policy UG 4A has failed in its intended purpose; and
- (h) Reflect territorial authority decisions on plan changes or structure plans that require minor amendments to the urban limits line.

Implementation responsibility: Regional council

Method 17: Identify and manage potential effects on infrastructure corridors

In consultation with relevant infrastructure owners and operators, identify infrastructure corridors (including associated buffers where appropriate) and establish objectives, policies and methods to manage potential effects on the long term planning of the maintenance, operation and upgrade of their infrastructure, as well as to encourage its efficient use.

Vegetation to be planted around electricity lines, including within electricity transmission corridors, should be selected and/or managed so that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

Implementation responsibility: Regional, city and district councils.

Method 18: Structure plans for land use changes

Prepare structure plans for all large-scale land use changes to ensure:

- Coordinated development through the integrated provision of infrastructure; and
- Integrated management of related environmental effects.

Structure plans shall, as appropriate and applicable:

- (a) Identify land which is to be used or developed for urban purposes;
- (b) Identify intensification areas;
- (c) Show proposed land uses, including:

- (i) Arterial and collector roads, rail and network infrastructure
 - (ii) Residential, commercial and business centres
 - (iii) Schools
 - (iv) Parks
 - (v) Land required for recreation
 - (vi) Land to be reserved or otherwise set aside from development for environmental protection purposes
 - (vii) Appropriate infrastructure corridors
 - (viii) Community, health and social service facilities, including those necessary to cater for an ageing population.
- (d) In respect of proposed land uses (see (c) above), demonstrate the live-work-play principle to development;
 - (e) Show how the target yields set out in Policy UG 4A will be met;
 - (f) Identify all existing and consented, designated or programmed infrastructure and infrastructure corridors;
 - (g) Identify infrastructure requirements, including the provision of and responsibility for that infrastructure;
 - (h) Identify all known contaminated sites that land to be used for urban purposes may contain and show how adverse effects from contaminated land are to be avoided, remedied or mitigated;
 - (ha) Identify all known natural hazards that land to be used for urban purposes may be subject to, or contain, and show how low natural hazard risk is to be maintained or achieved;
 - (i) Identify significant cultural, natural and historic heritage features and values and show how they are to be protected;
 - (j) Identify significant view shafts to be maintained and enhanced through the avoidance of inappropriate development;
 - (k) Show how any adverse effect of increased stormwater runoff is to be mitigated;
 - (l) Show how other adverse effects on the environment and infrastructure are to be avoided, remedied or mitigated;
 - (m) Show how provision has been made for public transport, cycleways and pedestrian connections;
 - (n) Document consultation undertaken with persons (including tangata whenua) affected by or interested in the proposed land uses, and any response to the views of those consulted;
 - (o) Show how the sequencing of urban growth requirements detailed in Policy UG 6A will be achieved;
 - (p) Include Urban Design Plans which:
 - (i) Apply and demonstrate adherence to the New Zealand Urban Design Protocol (March 2005) Key Urban Design Qualities;
 - (ii) Outline the urban design objective and rationale;
 - (iii) Provide an analysis of context;
 - (iv) Provide a site analysis; and
 - (v) State design outcomes for the proposed development.

“As appropriate and applicable” is intended to allow the content of a structure plan to be tailored to the nature and scope of the development proposal to which it relates and, to give effect to this Method, District plans can identify methods for assessing which of the above matters must be addressed, in light of the particular scope of the proposed land use change and its environmental effects.



Implementation responsibility: Regional council, city and district councils.

Method 19: Provision of infrastructure outside of structure plan areas

Require new urban development proposals outside of structure plan areas to demonstrate that the infrastructure required to service such development is or will be available at the time development occurs and that appropriate consultation with the relevant infrastructure providers has occurred.

Implementation responsibility: Regional council, city and district councils.

Method 20: Plan provisions enabling efficient operation and growth of rural production activities

Include plan provisions which will enable the efficient operation and growth of rural production activities.

Implementation responsibility: Regional, city and district councils.

Method 21: Monitor surface water quality in relation to at-risk triggers

Regularly monitor the quality of surface freshwater bodies not identified as being at risk. Assess the results of that monitoring against the provisions of sections 70 and 107 of the Act, any relevant national instruments, the Regional Water and Land Plan, and the results of previous monitoring. Where a water body's assessment indicates that its water quality is, or is likely to become, degraded and is trending away from achieving or bettering those provisions, the water body's catchment is to be considered under Policy WL 2B (Defining catchments at risk).

