

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

HEARING COMMITTEE RECOMMENDATIONS VERSION 7.3b

Track Changes

This version shows changes to Proposed Change 3 (Rangitāiki River) to the Regional Policy Statement as recommended by the Hearing Committee.

Amendments recommended by the Hearing Committee are shown in red text in this Version 7.3b of Proposed Change 3.

New text is underlined and deleted text is stuck-through.

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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). Provisions to be inserted are <u>underlined</u>.

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 Whanui o Rangitaiki - 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). -# is an important document that provides context for this section of the Regional Policy Statement.

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 Rangitaiki).

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 Rangtāiki River and its tributuaries 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 longfin eels (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 schemesdams, flood protection schemes, large irrigation schemes and factories have reduced water quality, riparian margins, indigenous fish habitats and restricted indigenous fish passages. 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 of safe drinking water. following periods of heavy rain the level of bacteria within in the Rangitāiki River exceeds water quality standards for contact recreation and drinking. 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 is 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. There are opportunities to restore the natural qualities of Activities in the Rangitāiki River catchment have degraded its amenity values and quality of the environment and its water

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. Where a conflict exists between any For clarification the following Rangitāiki River catchment specific objectives provisions and shall prevail over the equivalent region wide objectives provisions, the catchment specific provisions shall prevail. Objective 39 prevails over Objective 22. Objective 34 prevails over Objective 27.

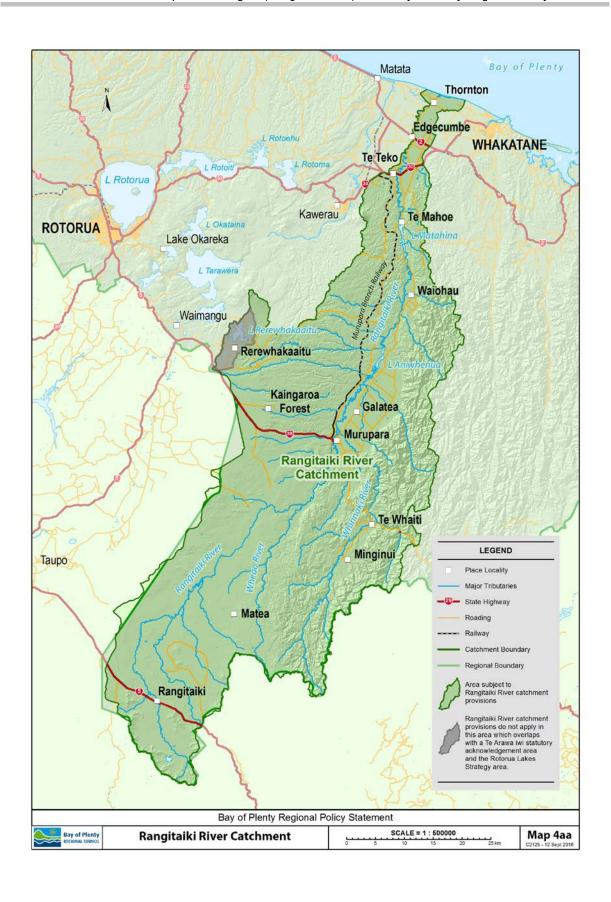


Table 12 Rangitāiki River objectives and titles of policies and methods to achieve the objectives

| Objectives | Policy titles | Page no. | Method titles | Implementation | Page no. |
|---|--|-------------|--|--|----------|
| Objective 432 The habitat and migration paths of | Policy RR 1B: Protecting and restoring tuna (eel) habitat and migration pathways | | Method 23D: Require structures thato provide passage for fishtuna migration up and down the Rangitäiki River | Regional council | 21 |
| tuna are restored and enhanced within the Rangitāiki River catchment are protected, through | enhanced within the Rangitāiki River | | Method 23E: Develop an action plan to provide passageaccess for migrating tuna (eel) in the Rangitäiki River catchment | Regional Council | 21 |
| enhancement and restoration of their habitat and migration | | | 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 Rangitaiki 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 (eel) 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 |

