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Hearing Committee Version Number 7.3c

Proposed Change 3 (Rangitāiki River) to the Bay of Plenty Regional Policy Statement

HEARING COMMITTEE RECOMMENDATIONS VERSION 7.3c

Clear Copy

This version incorporates the decisions on submissions and further submissions made by the Hearing Committee.

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Note to Reader (not part of Change)

What this Change does

The Rangitāiki River Catchment provisions set out in the following pages are to be inserted into the Bay of Plenty Regional Policy Statement (RPS).

Existing operative RPS provisions from other sections of the RPS (including Iwi Resource Management, Water Quantity and Matters of National Importance) also contribute to achieving the Rangitāiki River-specific objectives and those are set out in Table 12 of Part Two, along with the proposed new provisions.

The references in Table 12 to those provisions are shaded grey to show that they are operative provisions to which no change is proposed. As such, their contents are not the subject of Proposed Change 3 and no submissions in relation to their content will be accepted by Council.

All underlined provisions that are not shaded grey are part of Proposed Change 3 and are therefore open for submissions.

Council has not included the operative RPS provisions in Part Three of Proposed Change 3. If submitters wish to read those operative RPS provisions in order to provide context, copies of the operative RPS are available at Regional Council's offices and website: <https://www.boprc.govt.nz/knowledge-centre/policies/operative-regional-policy-statement/>.

The purpose of Table 12 is to set out the objectives as well as the policies and methods that contribute to achieving them. For the avoidance of doubt, the provisions in Table 12 are not the only provisions that will apply in the Rangitāiki River catchment. These will need to be read and applied alongside all other RPS provisions. Where a conflict exists between any Rangitāiki River catchment specific provisions and region wide provisions, the catchment specific provisions shall prevail.

Key terms

For the purpose of this Change the terms defined or otherwise used in the Bay of Plenty Regional Policy Statement apply. For ease of reference these include the following:

Act: Unless the context otherwise requires, "Act" means the Resource Management Act 1991 and any amendments to it.

Anticipated environmental result: An expected effect on the environment of implementing the policies and methods. Because of the complex nature of environmental systems, not all the effects of implementing policies and methods are foreseeable.

Policy: Policies define the boundaries within which decision can be made, and they guide the development of courses of action directed towards the accomplishment of objectives. Policies are guides

The Statement: refers to the Bay of Plenty Regional Policy Statement of which this change will form a part.

Part two

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

Part two provides an overview of the regionally significant resource management issues, (including the issues of significance to iwi authorities) addressed by the Regional Policy Statement. They are addressed under the topic headings:

- Air quality
- Coastal environment
- Energy and infrastructure
- Geothermal resources
- Integrated resource management
- Iwi resource management
- Matters of national importance
- Urban and rural growth management
- Water quality and land use
- Water quantity
- Natural hazards
- Treaty Co-governance

Each topic includes a summary table showing all the objectives that relate to that topic and the titles of the policies and methods to achieve those objectives. The table also includes a reference to other policies that also need to be considered to gain an overview of the issue across the full scope of the Statement.

2.12 Treaty Co-governance

Treaty of Waitangi settlement legislation has resulted in the establishment of co-governance entities between iwi and local government.

The Bay of Plenty Regional Policy Statement is required to be amended to recognise and provide for the outcomes of statutory documents prepared under treaty settlement legislation. Those requirements may vary dependent on the legislation.

The purpose of this section is to fulfil the requirements of treaty settlement legislation in so far as it relates to the Regional Policy Statement. It is to be read in conjunction with the Treaty Co-governance Compendium Document, which is an important document that provides context for this section of the Regional Policy Statement, although it does not form part of the Regional Policy Statement. The Treaty Co-governance Compendium Document, which can be accessed at Council offices and on its website, includes a copy of Te Ara Whānui o Rangitāiki - Pathways of the Rangitāiki, the approved River document that was prepared under the treaty settlement legislation. That document includes detail of the historical association each iwi has to its ancestral awa and/or moana (waterbodies)

2.12.1 Rangitāiki River

The Ngati Manawa Claims Settlement Act 2012 and Ngati Whare Claims Settlement Act 2012 established the Rangitāiki River Forum (the Forum), with representation from local authorities (Whakatane District Council, Bay of Plenty Regional Council and Taupo District Council), Ngati Whare, Ngati Manawa, Ngati Awa and Ngati Tuwharetoa (Bay of Plenty) iwi.