Implementation responsibility: Regional Council.

Method 22: Assessment of significant geothermal features

Identify geothermal features using Appendix A 'Definitions' Annex A and, where required, assess the significance of those features in accordance with Policy GR 9B by applying the criteria in Appendix F Set 7 of this Policy Statement.

This assessment shall be undertaken by suitably qualified and experienced experts on behalf of either the Regional Council (in the context of a plan change or plan review) or an applicant that is seeking to undertake activities that may adversely affect any geothermal feature, in any management group 2, 3 or 4 geothermal system.

The methodology used to assess the significance of a geothermal feature in any system shall be clearly explained at the time that the assessment is provided (whether as part of a plan change or resource consent process) so that the assessment rationale is clear and able to be peer reviewed.

The methodology shall provide for an overall judgement to be made as to the significance of any given geothermal feature(s) having regard to an evaluation against the criteria that are set out in Set 7 of Appendix F.

The overall judgement required shall be made initially by the experts undertaking the evaluation, as part of an application for resource consent or as part of a plan change process, and by the final decision-maker.

Features identified as being significant as a result of this process will be mapped into the Council's GIS and database and may be included by way of a plan change in a regional or district plan, if that has not already occurred.

Implementation responsibility: Regional council, district council and/or applicants and/or resource users.

Method 23: Identify the coastal environment

Spatially identify the landward extent of the coastal environment at a regional scale recognising that the coastal environment includes;

- (a) The coastal marine area and all offshore islands within the Bay of Plenty coastal marine area;
- (b) Areas or landforms dominated by coastal vegetation or providing habitat to indigenous coastal species including migratory birds;
- (c) Areas significantly affected by active coastal processes, influences or qualities or at risk from coastal hazards;
- (d) Landscapes or features, including coastal escarpments, that contribute to the natural character, landscape, visual quality or amenity value of the coast;
- (e) Items, sites, structures, places or areas of historic or cultural heritage value adjacent to, or connected with, the coastal marine area, which derives its heritage values from a coastal location; and
- (f) Physical resources and built facilities, including infrastructure, that have modified the coastal environment including areas utilised and identified for urban development.

Implementation responsibility: Regional council.

Method 23A: Review hazard and risk information

Review and update natural hazard and risk information held by local authorities whenever relevant research is released and, in any case, at the time of plan review or relevant plan change.

Implementation responsibility: Regional council, city and district councils.

Method 23B: Investigate and apply measures to reduce natural hazard risk

Investigate options for addressing existing use or development subject to high or medium risk and apply the most appropriate non-regulatory and/or regulatory risk-reduction measures.

Implementation responsibility: Regional council if the favoured response is regulation of existing uses; regional, city and district councils in all other instances.

Method 23C: Natural defences against natural hazards

Assess opportunities for the protection, restoration or enhancement of natural defences which assist in reducing natural hazard risk.

Implementation responsibility: Regional council, city and district councils

Method 23D: Require structures to provide passage for tuna migration up and down the Rangitāiki River Catchment

Require the provision of safe and effective tuna passage for all new and existing structures (including culverts) where they impede tuna passage in the Rangitāiki River Catchment

Method 23E: Develop an action plan to provide passage for migrating tuna in the Rangitāiki River Catchment

Develop an action plan in collaboration with iwi and hydro-electricity generators to provide two-way passage for migrating tuna including by:

- (a) Analysing and conducting research; and
- (b) Working with river users to address tuna passage.



Implementation responsibility: Regional Council.

Method 23F: Support the use of rāhui to restrict the harvesting of tuna in the Rangitāiki River Catchment

Support the use of rāhui as a measure to restrict the harvesting of tuna within the Rangitāiki River Catchment.

Implementation responsibility: Regional Council, district councils, Department of Conservation, Ministry for Primary Industries and iwi authorities.

Method 23G: Advocate the termination of commercial tuna harvesting within the Rangitāiki River Catchment

Advocate to terminate commercial harvesting of tuna within the Rangitāiki River Catchment.

Implementation responsibility: Regional Council, district councils, Department of Conservation, Ministry for Primary Industries and iwi authorities.