| Objectives | Policy titles | Page no. | Method titles | Implementation | Page no. |
|--|--|-------------|--|---|----------|
| | | | Method 63: Provide and support environmental education programmes | 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 | | Method 26: Facilitate and support community based ecological restoration programmes | Regional Council and district councils | 31 |
| | restoration | | 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 233 Habitats that support indigenous species | Policy RR 2B: Promoting the protection of indigenous vegetation and habitats within the Rangitāiki River catchment | | Method 23H: Rangitaiki River Catchment Annual Work Programme | Regional Council, district councils and iwi authorities | 21 |
| and linkages between indigenous ecosystems within the Rangitāiki River | and linkages between ndigenous ecosystems within the | | Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans | Regional Council and district councils | 29 |
| catchment are created, enhanced where degraded, and | | | Method 26: Facilitate and support community based ecological restoration programmes | Regional Council and district councils | 31 |

| Objectives | Policy titles | Page no. | Method titles | Implementation | Page no. |
|---|--|-------------|--|--|----------|
| protected where significant protected where significant and | | | Method 27: Provide information about sustainable land management practices | Regional Council and district councils | 31 |
| enhanced | | | Method 39: Promote coordination among conservation management agencies | Regional Council and district councils | 32 |
| | Policy MN 2B: Giving particular consideration to protecting significant indigenous habitats and ecosystems | | 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 |
| | | | 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 | | Method 26: Facilitate and support community based ecological restoration programmes | Regional Council and district councils | 31 |
| | restoration | | 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 |

| Objectives | Policy titles | Page no. | Method titles | Implementation | Page no. |
|--|---|---|---|---|----------|
| | | | Method 65: Advocate to establish reserves | Regional Council and district councils | 34 |
| Objective 34 Water quality is | Policy RR 3B: Establishing water quality limits for contaminants within the Rangitāiki River catchment | | Method 23I: Develop sustainable environmental flow, flow variability and water quality catchment load limits | Regional Council. | 21 |
| restored in the Rangitāiki River catchment is | Catchinent | | Method 23J: Develop strategies for managing water, wastewater and stormwater | District council | 21 |
| maintained and improved where | | | Method 2: Regional plan implementation | Regional Council | |
| degraded | | | Method 23K76: Identify key sources of pollutants and locations of illegal refuse dumping in the Rangitāiki River catchment | Regional Council and district councils | 23 |
| | | | Method 23H: Rangitaiki 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 Rangitaiki River catchment | Regional Council, district councils and iwi authorities | 22 |
| Objective 435 | Policy RR 4B: Enabling the efficient use and | | Method 2: Regional plan implementation | Regional Council | 29 |
| The social economic and cultural wellbeing of communities in the | development of resources | | Method 30: Research and monitor water allocation and abstraction | Regional Council | 32 |
| Rangitāiki River catchment is enabled within the limits of the | | Method 32: Prepare and provide information to reduce water demand | Regional Council | 32 | |
| rivers and receiving environment | 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 |

| Objectives | Policy titles | Page no. | Method titles | Implementation | Page no. |
|---|---|-------------|--|---|----------|
| | | | Method 30: Research and monitor water allocation and abstraction | Regional Council | 32 |
| | | | 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 536 The relationship between communities | Policy RR 5D: Encouraging the strengthening of relationships between communities and the Rangitäiki River | | Method 77: Provide and support environmental education programmes within the Rangitāiki River catchment | Regional Council and district councils | 24 |
| and the Rangitāiki River catchment is recognised and encouraged | recognised and | | Method 23M: Establish cultural health indicators for the Rangitāiki River catchment | Regional Council and iwi authorities | 22 |
| Objective 637 The practice of kaitiakitanga in | 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 |
| decision-making is recognised and provided for when | 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 |
| managing resources ef ancestral lands, water, sites, wāhi tapu and other taonga in the Rangitaiki River | <u>vater, sites, wāhi tapu</u> <u>nd other taonga in</u> | | Method 12: Take into account iwi and hapū resource management plans in assessments of environmental effects | Regional Council and district councils | 29 |
| catchment is recognised and provided for | | | Method 41: Promote consultation with potentially affected tangata whenua | Regional Council and district councils | 32 |
| provided for | | | 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 |