The Forum developed the Rangitāiki River document (Te Ara Whānui o Rangitāiki – Pathways of the Rangitāiki).

The Bay of Plenty Regional Policy Statement must recognise and provide for the vision, objectives and desired outcomes of the Rangitāiki River document.

The vision for the Rangitāiki River is ‘a healthy river, valued by the community, protected for future generations. Tihe Mauri ora.’ ‘E ora ana te mauri o te awa o Rangitāiki, e manaakitia ana e te iwi, e tiakina ana mo ngā whakatipuranga o muri mai. Tihe Mauri Ora.’

The Rangitāiki River and its tributaries have played an important role in the lives of the many Bay Plenty hapu and iwi that live

alongside them. As kaitiaki, hapu and iwi traditionally carried the responsibility of ensuring the health and wellbeing of the Rangitāiki River and its resources, for the benefit of present and future generations.

2.12.2 Significant Issues affecting the Rangitāiki River Catchment

1. The Rangitāiki River is no longer providing an abundance of food

The Rangitāiki River and its tributaries have historically provided a highly valued tuna fishery which sustained the way of life of local people for generations.

Widespread land use changes within the Rangitāiki River catchment have resulted in a decrease in the numbers of freshwater fish (ikawai) such as the native tuna (kuwharuwharu) and whitebait species (Inanga, Banded Kokopu and Giant Kokopu). The clearance of indigenous vegetation for plantation forestry, pasture, and urbanisation together with the establishment and maintenance of hydro-electrical power generation schemes, flood protection schemes, large irrigation schemes and factories have reduced water quality, riparian margins, indigenous fish habitats and restricted indigenous fish passage. The introduction of trout species has also contributed to the reduction in numbers of indigenous fish species within the catchment.

Numbers of tuna in the Rangitāiki River catchment are declining due to a range of causes, including the commercial harvest of tuna and the establishment and maintenance of flood protection schemes.

2. Water quality is not always good enough for swimming or drinking

In general, water quality within the Rangitāiki River catchment ranges from fair to excellent. However monitoring results are showing high concentrations of bacteria and Nitrogen in parts of the catchment and trends of decreasing water quality. These changes affect the suitability of waterways within the catchment for contact recreation and in certain areas used as sources for safe drinking water. Water quality degradation is affected by a range of land uses and land management practices in the catchment.

3. The special qualities and mauri (life force) of the Rangitāiki River needs to be restored to ensure it can be used for holding rituals and ceremonies

The Rangitāiki River and its tributaries are a taonga of great cultural significance and a key source of spiritual and material wellbeing. The degradation of the Rangitāiki River has reduced its spiritual values and compromised the ability of iwi to exercise kaitiakitanga (stewardship) and conduct their tīkanga (customs) and kawa (ceremonies).

4. There is a need to rebuild the strong relationships that people once had with the Rangitāiki River

The interactions between the river and its people have become restricted as the community aspirations for the Rangitāiki River have dwindled. There is an opportunity for young people in particular to learn more about how the river contributes to their environmental, cultural and spiritual wellbeing, and how to look after it.

5. Activities in the Rangitāiki River catchment have degraded its amenity values and quality of the environment

Many of the activities established within the Rangitāiki River catchment within the last century have changed the natural pattern of the Rangitāiki River and have degraded its amenity values, quality of the environment, natural features and characteristics.

Applying the Rangitāiki River catchment provisions

The Rangitāiki River catchment objectives, policies and methods, set out in Table 12, 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.



Table 12 Rangitāiki River objectives and titles of policies and methods to achieve the objectives

Objectives	Policy titles	Page no.	Method titles	Implementation	Page no.
Objective 32 The habitat and migration paths of tuna are restored and enhanced in the Rangitāiki River catchment	Policy RR 1B: Protecting and restoring tuna habitat and migration pathways		Method 23D: Require structures to provide passage for tuna migration up and down the Rangitāiki River	Regional council	21
			Method 23E: Develop an action plan to provide passage for migrating tuna in the Rangitāiki River catchment	Regional Council	21
			Method 23F: Support the use of rāhui to restrict harvesting of tuna in the Rangitāiki River catchment	Regional Council, district councils, Department of Conservation, Ministry for Primary Industries and iwi authorities	21
			Method 23G: Advocate the termination of commercial tuna harvesting within the Rangitāiki River catchment	Regional Council, district councils, Department of Conservation, Ministry for Primary Industries and iwi authorities	21
			Method 75: Promote measures to protect, monitor and understand tuna in the Rangitāiki River catchment	Regional council and iwi authorities	23
			Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans	Regional Council and district councils	29
			Method 26: Facilitate and support community based ecological restoration programmes	Regional Council and district councils	31
			Method 63: Provide and support environmental education programmes	Regional Council and district councils	34