Method 23H: Rangitāiki River Catchment Annual Work Programme

Implement Policies RR 2B, MN 1B, MN 7B, MN 8B, MN 5B and MN 6B through the Rangitāiki River Catchment Annual Work Programme.

Implementation responsibility: Regional Council, Rangitāiki River Forum, Whakatane District Council and iwi authorities.

Method 23I: Develop environmental flows/levels, and water quality limits in the Rangitāiki River Catchment

Investigate and develop:

- (a) Environmental flows/levels and water quality limits in the Rangitāiki River Catchment in accordance with the National Policy Statement for Freshwater Management; and
- (b) Provisions for the management of flow variability in the Rangitāiki River Catchment.

Implementation responsibility: Regional Council.

Method 23J: Develop strategies for managing wastewater and stormwater in the Rangitāiki River Catchment

In liaison with tangata whenua, local communities and affected industries develop and implement strategies for the enhanced treatment and disposal of wastewater and stormwater in the Rangitāiki River Catchment.

Implementation responsibility: District councils.

Method 23K: Identify key sources and locations of illegal refuse dumping in the Rangitāiki River Catchment

Identify key sources and locations of illegal refuse dumping in the Rangitāiki River Catchment and encourage better waste management within communities and industries.

Implementation responsibility: Regional Council and district councils.

Method 23L: Identify, forecast and assess emerging pressures on resources and opportunities to restore water quality in the Rangitāiki River Catchment

Identify, forecast and assess:

- (a) Future activities that will increase pressures on resources available in the Rangitāiki River Catchment; and
- (b) Opportunities for restoring water quality.

Implementation responsibility: Regional Council, district councils and iwi authorities.

Method 23M: Develop cultural health indicators for the Rangitāiki River Catchment

Develop cultural health indicators for the Rangitāiki, Whirinaki, Wheao and Horomanga Rivers, which incorporates mātauranga Māori methods.

Implementation responsibility: Regional Council and iwi authorities.

Method 23N: Develop protocols for recognising and exercising iwi and hapū mana whenua including kaitiakitanga in the Rangitāiki River Catchment

Develop protocols to ensure the mana whenua of iwi and hapū in the Rangitāiki River Catchment is recognised through-resource management decision-making processes to a level all parties agree meets the requirements of Objective 6 and Policy IW 5B.

Implementation responsibility: Regional Council, district councils and iwi authorities.

Method 23O: Support development of an inventory of information on tīkanga on waterways in the Rangitāiki River Catchment

Support iwi to develop an inventory of information on tīkanga associated with waterways in the Rangitāiki River Catchment.

Implementation responsibility: Regional Council, district councils and iwi authorities.

Method 23P: Develop a protocol for accessing, holding and using the wāhi tapu information in the Rangitāiki River Catchment

Work collaboratively in developing protocols to ensure wāhi tapu information can be managed, accessed and used in a culturally appropriate manner.

Implementation responsibility: Regional Council, district councils and iwi authorities.

Method 23Q: Develop geographic information sets for wāhi tapu and wāhi taonga sites within the Rangitāiki River Catchment

In cooperation with iwi, hapū and whanau develop geographic information sets for wāhi tapu and wāhi taonga within the Rangitāiki River Catchment which identify:

- (a) Publicly known cultural sites or areas with no access restrictions; and
- (b) Indicative areas to which access, holding and use protocols apply to ensure culturally appropriate handling of the information.

Implementation responsibility: Regional Council and iwi authorities.

Method 23R: Consultation regarding tuna passage

Consult with the Rangitāiki River Forum when considering whether or not the modification of existing structures is reasonably possible.

Implementation responsibility: Regional Council.



Method 23S: Remove or adapt structures impeding cultural and recreational access in the Rangitāiki River Catchment

Where appropriate and in consultation with tangata whenua require:

- (a) The removal of structures (excluding existing lawfully established hydro-electric dams and power stations) that impede cultural and recreational access in the Rangitāiki River Catchment;
- (b) Where removal is impracticable, employ measures to adapt existing structures (including lawfully established hydro-electric dams and power stations) or provide alternative access points to minimise adverse effects on cultural and recreational access.

Implementation responsibility: Regional Council and iwi authorities.