| Objectives | Policy titles | Page no. | Method titles | Implementation | Page no. |
|------------|---|-------------|---|---|----------|
| | | | Method 46: Consider the necessity of consulting potentially affected tangata whenua during consent processing | Regional Council and district councils | 33 |
| | | | 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 Rangitaiki 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 tīkanga 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 Rangitaiki River catchment geographic information sets | Regional Council and iwi authorities | 29 |
| | | | Method 78 Promote information sharing between iwi, industry and the community in the Rangitaiki River catchment | Regional Council, district councils and iwi authorities | 24 |

| | | 1 | | T | |
|--|---|---|--|---|----|
| Objective 738 The qualities and characteristics of | Policy MN 1B: Recognise and provide for matters of national importance | | Method 23R: Promote drainage and flood protection works that minimise adverse effects on natural features and landscape values | Regional Council. | 23 |
| areas and features that contribute to the amenity Natural features and | assessing inappropriate development Policy MN-8B: Managing effects of subdivision, use and development | | Method 23H: Rangitaiki River Catchment Annual Work Programme | Regional Council, district councils and iwi authorities | 21 |
| landscape values and quality of the Rangitāiki River catchment | | | Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans | Regional Council and district councils | 29 |
| environment are maintained and enhanced where degraded | and flood protection works that minimise adverse effects on amenity values | | Method 11: Recognise statutory acknowledgement areas | Regional Council and district councils | 29 |
| Objective 839 Access to the Rangitāiki River and | Policy MN 5B: Encouraging 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 |
| its tributaries is maintained and enhanced | aiong the coast, takes and nivers | | 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 (eel) 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 for contaminants 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 | |

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. Where a conflict exists between any For clarification the following Rangitāiki River catchment specific objectives provisions and shall prevail over the equivalent region wide objectives provisions, the catchment specific provisions shall prevail. Objective 39 prevails over Objective 22. Objective 34 prevails over Objective 27.

Policy RR 1B:

Protecting and restoring tuna (eel) habitat and migration pathways within the Rangitāiki River catchment

Protect and restore the habitat, migration pathways and population of tuna within the Rangitatiki 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 avoid impeding allow tuna-two-way tuna passage access migratory pathways:
- (d) Requiring the modification of existing structures that inhibite allow tuna passage access;
- (e) Encouraging research into new and innovative methods of providing or enhancing tuna passage access;
- (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. Longfinned tuna eels 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 Rangitäiki 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.

<u>Table reference: **Objective 432**, Methods 3, 26, 63, New Methods 23D, 23E, 23F, 23G and 75.</u>

Policy RR 2B: Promoting the protection of indigenous vegetation and habitats within the Rangitāiki River

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

catchment

- (a) <u>Identifying and assessing existing areas of indigenous vegetation and habitats;</u>
- (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 prioriotised 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) <u>Liaising with landowners to encourage</u> protection and enhancement; and
- (g) <u>Supporting non-regulatory initiatives for the restoration or enhancement of degraded habitats.</u>

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 hydroelectricity 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.

<u>Table reference: **Objective 233**, Methods 3, 26, 27, 39, 49, 55, 63 and 64. New Method 23H</u>

Policy RR 3B: Establishing water

quality limits for
contaminants within
the Rangitāiki River
catchment

Establish water quality limits for contaminants such as nutrients, sediment and bacteria in waterways within the Rangitāiki River catchment to ensure wherever practicable the water:

- (a) is safe for contact recreation bathing;
- (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 in as many places as possible 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.

<u>Table reference: **Objective 34**, Method 2 New Methods 23I, 23J, 23H, 23L and 76</u>

Policy RR 4B: Enabling the efficient use and development of resources within the Rangitaiki 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 Rangitaiki 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.

<u>Table reference: **Objective**</u> 435, 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) <u>Community based environmental initiatives:</u> and
- (c) Community-based activities that celebrate the values of the Rangitaiki 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.