Objectives	Policy titles	Page no.	Method titles	Implementation	Page no.
	Policy MN 2B: Giving particular consideration to protecting significant indigenous habitats and ecosystems Policy MN 4B: Encouraging ecological restoration		Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans	Regional Council and district councils	29
			Method 26: Facilitate and support community based ecological restoration programmes	Regional Council and district councils	31
			Method 27: Provide information about sustainable land management practices	Regional Council and district councils	31
			Method 39: Promote coordination among conservation management agencies	Regional Council and district councils	32
			Method 49: Improve biodiversity values of open spaces	Regional Council and district councils	33
			Method 55: Identify priority ecological corridors and buffers	Regional Council and district councils	33
			Method 64: Encourage agencies and landowners to protect key sites	Regional Council and district councils	34
			Method 65: Advocate to establish reserves	Regional Council and district councils	34
Objective 33 Habitats that support indigenous species and linkages between indigenous ecosystems within the Rangitāiki River catchment are created, enhanced where degraded, and protected where significant	Policy RR 2B: Promoting the protection of indigenous vegetation and habitats within the Rangitāiki River catchment		Method 23H: Rangitāiki River Catchment Annual Work Programme	Regional Council, district councils and iwi authorities	21
			Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans	Regional Council and district councils	29
			Method 26: Facilitate and support community based ecological restoration programmes	Regional Council and district councils	31
			Method 27: Provide information about sustainable land management practices	Regional Council and district councils	31

Objectives	Policy titles	Page no.	Method titles	Implementation	Page no.
			Method 39: Promote coordination among conservation management agencies	Regional Council and district councils	32
			Method 49: Improve biodiversity values of open spaces	Regional Council and district councils	33
			Method 55: Identify priority ecological corridors and buffers	Regional Council and district councils	33
			Method 63: Provide and support environmental education programmes	Regional Council and district councils	34
			Method 64: Encourage agencies and landowners to protect key sites	Regional Council and district councils	34
	Policy MN 2B: Giving particular consideration to protecting significant indigenous habitats and ecosystems		Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans	Regional Council and district councils	29
	Policy MN 4B: Encouraging ecological restoration		Method 26: Facilitate and support community based ecological restoration programmes	Regional Council and district councils	31
			Method 27: Provide information about sustainable land management practices	Regional Council and district councils	31
			Method 39: Promote coordination among conservation management agencies	Regional Council and district councils	32
			Method 49: Improve biodiversity values of open spaces	Regional Council and district councils	33
			Method 55: Identify priority ecological corridors and buffers	Regional Council and district councils	33
			Method 64: Encourage agencies and landowners to protect key sites	Regional Council and district councils	34
			Method 65: Advocate to establish reserves	Regional Council and district councils	34

Objectives	Policy titles	Page no.	Method titles	Implementation	Page no.	
Objective 34 Water quality in the Rangitāiki River catchment is maintained and improved where degraded	Policy RR 3B: Establishing water quality limits within the Rangitāiki River catchment		Method 23I: Develop environmental flow, flow variability and water quality limits	Regional Council.	21	
			Method 23J: Develop strategies for managing water, wastewater and stormwater	District council	21	
			Method 2: Regional plan implementation	Regional Council		
			Method 23K: Identify key sources and locations of illegal refuse dumping in the Rangitāiki River catchment	Regional Council and district councils	23	
			Method 23H: Rangitāiki River Catchment Annual Work Programme	Regional Council, district councils and iwi authorities	21	
			Method 23L: Identify forecast and assess emerging pressures on resources and opportunities to restore water quality in the Rangitāiki River catchment	Regional Council, district councils and iwi authorities	22	
Objective 35 The social economic and cultural wellbeing of communities in the Rangitāiki River catchment is enabled within the limits of the rivers and receiving environment	Policy RR 4B: Enabling the efficient use and development of resources		Method 2: Regional plan implementation	Regional Council	29	
			Method 30: Research and monitor water allocation and abstraction	Regional Council	32	
			Method 32: Prepare and provide information to reduce water demand	Regional Council	32	
	Policy WQ 2A: Setting and applying instream flows and allocation limits for taking freshwater Policy WQ 3B: Allocating water			Method 76: Collaborate on actions to achieve a healthy Rangitāiki River	Regional Council	23
				Method 2: Regional Plan implementation	Regional Council	29
				Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans	Regional Council and district council	29
				Method 30: Research and monitor water allocation and abstraction	Regional Council	32