Method 23T: Retain and enhance public and cultural access to and along rivers in the Rangitāiki River Catchment

Retain and enhance safe public and cultural access to and along rivers within the Rangitāiki River Catchment by:

- (a) Surveying and mapping existing access points, esplanade strip/reserves and marginal strips for recreation opportunities.
- (b) Identifying existing and new priority public and cultural access points, linkages, as well as areas and time periods where public access should be restricted.
- (c) Subject to (b) provide and maintain safe and identifiable public access points along the margin of the rivers in the Rangitāiki River Catchment.
- (d) Promoting the acquisition of esplanade reserves/strips and access strips for public access, recreation and conservation purposes.
- (e) Encouraging appropriate amenities (signage, interpretation, education and rubbish disposal).
- (f) Working with communities, landowners and industries to consider opportunities to create appropriate access, including vehicle, walking, bicycle and waka access to the river.

Implementation responsibility: Regional Council, district councils and iwi authorities.

3.2.2 Guiding methods

Method 24: Provide information about reducing air pollution

Provide information and guidance on:

- (a) The causes of fine particulate matter;
- (b) Best practice techniques to reduce fine particulate matter;
- (c) Adopting cleaner forms of heating for houses; and
- (d) Raising community awareness about how to avoid, remedy or mitigate the potential adverse effects on the environment from the discharges of contaminants.

Implementation responsibility: Regional council.

Method 24A: Provide guidance on taking a risk management approach to natural hazards

Provide guidance to local authorities in the application of this Statement's risk management approach to the avoidance or mitigation of natural hazards.

Implementation responsibility: Regional council.

Method 25: Provide geothermal environmental education programmes

Encourage the efficient use of geothermal resources and through geothermal environmental education programmes:

- (a) Increase public understanding and awareness of geothermal resource characteristics and their vulnerabilities; and
- (b) Increase public understanding of the hazards associated with geothermal sites.

Implementation responsibility: Regional council, city and district councils.

Method 26: Facilitate and support community based ecological restoration programmes

Promote active community participation by providing practical support for community restoration initiatives focused on the protection, restoration or rehabilitation of natural features and ecosystems.

Implementation responsibility: Regional council, city and district councils.

Method 27: Provide information about sustainable land management practices

Prepare and disseminate information about sustainable land management practices, including:

- (a) Soil capability in terms of its limitations and potential;
- (b) Soil conservation methods and techniques, including the retirement of erosion prone land from pastoral farming;
- (c) Causes of poor soil health, and practices and techniques to improve degraded soil health and ecological function; and
- (d) Best practice techniques to prevent soil erosion and sediment run-off from vegetation clearance and earthworks.

Implementation responsibility: Regional council.

Method 28: Undertake consultation to identify water quality standards and targets for the Rotorua Te Arawa Lakes

Within the constraints of sections 69, 70 and 107 of the Act, which limit the range within which water quality standards may be set, consult by actively providing for the timely exchange, consideration of and response to relevant information by all parties with an interest in setting water quality standards for the Rotorua Te Arawa Lakes. As widely as practicable, encourage all parties undertaking resource use, development and protection activities within the Rotorua Te Arawa Lakes' catchments to participate in the preparation and review of relevant water quality standards proposed for inclusion in the regional plan.

Implementation responsibility: Regional council.

Method 29: Provide information about the role of agencies and obligations

Compile and disseminate information about agency roles and responsibilities.

Implementation responsibility: Regional council, city and district councils.

Method 30: Research and monitor water allocation and abstraction

Research and/or monitor:

- (a) The amount of available water in catchments, having regard to the interconnection between groundwater and surface water, using accepted and appropriate hydrological methods;



- (b) The rate and/or quantity of water allocated;
- (c) The quantity of actual use; and
- (d) The cumulative effects of water abstraction.

Implementation responsibility: Regional council.

Method 31: Voluntary Water User Groups and agreements

- (a) Promote voluntary water user groups, or agreements between water users, to assist the management of water allocation and use;
- (b) Provide, where available, accurate technical information on which user groups can make decisions; and
- (c) Investigate how water user groups can be used to:
 - (i) assist with management of water allocated to abstractors;
 - (ii) provide opportunities for shared investment in, and optimal use of water transport and storage infrastructure; and
 - (iii) make best use of available water.

Implementation responsibility: Regional council.