<u>Table reference: **Objective**</u> 536, 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.

<u>Table reference: **Objective 38**, Methods 23R and 23H, New Method 23H</u>

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 tohat provide passage for tunafish migration up and down the Rangitāiki River catchment

Require the provision of fish safe and effective tuna passage for all new and existing structures (including culverts) where they impede tunafish passage in the Rangitāiki River catchment.

<u>Implementation responsibility: Regional</u> Council

Method 23E: Develop an action plan
to provide two-way
passageaccess for
migrating tuna (eel) in the
Rangitaiki River
catchment

In collaboration with iwi dDevelop an action plan in collaboration with iwi and hydro-electricity generators to provide two-way passageaccess for migrating tuna (eel) including by:

- (a) Working with hydro-electricity generators and researchers on projects;
- (b) Analysing and conducting research; and
- (c) Making recommendations on restoration programmes; and
- (d) Working with river users to address tuna passageaccess.

<u>Implementation responsibility: Regional</u> Council.

Method 23F: Support the use of rāhui
to restrict the harvesting
of tuna in the
Rangitaiki 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 Rangitaiki River catchment

Advocate to terminate commercial harvesting of tuna within the Rangitaiki River catchment.

Implementation responsibility: Regional Council, district councils, Department of Conservation, Ministry for Primary Industries and iwi authorities

Method 23H: Rangitaiki River
Catchment Annual Work
Programme

Implement Policies RR 2B, RR 3B, MN 1B, MN 7B, MN 8B, MN 5B and MN 6B shall be implemented through the Rangitāiki River catchment Annual Work Programme.

Implementation responsibility: Regional Council, Rangitaiki River Forum, Whakatane District Council and iwi authorities.

Method 23I: Develop sustainable
environmental flow, flow
variability and water
quality catchment load
limits in the Rangitāiki
River catchment

Sustainable Develop environmental flows/levels, flow variability and catchment load water quality limits in the Rangitāiki River catchment shall be developed in accordance with the National Policy Statement for Freshwater Management framework and include:

(a) The current state and anticipated future state

(b) Freshwater objectives; and
 (c) Limits for meeting freshwater objectives.

<u>Implementation responsibility: Regional</u> Council

Method 23J: Develop strategies for managing wastewater and stormwater in the Rangitāiki River catchment

In liaison with tangata whenua, and local communities and affected industries develop and implement strategies for the alternative enhanced treatment and disposal of wastewater and stormwater in the Rangitāiki River catchment.

<u>Implementation responsibility: District</u> councils

Method 23K: Identify key sources and

locations of illegal refuse dumping pollutants in the Rangitāiki River catchment

Identify key sources and locations of illegal refuse dumping pollutants entering waterways 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: Establish 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.

<u>Implementation responsibility: Regional</u> 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 any 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 230: 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: Support the

dDevelopment of sites
and areas of cultural
significance geographic
information sets for wāhi
tapu and wāhi taonga
sites within the Rangitāiki
River catchment

In co-operation with iwi, hapū and whanau support iwi to development of geographic information sets for wāahi tapu and wāahi taonga sites and areas 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 with the relevant iwi or hapu to ensure culturally appropriate handling of the information.

<u>Implementation responsibility: Regional</u> Council and iwi authorities

Method 23R: Promote drainage and flood protection works that minimise adverse effects on natural features and landscape values

Promote the use of design options and construction methodologies for drainage and flood protection works which minimise any adverse effects on natural features and landscape values within the Rangitāiki River catchment.

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 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.

<u>Implementation responsibility: Regional</u> 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 and understand tuna (eel) in the Rangitāiki River catchment

Work with communities to protect, monitor, and promote a better understanding of tuna (eel) and their two-way migration in the Rangitaiki River catchment, including ending longfinned tuna eel commercial takes in the catchment.

<u>Implementation responsibility: Regional</u> Council and iwi authorities

Method 76: Collaborate on actions to

achieve the freshwater management objectives for the a healthy Rangitāiki River

Work collaboratively with stakeholders, including iwi and hapū, hydro-electricity generators, and rural production, commercial and industrial sector groups on actions to achieve the freshwater management objectives for the a healthy Rangitāiki River.