Objectives	Policy titles	Page no.	Method titles	Implementation	Page no.
			Method 23I: Develop sustainable environmental flow and catchment load limits	Regional Council.	21
			Method 23M: Establish cultural health indicators for the Rangitāiki River Catchment	Regional Council and district councils.	22
Objective 36 The relationship between communities and the Rangitāiki River catchment is recognised and encouraged	Policy RR 5D: Encouraging the strengthening of relationships between communities and the Rangitāiki River		Method 77: Provide and support environmental education programmes within the Rangitāiki River catchment	Regional Council and district councils	24
			Method 23M: Establish cultural health indicators for the Rangitāiki River catchment	Regional Council and iwi authorities	22
Objective 37 The practice of kaitiakitanga in decision-making is recognised and provided for when managing ancestral lands, water, sites, wāhi tapu and other taonga in the Rangitāiki River catchment	Policy IW 2B: Recognising matters of significance to Māori		Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans	Regional Council and district councils	29
	Policy IW 6B: Encouraging tangata whenua to identify measures to avoid, remedy or mitigate adverse cultural effects		Method 11: Recognise statutory acknowledgement areas	Regional Council and district councils	29
			Method 12: Take into account iwi and hapū resource management plans in assessments of environmental effects	Regional Council and district councils	29
			Method 41: Promote consultation with potentially affected tangata whenua	Regional Council and district councils	32
			Method 42: Evaluate matters of significance to tangata whenua	Regional Council and district councils	32
			Method 43: Promote the enhancement of mauri	Regional Council and district councils	32
			Method 46: Consider the necessity of consulting potentially affected tangata whenua during consent processing	Regional Council and district councils	33

Objectives	Policy titles	Page no.	Method titles	Implementation	Page no.
			Method 48: Consider appointing pūkenga to hearing committees	Regional Council and district councils	33
			Method 64: Encourage agencies and landowners to protect key sites	Regional Council and district councils	34
			Method 78: Promote information sharing between iwi, industry and the community in the Rangitāiki River catchment	Regional Council, district councils and iwi authorities	24
	Policy IW 5B: Adverse effects on matters of significance to Maori		Method 23N: Develop protocols for recognising and exercising iwi and hapū mana including kaitiakitanga in the Rangitāiki River catchment	Regional Council, district councils and iwi authorities	30
			Method 23O: Support development of an inventory of information on tikanga on waterways in the Rangitāiki River catchment	Regional Council, district councils and iwi authorities	30
			Method 23P: Develop a protocol for accessing, holding and using the wāhi tapu information	Regional Council, district councils and iwi authorities	30
			Method 23Q: Support the development of sites and areas of cultural significance within the Rangitāiki River catchment	Regional Council and iwi authorities	29
			Method 78 Promote information sharing between iwi, industry and the community in the Rangitāiki River catchment	Regional Council, district councils and iwi authorities	24

Objective 38 The qualities and characteristics of areas and features that contribute to the amenity values and quality of the Rangitāiki River catchment environment are maintained and enhanced where degraded	Policy RR 6C: Promote drainage and flood protection works that minimise adverse effects on amenity values		Method 23H: Rangitaiki River Catchment Annual Work Programme	Regional Council, district councils and iwi authorities	21
			Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans	Regional Council and district councils	29
			Method 11: Recognise statutory acknowledgement areas	Regional Council and district councils	29
Objective 39 Access to the Rangitāiki River and its tributaries is maintained and enhanced	Policy MN 5B: Encouraging public access to and along the coast, lakes and rivers Policy MN 6B: Restricting public access to and along the coast, lakes and rivers		Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans	Regional Council and district councils	29
			Method 23T: Retain and enhance public and cultural access to and along the Rangitaiki River	Regional Council, district councils and iwi authorities	23
			Method 23S: Remove or adapt structures impeding cultural and recreational access in the Rangitāiki River	Regional Council and district councils	23
			Method 23H: Rangitaiki River Catchment Annual Work Programme	Regional Council, district councils and iwi authorities	21
			Method 11: Recognise statutory acknowledgement areas	Regional Council and district councils	29
			Method 64: Encourage agencies and landowners to protect key sites	Regional Council and district councils	34
			Method 65: Advocate to establish reserves	Regional Council and district councils	34