Method 32: Prepare and provide information to reduce water demand

Prepare and provide information to reduce water demand by:

- (a) Providing information to water suppliers and water users on how to conserve water and use it as efficiently as possible; and
- (b) Providing information about long term rainfall and drought predictions.

Implementation responsibility: Regional council.

Method 33: Take a collaborative approach to the management of the coastal environment

Use a collaborative approach with adjoining local authorities, tangata whenua, the Department of Conservation and other agencies with resource management responsibilities for the coastal marine area, including under other legislation, when:

- (a) This will result in consistent and efficient management;
- (b) There are competing uses and potential for values conflict for resources; and
- (c) The natural and physical values are of regional significance.

Implementation responsibility: Regional council, city and district councils and the Ministry Primary Industries.

Method 34: Take a whole of catchment approach to the management of natural and physical resources

Adopt a holistic catchment-based approach that recognises the inter-relationships among all elements of the environment and activities, works, operations and services that occur higher in the catchment and the downstream effects that these activities generate lower in the catchment and ultimately in the coastal environment.

Implementation responsibility: Regional council and city and district councils.*

Method 35: Integrated Catchment Management Plans

Prepare and implement integrated non-statutory management plans for catchments discharging into harbours at risk including Tauranga and Ōhiwa Harbours.

Implementation responsibility: Regional Council.

Method 36: Provide protocols for managing land and soil disturbance

Prepare protocols to guide changes to district and regional plans to avoid gaps and unnecessary overlaps in regulation of land and soil disturbance activities.

Implementation responsibility: Regional council and city and district councils.

Method 37: Investigate the use of large scale wetlands

Investigate the establishment of large scale wetlands/settling ponds in the downstream areas of the contributory streams feeding into the regions harbours.

Implementation responsibility: Regional council, city and district councils.

Method 38: Integrate management of airsheds

Work with the region's city and district councils to ensure the PM₁₀ national environmental standards for air quality are achieved in airsheds within the timeframes set by those standards.

Implementation responsibility: Regional council.

Method 39: Promote coordination among conservation management agencies

Promote greater communication, co-ordination and collaboration among agencies responsible for implementing the protection and management of natural communities and habitats to identify priorities for ecological restoration, rehabilitation and to control pest species.

Implementation responsibility: Regional council, city and district councils and the Department of Conservation.

Method 40: Promote the development of a rural advisory panel

Promote the development of a rural advisory panel to contribute to strategic resource management issues and facilitate integrated management with the rural sector and other relevant interest groups (e.g. iwi, recreation groups).

Implementation responsibility: Regional Council

Method 41: Promote consultation with potentially affected tangata whenua

Promote consultation with tangata whenua and any other parties affected:

- (a) Early in a proposal development and, as appropriate, to continue this consultation during the implementation of any consented activity; and
- (b) As the occasion may dictate, in accordance with tikanga Māori (consultation may be through tribal federations or runanga, iwi authorities, hapū or whānau, depending on the issue).

Implementation responsibility: Regional council and city and district councils.



Method 42: Evaluate matters of significance to tangata whenua

Include an evaluation of potential adverse effects on tangata whenua cultural values and interests in assessments prepared under Schedule 4 to the Act, where consultation undertaken under Method 41 identifies issues of concern to tangata whenua.

Implementation responsibility: Regional council, city and district councils and consent applicants.

Method 43 Promote the enhancement of mauri

Recognise the importance to tangata whenua of safeguarding, or enhancing where it is appropriate, the mauri of water, land, air and geothermal resources when a proposal involves matters of significance to Māori.

Implementation responsibility: Regional Council and city and district councils.

Method 44: Developing mauri models

Work with tangata whenua in the development of ways to assess the mauri of natural resources with the intent that such methods are implemented in regional plans for monitoring consented activities, the state of the environment, and the efficiency and effectiveness of plan provisions, where these involve matters of significance to Māori.

Implementation responsibility: Regional council.

Method 45: Involve iwi and hapū in the development of regional plans

Involve iwi and hapu in the development of Regional Plans to achieve this Policy Statement, and in particular:

- (a) Ensure that tangata whenua values and interests are reflected, and the objectives of the National Policy Statement on Freshwater Management are given effect to;
- (b) Involve iwi and hapu and take into account iwi and hapu resource management plans in decision making relating to the setting of in-stream flows and the setting of allocation limits;
- (c) Develop or adapt appropriate methodologies to identify and provide for Maori cultural values including, where appropriate, specific cultural uses, in determining in-stream flows and the setting of allocation limits; and
- (d) Work with tangata whenua to identify cultural priorities for investigation in management of culturally significant waterbodies.