<u>Implementation responsibility: Regional</u> <u>Council</u>

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) <u>Supporting school education</u> <u>programmes;</u>
- (c) <u>Support connections with young people.</u>

<u>Implementation responsibility: Regional</u> <u>Council and district councils.</u>

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 | | | |
| Objective 432 The habitat and migration paths of tuna are restored and enhanced within the Rangitāiki River catchment are protected, through measures including enhancement and restoration of their habitat and migration paths | A healthy tuna population and structure within the Rangitāiki River | Regular iwi perception surveys within the Rangitāiki River catchment show iwi authorities agree the number and size of tuna within its rivers has increased Tuna population within the Rangitāiki River has a healthy population | |
| | | structure | |
| | | 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 | |
| | | Extent of tuna habitats including wetlands and ox-bows restored in the Rangitāiki River catchment | |
| | | Commercial tuna concessions either reduced or ceased in Rangitāiki River catchment | |
| Objective 233 Habitats that support indigenous species and linkages between indigenous ecosystems within the Rangitāiki River catchment are created, enhanced where degraded, and protected where significant protected where significant and enhanced | Aquatic habitats (relative to their types and fish migration paths) are improved | Net amount of indigenous ecosystems associated with the Rangitāiki River catchment's fresh water resource increases | |
| | | Macro-invertebrate diversity in rivers and lakes is maintained | |
| | 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 is restored in the Rangitāiki River catchment is maintained and improved | Erosion, silt or sediment does not adversely affect the aquatic ecosystems The health of aquatic ecosystems is safeguarded. | Surveys of aquatic ecosystems show minimalne adverse effects due to silt or sediment Compliance monitoring of consented activities shows no contravention of earthwork related conditions |
| where degraded | 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 435 The social and economic wellbeing of communities in | Values of water (ecological, cultural, recreational, and amenity and economic) within the Rangitäiki River catchment are maintained | River and Stream flows do not fall below their instream minimum flows due to abstraction of water |
| the Rangitāiki River catchment is enabled within the limits of the rivers and receiving | | Groundwater allocation limits are not exceeded |
| environment | 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 (design parameters or carrying capacity) | Discharges from land are within the assimilative capacity of their receiving environments |
| Objective 536 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 |

| | T | |
|---|--|---|
| Objective 637 Particular regard is had to tThe practice of kaitiakitanga in decision-making for the managementing of the resources of in the Rangitaiki River catchment is recognised and provided for | 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 | 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 |
| | Stakeholders and iwi authorities are satisfied with their involvement in resource management decision-making | Positive trend in representation of tangata whenua within the Rangitāiki River catchment on local authority resource management governance and decision making bodies |
| | Local government and iwi authorities are engaged consistently and positively | 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 |
| | Decision-making takes kaitiakitanga and the principles of the Treaty of Waitangi into account | 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 |
| Objective 738 The qualities and characteristics of areas and features that contribute to the | Cumulative and existing adverse effects on natural features and landscape values are assessed when making decisions | Baseline surveys and subsequent reviews show a positive trend in the preservation and protection of the identified significant indigenous biodiversity values and natural features and landscape within the Rangitāiki River catchment |
| amenity Natural features and landscape values and quality of the Rangitāiki River catchment environment are maintained and enhanced where degraded | Adverse effects on amenity values and the quality of the environment resulting from drainage and flood protection works landscape and natural features from infrastructure are avoided, remedied or mitigated. | No loss of amenity values for areas and features affected by drainage and flood protection works associated with outstanding natural features and landscapes identified in the Whakatāne and Taupō District Plans within the Rangitāiki River catchment |
| Objective 839 Access to the Rangitāiki River and its tributaries is maintained and enhanced | When subdividing, changing use and/or developing land, esplanade reserves or public rights are identified, acquired or enhanced. | 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 |
| | The level of public access to and along rivers is maintained or improved. | Increase in the number of formal public esplanade reserves and strips and public accessways to and along the Rangitāiki River |