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
UG = Urban and Rural Growth Management
WL = Water Quality and Land Use
WQ = Water Quantity
NH = Natural Hazards
RR = Rangitāiki River

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

Table 2 Policy name and page number

Policy title	Page no.
Rangitāiki River Catchment	
Specific directive policies for plans and consents	
Policy RR 1B: Protecting and restoring tuna habitat and migration pathways within the Rangitāiki River catchment	16
Policy RR 2B: Promoting the protection of indigenous vegetation and habitats within the Rangitāiki River catchment	17
Policy RR 3B: Establishing water quality limits within the Rangitāiki River catchment	17
Policy RR 4B: Enabling the efficient use and development of resources within the Rangitāiki River catchment	18
Guiding Policy	
Policy RR 5D: Encouraging the strengthening of relationships between communities and the Rangitāiki River	18
Policy RR 6C: Promote drainage and flood protection works that minimise adverse effects on amenity values	18

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: Protecting and restoring tuna habitat and migration pathways within the Rangitāiki River catchment

Protect and restore 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) Encouraging research into new and innovative methods of providing or enhancing tuna passage;
- (f) Advocating for the restoration of wetlands, coastal lagoons and retired oxbows for tuna habitats; and
- (g) 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 life-cycle, 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 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.

Protecting 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 access.

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.

Table reference: Objective 32, Methods 3, 26, 63, New Methods 23D, 23E, 23F, 23G and 75,

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, 26, 27, 39, 49, 55, 63 and 64, New Method 23H

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

Establish water quality limits for waterways within the Rangitāiki River catchment 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.

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.

Table reference: Objective 34, Method 2 New Methods 23I, 23J, 23H, 23L and 76

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, New Methods 77 and 23M

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 23R and 23H, New Method 23H
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3.2 Methods to implement policies

Table 4 Methods to implement policies

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3.2.1 Directive methods

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.

Implementation responsibility: Regional Council

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, RR 3B, 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 flow, flow variability and water quality limits in the Rangitāiki River catchment

Develop environmental flows/levels, flow variability and water quality limits in the Rangitāiki River catchment in accordance with the National Policy Statement for Freshwater Management

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 and targets 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 co-operation 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 23S: Remove or adapt structures impeding cultural and recreational access in the Rangitāiki River catchment

Where appropriate and in consultation with tangata whenua require the removal of structures that impede cultural and recreational access in the Rangitāiki River catchment. Where removal is impracticable, employ measures to adapt existing structures 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 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

4.2 Objectives, anticipated environmental results and monitoring indicators

Table 5 Objectives, anticipated environmental results (AER) and monitoring indicators

Objectives	Anticipated environmental results (AER)	Monitoring indicators
Rangitāiki River		
<p>Objective 32 The habitat and migration paths of tuna are restored and enhanced in the Rangitāiki River catchment</p>	A healthy tuna population and structure within the Rangitāiki River	<p>Regular iwi perception surveys within the Rangitāiki River catchment show iwi authorities agree the number and size of tuna within its rivers has increased</p> <p>Tuna population within the Rangitāiki River has a healthy population structure</p> <p>Two-way tuna migration pathway structures installed and working effectively on artificial man made structures exceeding 4 m in height in the Rangitāiki River catchment</p> <p>Extent of tuna habitats including wetlands and ox-bows restored in the Rangitāiki River catchment</p> <p>Commercial tuna concessions either reduced or ceased in Rangitāiki River catchment</p>
<p>Objective 33 Habitats that support indigenous species and linkages between indigenous ecosystems within the Rangitāiki River catchment are created, enhanced where degraded, and protected where significant</p>	Aquatic habitats (relative to their types and fish migration paths) are improved	<p>Net amount of indigenous ecosystems associated with the Rangitāiki River catchment's fresh water resource increases</p> <p>Macro-invertebrate diversity in rivers and lakes is maintained</p>
	Significant indigenous biological diversity and natural features values are protected and enhanced	Identified significant natural areas on private land are under active management (for the purpose of their maintenances, restoration and rehabilitation)
	Degraded ecosystems, habitats, and biological communities are restored (if practical) and rehabilitated	An observed increase in significant natural communities and habitats of indigenous flora, fauna and ecosystems in the Rangitāiki River catchment