Implementation responsibility: Regional council.

Method 46: Consider the necessity of consulting potentially affected tangata whenua during consent processing

Acknowledge that council officers, while preparing a report on a consent application, have a duty to consider whether consultation is necessary with tangata whenua who may be affected whenever the circumstances of the application indicate that a special background or relationship of Māori significance may be present.

Implementation responsibility: Regional council and city and district councils.

Method 47: Collaborate on matters of shared interest

Collaborate on resource management matters of shared interest by developing combined planning approaches where appropriate, including policy and communication protocols and joint working parties.

Implementation responsibility: Regional council and city and district councils.

Method 48: Consider appointing pūkenga to hearing committees

Consider appointing pūkenga (people recognised by tangata whenua as having expertise in tikanga Māori) with appropriate hearing commissioner qualifications to hearing committees whenever matters of water, air, land or geothermal resource management significance to tangata whenua are being considered.

Implementation responsibility: Regional council and city and district councils.

Method 49: Improve biodiversity values of open spaces

Reserves, parks and other open space (including esplanade strips and reserves) should be acquired or protected by covenant and then managed to improve biodiversity values, where this is consistent with the purpose of open space. This should be implemented with reference to significant indigenous vegetation and habitats of indigenous fauna where these have been identified as warranting protection as a matter of national importance through the application of the criteria set out in Appendix F and other identified regional biodiversity priorities.

Implementation responsibility: Regional council, city and district councils.

Method 50: Inform transportation strategies and funding – western Bay of Plenty sub-region

Use the provisions of Policy UG 9B of this Statement to inform national, regional, sub-regional and district transport strategies, actions and funding.

Implementation responsibility: Regional council and city and district councils.

Method 51: Liaise on cross boundary infrastructure issues

Liaise with network utility operators on cross boundary infrastructure issues.

Implementation responsibility: Regional council and city and district councils.

Method 52: Provide for the sustainable management of versatile land

Local authorities shall provide for the sustainable management of versatile land for rural production activities.

Implementation responsibility: Regional council and city and district councils.

Method 53: Research and monitor the effects of discharges

Monitor the effects of discharges on people's health and/or air, land and water quality, and where necessary undertake research.

Implementation responsibility: Regional council.

Method 54: Research and monitor agrichemical spraydrift effects on human health

Work with the Ministry of Health, relevant agencies and industries to research, monitor and report on the effects of agrichemical spray drift on human health.

Implementation responsibility: Regional council.

Method 55: Identify priority ecological corridors and buffers

Identify, in consultation with affected landowners, stakeholders and communities, priority areas where the establishment or retention of ecological corridors and buffers is appropriate and evaluate the most practicable methods for management. In doing so ensure that any management approaches are fully costed.



Implementation responsibility: Regional council, city and district councils.

Method 56: Identify areas for restoration or rehabilitation of natural character

Identify areas of the coastal environment where restoration or rehabilitation of natural character should be undertaken as a priority. Identification of restoration or rehabilitation areas should consider whether restoration or rehabilitation of the natural character is practicable and can be sustained given lawfully established and permitted use and planned activities (including consented, designated and/or provided for in reserve management plans) activities of the area, relevant planning considerations and, where land is in private ownership, concerns of and impacts on landowners. Priority restoration or rehabilitation areas, for further evaluation in consultation with affected landowners, include:

- (a) where natural character has been compromised; or
- (b) for natural character areas in the RPS, where these have been identified as important in iwi or hapū resource management plans; or
- (c) where the restoration of an area has been planned for enhancement through biodiversity strategies; or
- (d) where the restoration of natural character is integral to the restoration of the entire area; or
- (e) where restoration or rehabilitation is likely to proceed with the agreement of landowners, unless the restoration or rehabilitation is the requirement of a resource consent.

Implementation responsibility: Regional council.

Method 57: Identify, map and protect view shafts

Work with the community and tangata whenua to identify, map and protect view shafts.

Implementation responsibility: Regional council, Tauranga City Council and Western Bay of Plenty District Council.

Method 58: Investigate and plan for intensification within existing urban areas

In consultation with the communities affected, investigate and plan for the intensification of residential development within existing urban areas, to provide a long-term vision and implementation plan for urban design, transport, open space and urban form.

Implementation responsibility: Regional council, city and district councils.

Method 59: Protect, restore and enhance natural coastal margins

Identify areas where the natural functioning of physical processes along coastal margins is degraded and seek opportunities to preserve, protect and enhance the buffering capacity of these areas.

Implementation responsibility: Regional council, city and district councils.

Method 60: Enhance the natural character of the coastal environment, where compromised

In consultation with affected landowners consider opportunities (including conditions on resource consents or designations) to restore or enhance the natural character of the coastal environment where it has been compromised, and is practicable when taking into account existing or proposed (consented, designated, zoned or included in an operative reserve management plan) lawful uses and activities occurring in the area or where it is identified for restoration through Method 56, including:

- (a) Removing derelict or functionally redundant structures;

- (b) Restoring or enhancing natural elements including dunes, saline wetlands, intertidal saltmarsh, riparian margins and other natural coastal features or processes;
- (c) Restoring indigenous habitats and ecosystems, using local genetic stock where practicable, including kaimoana areas identified in collaboration with tangata whenua;
- (d) Encouraging natural regeneration of indigenous species, recognising the need for effective weed and animal pest management;
- (e) Creating or enhancing habitat for indigenous species;
- (f) Enhancing water quality;
- (g) Remediation of contaminated sites;
- (h) Retrofitting existing built development to be less intrusive and to minimise adverse effects on ecosystem processes;
- (i) De-reclamation of previously reclaimed and functionally redundant land where it will restore the natural character and resources of the coastal marine area and/or provide more public open space or public access; and
- (j) Managing the effects of subdivision, use, development and reclamation by taking into account the potential benefits of on and offsite-mitigation proposed to avoid, remedy or mitigate adverse effects.

Implementation responsibility: Regional council, and city and district councils.*

Method 61: Assess and classify areas of indigenous biodiversity

Undertake an assessment of the indigenous biodiversity of the region and classify areas of the coastal environment into those that meet the criteria given in Policy 11(a) of the NZCPS 2010 and those that meet the criteria given in Policy 11(b) of the NZCPS 2010 and ensure subsequent consultation with affected parties.

Implementation responsibility: Regional council.

Method 62: Identify coastal waters having an adverse effect

Identify areas of coastal water that have deteriorated to a degree that they are having a significant adverse effect on ecosystems, natural habitats or water based recreational activities, or are restricting uses such as aquaculture, shellfish gathering and cultural activities.

Implementation responsibility: Regional council.

Method 63: Provide and support environmental education programmes

Undertake and support education programmes to promote public and landowner understanding of the importance of protecting and maintaining the following values in a healthy state:

- (a) Historic heritage;
- (b) Indigenous ecosystems including wetland, forests, marine, estuary and dune ecosystems; and
- (c) Outstanding natural features and landscapes.

Implementation responsibility: Regional council and city and district councils.

Method 64: Encourage agencies and landowners to protect key sites

Encourage government agencies, landowners, other organisations and the community to formally protect and, if appropriate, purchase identified key sites.

Implementation responsibility: Regional council and city and district councils.



Method 65: Advocate to establish reserves

Promote, advocate and work with relevant agencies and landowners towards the establishment of a network of land and marine based reserves and corridors in appropriate areas representative of and supporting the full range of habitats and ecosystems present in the region.

Implementation responsibility: Regional council, city and district councils.

Method 66: Assist with developing iwi and hapū resource management plans

Assist iwi and hapū to develop, recognise and implement their own iwi and hapū resource management plans to guide tribal resource management and inform other agencies of iwi and hapū interests and values.

Implementation responsibility: Regional council, city and district councils.

Method 67: Support rural structure plans

Support the development of rural structure plans for rural areas outside the urban limits or existing and planned urban zone areas that are subject to growth pressure.

Implementation: Regional council and city and district councils.

Method 68: Investigate mechanisms to reduce litter in and adjacent to the coastal marine area

Investigate the use of regulatory and non-regulatory mechanisms to reduce litter in and adjacent to the coastal marine area.