	The extent of wetlands is maintained and enhanced.	Maintenance or improvement in the condition and extent of wetlands
Objective 34 Water quality in the Rangitāiki River catchment is maintained and improved where degraded	The health of aquatic ecosystems is safeguarded.	Surveys of aquatic ecosystems show minimal adverse effects due to silt or sediment Compliance monitoring of consented activities shows no contravention of earthwork related conditions
	Water quality supports healthy aquatic ecosystems	Macro-invertebrate diversity in rivers and lakes is maintained
	The state of degraded water quality of rivers within the catchment is restored	Water quality measured at monitoring stations within the Rangitāiki River catchment meet regional plan water quality classification standards and criteria
	Public health and safety (by providing potable water and managing sewage) is maintained	Registered drinking-water supply catchments are protected from contamination and meet regional plan water classification standards and criteria
Objective 35 The social and economic wellbeing of communities in the Rangitāiki River catchment is enabled within the limits of the rivers and receiving environment	Values of water (ecological, cultural, recreational, amenity and economic) within the Rangitāiki River catchment are maintained	River and Stream flows do not fall below their instream minimum flows due to abstraction of water Groundwater allocation limits are not exceeded
	Land use impacts are within the sustainable limits of the river (receiving aquatic environment)	Existing use and new land development aligns with that land's use capability Compliance monitoring of consented activities shows no contravention of earthwork related conditions
	Resources are used or allocated within their limits	Discharges from land are within the assimilative capacity of their receiving environments
Objective 36 The relationship between communities and the Rangitāiki River catchment is recognised and encouraged	Communities in the catchment have strong and enduring relationships with the Rangitāiki River	Regular community perception surveys within the Rangitāiki River catchment show individuals and families have a strong and enduring relationship with the river

<p>Objective 37</p> <p>Particular regard is had to the practice of kaitiakitanga in decision-making for the management of resources in the Rangitāiki River catchment</p>	<p>Cultural values and traditional relationships (including ancestral lands, water, sites, wahi tapu and other taonga) are consistently recognised and provided for in resource management decision-making</p>	<p>Regular iwi perceptions surveys show iwi within the Rangitāiki River catchment have a high degree of satisfaction that local authorities actively have regard to kaitiakitanga and take into account the Treaty of Waitangi principles in resource management decision making processes</p>
	<p>Stakeholders and iwi authorities are satisfied with their involvement in resource management decision-making</p> <p>Local government and iwi authorities are engaged consistently and positively</p>	<p>Positive trend in representation of tangata whenua within the Rangitāiki River catchment on local authority resource management governance and decision making bodies</p> <p>Regular iwi and stakeholder perceptions surveys show high levels of satisfaction with the provision of opportunities for their involvement in resource management decision making processes</p>
	<p>Decision-making takes kaitiakitanga and the principles of the Treaty of Waitangi into account</p>	<p>Section 32 reports for relevant plan changes show the Treaty of Waitangi principles and relevant iwi and hapū resource management plans have been taken into account</p>
<p>Objective 38</p> <p>The qualities and characteristics of areas and features that contribute to the amenity values and quality of the Rangitāiki River catchment environment are maintained and enhanced where degraded</p>	<p>Adverse effects on amenity values and the quality of the environment resulting from drainage and flood protection works are avoided, remedied or mitigated.</p>	<p>No loss of amenity values for areas and features affected by drainage and flood protection works within the Rangitāiki River catchment</p>
	<p>When subdividing, changing use and/or developing land, esplanade reserves or public rights are identified, acquired or enhanced.</p> <p>The level of public access to and along rivers is maintained or improved.</p>	<p>Bay of Plenty Regional Council, Whakatāne and Taupō District Councils document they have considered this objective in decisions on applications for subdivision, use or development affecting access to or along the Rangitāiki River</p> <p>Increase in the number of formal public esplanade reserves and strips and public accessways to and along the Rangitāiki River</p>
<p>Objective 39</p> <p>Access to the Rangitāiki River and its tributaries is maintained and enhanced</p>		