Implementation responsibility: Regional council, city and district councils.

Method 69: Mitigate environmental impacts from the use of public space within the coastal marine area

Investigate imposing economic instruments to mitigate unavoidable adverse effects generated by the use of public space in the coastal marine area. Matters to be investigated shall include (but not be limited to):

- (a) Analysis of appropriate levels of mitigation;
- (b) The circumstances in which off-site mitigation shall be considered appropriate and the purposes for which it shall be used; and
- (c) A regime for coastal occupation charges to be imposed to compensate for the use of public space within the coastal marine area.

Implementation responsibility: Regional council.

Method 70: Taking an inter-agency approach

Adopt an integrated inter-agency approach towards:

- (a) The protection of historic heritage and outstanding natural features and landscapes from inappropriate subdivision, use, and development; and
- (b) The protection of natural character and indigenous vegetation and habitats of indigenous fauna.

Implementation responsibility: Regional council, Department of Conservation, Heritage NZ and city and district councils.

Method 71: Identify coastal vehicle access requirements and restrictions

In collaboration with road controlling authorities, and the community, identify areas of the Coastal Environment where:

- (a) Control of vehicle use is required under NZCPS Policy 20(1);
- (b) Vehicle access is required under NZCPS Policy 20(2); and
- (c) Vehicle use is permissible under NZCPS Policy 20(3).

Note: Appropriate access control methods include managing access through bylaws, regional and district plans, control of reserve access points or user-agreements.

Implementation responsibility: Regional, city and district councils.

Method 72: Support industry-led environmental accords, guidelines and codes of practice

Support industry-led environmental accords, guidelines and codes of practice where such codes represent industry best practice and would lead to the achievement of objectives in this Policy Statement.

Implementation responsibility: Regional Council.

Method 73: Provide information and guidance on natural hazards

To guide local authority decision-making and raise awareness and understanding of natural hazards within the community, gather and disseminate information about the following hazards (including relevant climate change effects) and their associated risks:

- (a) Volcanic activity
 - (i) pyroclastic and lava flow;
 - (ii) landslip, debris flow and lahar;
 - (iii) ash fall;
 - (iv) geothermal hazard; and
 - (v) caldera unrest.
- (b) Earthquake
 - (i) liquefaction and lateral spreading;
 - (ii) fault rupture;
 - (iii) landslide and rock fall; and
 - (iv) tsunami.
- (c) Coastal processes
 - (i) coastal erosion; and
 - (ii) coastal inundation.
- (d) Extreme rainfall
 - (i) landslip and debris flow/flood; and
 - (ii) flooding.

Information about city, district and relevant regional natural hazards and risks shall be included within natural hazards registers or district plans, and provided in project and land information memoranda.



Implementation responsibility: Regional Council, city and district councils (except that obligations relating to coastal hazard information do not apply to inland district councils).

Method 74: Collaborate to establish natural hazard risk

Collaborate in gathering and disseminating hazard information and, with their communities, establishing boundaries of the risk categories.

Implementation responsibility: Regional council, city and district councils.

Method 75: Promote measures to protect and monitor tuna in the Rangitāiki River Catchment

Work with communities to protect, monitor, and promote a better understanding of tuna and their two-way migration in the Rangitāiki River Catchment, including ending longfin tuna commercial takes in the catchment.

Implementation responsibility: Regional Council and iwi authorities.

Method 76: Collaborate on actions to achieve the freshwater management objectives for the Rangitāiki River

Work collaboratively with stakeholders, including iwi and hapū, hydro-electricity generators, rural production, commercial and industrial sector groups on actions to achieve the freshwater management objectives for the Rangitāiki River.

Implementation responsibility: Regional Council.

Method 77: Provide and support environmental education programmes within the Rangitāiki River Catchment

Provide and support environmental education programmes within the Rangitāiki River Catchment, including:

- (a) Community based projects;
- (b) Supporting school education programmes;
- (c) Support connections with young people.

Implementation responsibility: Regional Council and district councils.

Method 78: Promote information sharing between iwi, industry and the community in the Rangitāiki River Catchment

Promote the sharing of social, cultural and environmental performance information between industry groups, iwi and local communities about matters affecting the health and wellbeing of the Rangitāiki River Catchment.

Implementation responsibility: Regional Council, district councils and iwi authorities.

